

TOWARDS AN ARMS TRADE TREATY

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Ambassador Matek, fellow Ambassadors, Ladies and Gentlemen, I am delighted to be here today although I am the UK Permanent Representative at the Conference on Disarmament in Geneva, I am talking to you today in my capacity as the UK's Ambassador for Multilateral Arms Control and Disarmament about the initiative for an international treaty on the trade in conventional arms, better known as Arms Trade Treaty, or ATT.

Consequently the OSCE is perhaps the most active body in the field of addressing the three key dimensions of security – the politico-military, the economic and environmental, and the human dimension.

The OSCE's existing work is directly relevant to the basic goals of the ATT initiative, which is aimed at ending irresponsible transfers of conventional arms, which fuel conflict and are used by human rights abusers.

For example, the OSCE's invaluable work on arms control, including work on Best Practice for Small Arms and Light Weapons and Man Portable Air Defence Systems, and destruction of surplus stocks, is reducing the undesirable circulation of arms. Work on confidence building measures, notably on transparency and verifiable information exchange, is moving us closer to a true accountability in the armaments field. Work on human rights, democracy, conflict prevention and post conflict rehabilitation is contributing to the creation of the stable framework needed to ensure arms flows are properly controlled.

If I may, today I would like to explain why we feel an Arms Trade Treaty is needed, then give you a little background on the ATT initiative, look at where work now stands, and go into a little detail of the UK's vision for a treaty.

Why a treaty?

So why is a treaty needed to end the irresponsible arms trade?

Why not rely on States to look after their own standards, depending on their regional or international commitments?

Put simply, because it is not working.

True, Good progress has been made and we are clear that international efforts to help build capacity and improve practical implementation of national controls must continue.

But currently, standards for national controls of the international trade in conventional arms vary greatly.

Some States have highly developed transfer controls and systems in place to enforce them stringently. Others have good controls on paper, but have weak enforcement practices; while some have, in practical terms, no real controls at all.

This means that, given the international nature of the arms trade, and the ease with which arms can be transported, today there is no universally effective way to prevent irresponsible or illegal arms transfers, such as those in breach of international or regional embargoes.

We believe this situation will persist as long as the existing commitments of States are not clearly set out in one comprehensive instrument, and as long as the standards States agree, and are expected to abide by, are not clearly elaborated in a transparent universal framework for all States to follow.

Some ask why an agreement needs to be legally binding?

Because an instrument will need to set out tough standards if it is to make a real difference. And to make sure these standards are adhered to, a treaty will have to have a robust monitoring mechanism, together with a fair and transparent enforcement system.

Others ask whether it will really be possible to agree tough standards?

We are under no illusion about the task ahead. It will not be easy.

However, The enthusiasm of the majority is clear. 153 nations voted in favour of the Resolution in the UNGA. 70 States have sent returns to the UNSG request for views

It is true that some major arms exporters are taking a questioning approach. We are engaging all States in the hope that they will see the initiative as a positive opportunity, not as a threat or an unrealistic dream.

That said 7 Co Sponsors, Argentina, Australia, Costa Rica Finland, Kenya, Japan and the United Kingdom, drawn from across the regions of the world, recognise that there is hard work ahead if a treaty is to meet the needs of exporters and importers, and at the same time end the suffering of those affected by the negative aspects of the arms trade.

And let's be clear, we want a treaty which will make a difference. We will not accept one that will have no real impact.

Where did the idea come from?

The idea of a Global Arms Treaty is not new. We can trace its beginnings back to 1925 where it was first discussed by the International Conference on

the International Trade in Arms, Munitions and Implements of War, which had been convened by the Council of the League of Nations.

In 1991 the permanent 5 members of the UN Security Council (US, UK, China, France and Russia) signed a joint declaration re-affirming their commitment to seek effective measures to promote arms control, on a global and regional basis in a fair, reasonable comprehensive and balanced manner and their determination to adopt a serious, responsible and prudent attitude of restraint regarding arms transfers. This work complimented the fundamental role of the Treaty on Conventional Armed Forces in Europe which remains a cornerstone of European Security.

The latest initiative for an Arms Trade Treaty grew out of suggestions made by a group of Nobel laureates in the 1990s, led by the Costa Rican President Oscar Arias, and later progressed by civil society groups and supported by a range of countries.

