Statement by Mr. Md. Mustafizur Rahman
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At the 4th Session of the Preparatory Committee for the United Nations Conference on Arms Trade Treaty

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Mr. Chairman,

Allow me to congratulate you on your able stewardship as the Chair of the Preparatory Committee. Bangladesh delegation continues to repose confidence in you to steer our deliberations to fruition. We hope to make progress in formulating an international legal framework within which States can trade arms responsibly and with transparency. The provisional rules of procedure of the Conference which you, Mr. Chairman, have outlined and tabled for consideration of the member states, we believe, will lead to conclusion of a comprehensive, legally binding treaty that would establish commonly agreed standard for international transfers of conventional arms. You may be assured of my delegation’s full support in this endeavour.

Mr. Chairman,

Let me, at the outset, reiterate our longstanding position that the treaty negotiation process must be carried out through open and transparent discussion, and decisions should be made on the principle stipulated in paragraph 5 of General Assembly resolution 64/48, which stipulates that the conference will be undertaken in an open and transparent manner, on the basis of consensus. My delegation believes that the spirit of Resolution 64/48 is noble; however, if past experience is a guide, it should be remembered that achieving universal consensus on any issue is a mammoth task within the United Nations system. To this end, Bangladesh proposes that while we must make every effort to arrive at a general and, if possible, universal consensus, in the absence of such agreements, the alternatives established in the rules of procedure of the General Assembly could be considered. Our goal is to conclude a robust treaty and we should not allow one or two member states either to derail or undermine many years of good work of the international community to reach our goal in the name of consensus.

With regard to the participation of NGOs in the Conference in July, my delegation believes that the involvement of NGOs and civil society organizations is a force for the wellbeing or good of people, and therefore we feel that their support is necessary and helpful for a successful conclusion of the arms trade treaty. While the final decisions will be made by sovereign States, there is no harm in enlisting the knowledge and expertise of the non-state actors. They can also be a catalyst in achieving treaty objectives by raising awareness and mobilizing public support.

Mr. Chairman,

Bangladesh believes that the primary goal of an arms trade treaty is to prevent and combat illicit trafficking of conventional weapons; thus it is necessary to
appropriately regulate arms trade activities without affecting legitimate arms trade or a State’s legitimate right to self-defense. States should also be able to meet their legitimate defence and security needs, and assist in international peacekeeping operations when possible. Although the decision to approve the transfer of arms is a sovereign decision of each Member State, Bangladesh will seek to ensure that the treaty establishes high standards to prevent trade in arms when there is a substantial risk that those arms will be used to commit crime or facilitate grave violations of international humanitarian law or grave and systematic violations of international human rights laws.

Mr. Chairman,

We believe that the arms trade treaty should be comprehensive in scope but feasible for implementation, focusing on targeted problems. The Arms Trade Treaty should cover export, import, state-to-state, state-to-private end-user, commercial sales, Leases, loans or gifts or any other form of transfer of material goods or expertise, re-export, transit, temporary transfer and trans-shipment and brokerage of all conventional arms, including but not limited to, heavy weapons, small arms and light weapons, ammunitions, parts and components of the aforementioned, etc. To be effective, an Arms Trade Treaty should contain a comprehensive system to control the cross-border movement of all conventional weapons, munitions and associated parts, technology and equipment. The above items should be clearly defined and laid out in a detailed annex that should be updated at regular intervals. The definition of conventional arms to be included in the treaty should be flexible and adaptable to future technological developments in the arms industry.

Although we do not expect the arms trade treaty to set the way member states implement their treaty obligations, it will obviously require them to enact and to enforce effective laws and regulations to control the flow of arms into, out of and through their respective territories. In the unequal world that we live in, it is obvious that some States, with well-established national systems and controls, will be better placed than others to implement their treaty commitments. For others, there will be gaps in national capacity and capability that may have to be addressed through international cooperation and assistance. The implementation strategy of the proposed treaty must, therefore, account for the difference in the capacity of States and the specificities of the legal systems and the existence of relevant national legislation. As a developing country Bangladesh proposes that development partners including emerging economies provide developing countries especially to the least developed countries with materials, training, human resource, technology and funds as necessary for implementation.

Mr. Chairman,
It is in the interest of the entire international community that international trade in conventional arms will be submitted to a comprehensive international instrument containing common, minimum standards for transfers of conventional arms. These standards should be derived from the highest standards contained in already existing agreements under international humanitarian law and customary international law. Our goal is to 'regulate and smoothen' rather than 'restrict' legal arms trade, making arms trade transactions more transparent, while not allowing, through sufficient safeguards, the political abuse of the scope and parameters of the treaty for other political, commercial or economic interests. Our aim for the negotiations leading to 2012 is to create a strong and robust treaty, by taking on board as many States as possible. A very strong treaty with low participation is undesirable, as is a weak treaty with broad participation.

I thank you Mr. Chairman