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STATEMENT

OF THE DELEGATION OF UKRAINE

AT THE FOURTH SESSION OF PREPARATORY COMMITTEE FOR THE

UNITED NATIONS CONFERENCE ON THE ARMS TRADE TREATY

New York, February 16, 2012
I thank you Mr. Chairman.

At the outset let me commend you for your role in this process up to and including at the Diplomatic Conference coming later on this year.

In addition to the position on the ATT explained in our national paper submitted by Ukraine earlier, we would like to point out some further thoughts.

Mr. Chairman,

The ATT should establish an obligation to each State Party to develop a legal and administrative system that would ensure control over all transfers of items covered by the scope of the Treaty.

To achieve an adequate understanding of and a proper compliance with the Treaty its text needs to be enhanced by definitions. We would like to have them within the text rather than to keep in the Annex. To our opinion, strict definitions would make a Treaty more effective, because of some criteria, especially those of uncountable in nature, can be randomly interpreted and thus could bring uncertainty. It also comes from the fact that there are no strict regulations originated from the relevant humanitarian laws regarding establishing arms embargo as a result for their violation.

The outcomes of analysis of channels which may lead to illegal arms circulation revealed a big portion of improper internal arms storage and transfers. They are of critical importance for all UN member states with regard to the uncontrolled international proliferation and subsequent illicit trafficking of conventional weapons. Thus, it might be helpful, if it would be within the future ATT. In working towards to limit, if not to completely eliminate these goals, we have to secure that there will be no infringement on domestic ownership of firearms.

Mr. Chairman,

Exchange of information is a very important part of the Treaty. The UN has relevant experience connected with the UN Register of Conventional Arms, which is quite sufficient transparency example to be in favour of. We believe that information contained in initial declarations, annual reports and in ones submitted before regular review meetings of the prospective ATT would be enough to serve as a basis for making necessary conclusions. We do realize that denials notification exchange is not viable so far in this sphere. On the other hand, Ukraine will not support a weak or ineffective Treaty it may be without a robust mechanism of its verification and control.

We prefer quick and easy implementation of the ATT. On the one hand, it shall foresee a threshold that reasonably exceeds a number of major players on the market, which are already prepared for implementation. In the other hand, accession to the Treaty will demand a proper domestic implementation in accordance with national legislation and regulations in line with obligations under the ATT. Ukraine is optimistic that the ATT should definitely include a lot of countries including ones outside of the relevant export control regime.
It is important how the Treaty will work and what would be control mechanisms and penalties should a breach of the Treaty happens as it was conceived as a legally binding, but not just a political agreement.

[Should the Treaty foresee any penalties it is needed to discuss regulations regarding dispute settlement.]

Mr. Chairman,

These are our initial headline comments on the future ATT text based on your implementation paper. To take properly opinions of all states participating in the preparatory process will help us to reveal conflicting views on establishing a global control over arms transfer in order to improve and finalize the draft ATT.

We are entering a critical phase of the ATT negotiation and expecting to reach a consensus on substantial and organizational issues, hopefully, by the end of this meeting. I believe that we can manage a very difficult challenge before us very effectively. On this track my delegation will fully support your continued efforts throughout this process.

I thank you Mr. Chairman.