British Support for this initiative was confirmed in March of 2005, a little over two years ago, when the then British Foreign Secretary, Jack Straw, set out in a speech the United Kingdom's support for a treaty. At that time Mr Straw made clear we saw a clear need for a legally binding treaty; covering all conventional arms, not just small arms; based on core principles which make clear when exports would be unacceptable; with an effective mechanism for enforcement and monitoring; and with a wide range of signatories, including the world's major arms exporters.

UN Process

In the spring of 2006 the UK, together with a group of 6 other countries (Argentina, Australia, Costa Rica, Finland with whom we will work closely as Chairman in Office in 2008, Japan and Kenya) launched a draft Resolution calling for a UN process to formally examine the possibility of work towards a treaty.

That process was agreed in the UN General Assembly in December last year, with 153 countries voting in support.

As the first stage of that process the UN Secretary General is gathering national views on the "feasibility, scope and draft parameters" of a treaty. To ensure work is put on a sound footing and reflects the views of the different States that have an interest in the arms trade, we are encouraging all countries to feed their views into this process.

To date I understand that more than 70 countries have done so. If your country has not, I encourage you to urge your colleagues in capitals and in New York to get involved in the process.

In 2008 the UN Secretary General will convene a Group of Governmental Experts to examine the initiative further. If that Group produces a positive report, the next step will be to start the negotiation of a treaty.

So clearly we have made a good start, but we are only at the first stage of the process, and there is a long way to go.

UK vision

If I may, I would now like to say a little more about the United Kingdom vision for a treaty, which we have set out in our submission to the UN.

With the overall objective of ending irresponsible arms trading that fuels conflict or allows arms into the hands of human rights abusers, we believe the key goals in taking forward the initiative should be to ensure that: –

- A - States are clearly aware of, understand, and adhere to their existing international commitments, which are currently set out in a range of different instruments and under customary international law, to control international transfers of conventional arms.

- B - States adopt and implement standards to prohibit arms transfers which will:
 - provoke or prolong armed conflicts, or exacerbate existing conflicts,
 - aid the commission of human rights abuses,
 - aid the commission of serious violations of international humanitarian law,
 - destabilise countries or regions,
 - undermine sustainable development, including ensuring the least diversion for armaments of the world's human and economic resources,
 - allow arms to flow from the legitimate to the illicit market, or
 - undermine the establishment and maintenance of international peace and security.

And to ensure that -

- In the conduct of the arms trade States subscribe to the highest standards of good governance, including the need to tackle bribery and corruption.

- States maintain control of the flow of arms into and out of their territory by establishing and implementing national legislation, with penalties for breaches of this legislation.

And, importantly, that -

- States, if they wish, are able to participate in the legitimate international defence trade:
 - to maintain and develop their industries to meet their own defence and security needs;
 - to execute international collaborative defence projects;
 - to import arms for their legitimate needs; and

- to export arms to help other nations to meet their own defence and security needs.

Within this overall approach I should stress that our aim is not to end the arms trade or to hamper the development of national or international arms industries. The right of all states to arm themselves is not in question.

It is notable in this context that UK industry support the ATT initiative, seeing it as an opportunity to end unscrupulous trading, while easing the burden on legitimate business. In the globalised market place there are increasingly complex supply chains and growing numbers of international partners involved in joint projects.

An ATT should ensure that high standards are observed at all stages where components and end products move from State to State, but also make this process easier for responsible manufacturers.

We do not see a treaty covering transfers within a State, or imposing restrictions on how arms may be acquired, held or used within a State's territory. However, we do aim to end those irresponsible international transfers that are currently allowed to proceed regardless of the negative impact they will have.

Conclusion

I hope this does not sound too abstract, or too far removed from the real day to day challenges faced by those working to end conflict or to protect human rights.

An ATT will not happen overnight, and it will only end the irresponsible arms trade if it sets tough standards and is accompanied by ongoing practical efforts to help countries set up and implement proper export control practices. But we are convinced the initiative is the right way forward.

I hope that all countries will engage in the UN process, and work with us to make this happen.

Thank you for giving me the opportunity to explain our strong support, and enthusiasm, for this initiative.