Statement
by
Ambassador Paul Beijer
Ministry for Foreign Affairs of Sweden
at the meeting of the Preparatory Committee of the Arms Trade Treaty
United Nations
New York
14 February 2012
Mr Chairman,

Sweden would like to address the issue of the draft Rules of Procedure you have tabled.

Several have argued that op 5 in res 64/48 specifies that we should have consensus on every element of a future treaty text.

We do not agree with that interpretation. Op 5 says “on the basis of consensus”, not “by consensus”.

We read this text as meaning what you referred to yesterday as “the golden rule” - nothing is agreed until everything is agreed.

To us, this rule represents the best chance of getting a result that we have all said we want: a tool that will help us address the terrible consequences of unregulated arms flows with due regard for national security - because we all recognize that the subject matter of these negotiations has strong national security implications.

If we try to negotiate this treaty on the basis of requiring a separate consensus for every element we will end up with nothing, because whatever text we come up with for one such element it will always be less than perfect for somebody.

We need to work in good faith on each element to try to find the text that satisfies almost everybody - and then when we have gone through all the elements we can all take a step back and assess whether the sum total is something each of our delegations can live with. A consensus rule at that stage protects us all in case we find that no, we cannot live with that result.

As for the draft rules of procedure you have proposed, Mr Chairman. We see the draft rules of procedure not as determining how we actually work in July. We expect to be working in a spirit of partnership with every delegation in this room. The rules of procedure are like an insurance policy. A fallback, to provide guidance if we find ourselves in an unexpected and difficult situation. And they are not our rules, Mr Chairman, they are yours to deploy in case of need.

And your job is to get us to a final result that hopefully everyone can accept, making the consensus rule in 3.3 unnecessary to use. Because of that, we trust you to use these rules of procedure with the same integrity, good judgement, and common sense that you have shown all through the PrepCom process.

For that reason, we are happy to accept the draft you have proposed just as it is, with only the small change suggested in Rule 64 (d) which would allow non-governmental organisations to address the conference more than just once during our four weeks of work.

Thank you, Mr Chairman