STATEMENT

by

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Member of the Trinidad and Tobago Delegation

at the

Fourth Preparatory Committee for the United Nations
Conference on the Arms Trade Treaty

on

Draft Rules of Procedure

United Nations Headquarters

February 14, 2012
Mr. Chairman,

Trinidad and Tobago aligns itself with the statement it delivered yesterday on behalf of CARICOM on the Rules of Procedure, but wishes to use this opportunity to make additional comments in its national capacity.

Mr. Chairman, while we can look toward rules and procedures that have been used in other negotiations to guide this process, we caution against the generic and wholesale adoption of these since it must be appreciated that each negotiation process is unique to its particular circumstances. It is for this reason therefore that UN General Assembly Resolution 64/48 calls for this session of the PrepCom to decide upon the Rules of Procedure to be adopted during the July Conference.

It should be noted that the consensus requirement for adopting the treaty would not inevitably lead to universality, as some would have us believe. The application of consensus as a rule of decision-making does not connote that all States would automatically become party to whatever instrument is agreed upon during the Conference. The discussions during the sessions of the PrepCom have revealed divergent views of many States on vital issues, which will go to the heart of determining the robustness of the instrument to be adopted. While the attainment of consensus can be the aim at first instance, should this fail in the presence of an overwhelming majority in support of a robust instrument; this should not operate to put us in the untenable position of having to adopt something that will be weak and ineffective. It is for this reason therefore Mr. Chairman that we find merit in the Mexican proposal which indicates that Rule 33 (1) would best represent our understanding of consensus because it is in line with resolution 64/48. If this practical proposal is accepted, it would require the deletion of the remaining paragraphs of Rule 33 and the consequential amendment to Rule 35 paragraph 1. While we appreciate that the consensus rule has served its purpose in the negotiation of other instruments such as the Chemical Weapons Convention and the Comprehensive Nuclear Test Ban Treaty, we would distinguish these from the present situation since this is not a disarmament treaty.

Mr. Chairman, with respect to the implementation of Rules 47 and 48, my delegation wishes to join with others in highlighting the attendance predicament that will be faced by small delegations in attending critical meetings that would be held simultaneously. Consequently, we request the establishment of a mechanism which would permit participation by all States in critical discussions, particularly small States such as CARICOM Member States and those States faced with capacity constraints that are most vulnerable to the illicit trade in arms.
Finally, Mr. Chairman

My delegation wishes to reiterate the call made by other delegations to widen the ambit for NGO participation under Rule 63 and 57(2). While participation does not confer the right upon these entities to vote, their experience and knowledge of the issues involved would prove beneficial to the negotiating process. In fact Mr. Chairman, it should be acknowledged that part of the reason we are here today deliberating upon this important matter can be attributed to the persistent lobbying by the NGO community that has continuously highlighted the deleterious effects of the illicit trade in arms on the social and economic landscape of many societies. In addition, throughout the meetings of the PrepCom, the NGO community has constructively demonstrated its commitment to advancing the process and has provided invaluable support and expertise to States.

I thank you Mr. Chairman.