



Permanent Mission of the State of Kuwait
to the United Nations
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Statement of the Arab Group

Delivered by

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First Secretary**

Permanent Mission of the State of Kuwait to the United Nations

**Third Session of the Preparatory Committee for the United
Nations Conference on the Arms Trade Treaty (ATT) in 2012,**

New York, 11 July 2011

Mr. Chairman,

On Behalf of the Arab Group, I am pleased to renew the Group's confidence in that the work of this session of the Preparatory Committee will be based on comprehensiveness in considering various approaches and will rely on consensus rule, which guarantees that the result of our important work remains acceptable to all parties at this important juncture.

Mr. Chairman,

The Third Session of the Preparatory Committee represents a key phase of discussions in the context of the United Nations on the proposed treaty, particularly as has on its agenda the issue of implementation modalities and mechanisms, and the issue of final provisions. Discussions on those two issues will fundamentally influence the philosophy of the treaty and its implementation modalities, as well as the practical and operational measures to be taken in order to ensure a balanced Treaty which is resistant to political abuse on one hand, and to secure its potential to achieve universality on the other hand, in case the treaty model that to be introduced could realize the benefit of all parties, and would not be limited to political, commercial and military interests of the major countries producing and exporting arms.

Notwithstanding the principle position of the Arab Group, which addresses nuclear disarmament as the primary objective in the framework of the United Nations, we welcome, any efforts made in the field of arms-control as long as such efforts are just, non-discriminatory, objective, transparent, comprehensive and balanced

and as long as their elements are legitimate and are practically implementable.

Mr. Chairman

The Arab Group reaffirms its rejection of attempts to politicize or employ criteria such as human rights and/or sustainable development, referred to in the Chairman's earlier Non-papers, as a pretext for intervening in internal affairs of other States, or controlling their required means for legitimate self-defense, or issuing classifications and judgments against other countries, labeling this or that country in the field of human rights, on selective and subjective basis, merely dictated by political inclinations.

Against this background, the Group of Arab States looks forward towards contributing actively and constructively during our discussions on an ATT in a manner through which we will remain keen to make sure that any possible outcome of our work here will remain compatible with the realities existing in our region, where conventional weapons continue to be used for the suppression of peoples under occupation, the destruction of homes, settlement-building and killing of civilian residents along with other illegitimate practices against unarmed civilians.

While the Arab Group stresses the priority of the key principles that were mentioned in detail in the Group's statement addressed to the Second Session of the Preparatory Committee in February 2011, it wishes to express its appreciation to the Chairman for circulating his two non-papers, aimed at enriching discussions on the themes of "implementation modalities" and "final provisions". The group has

studied the two non-papers and noted a number of its elements which reflect the positions of the group, but also detected amongst the elements of the non-paper's a general trend that raises the Group concerns, requiring the presentation of an initial assessment. The outline of this assessment is as follows:

First: The efforts exerted by the international community to explore the possibility of formulating an ATT, should not represent, in any possible way, a shift in priorities of the international community, which have been previously identified in the field of disarmament, and in particular nuclear disarmament, as adopted at the first Special Session of the General Assembly devoted to disarmament in 1978.

The Arab Group takes into consideration the ever-growing international concern over the risk of proliferation of nuclear weapons particularly in the Middle East, where Israeli nuclear capabilities threaten regional and international security and peace.

Second: The Treaty Model that is embraced in the Chairman's draft non-papers remains based on the maximization of the individual role of arms-producing and arms-exporting States in assessing the importing countries implementation of the criteria under consideration and of the proposed treaty in general. That being pursued without placing States producing and exporting arms to any verification or monitoring system aimed at ensuring correct compliance in Treaty implementation.

Third: The proposed treaty model suggests the formulation of "an implementation support unit" notably limited in size and role, instead of proposing an integrated mechanism of a Secretariat awarded the

necessary tools to follow-up the implementation of a treaty of such sensitivity, and verify compliance of states parties, and arbitrate in cases of denials on subjective basis, or in cases of political manipulation of the terms of the treaty for exclusively national purposes that conflict with the internationally identified purpose of the treaty.

Fourth: Regarding the criteria that have been proposed for the Treaty, the group is of the view that resorting to any specific criteria as a basis for rejecting or accepting the transfer of arms and trade, must be based on conclusive indisputable decisions and resolutions adopted by relevant United Nations bodies dealing substantively with such criteria, and should not be based on subjective criteria open to a wide range of variation and even dispute between countries in assessing the implementation of such criteria, and allowing room for arms-producing and exporting States to translate and interpret, according to their independent national perspectives, the extent to which other countries respect these criteria, in such a way that will definitely not be compatible to the stated aim of the proposed treaty.

Fifth: The proposed treaty model continues to exclude the elements of production and stockpiles of major conventional arms-producing and exporting countries, both of which are heavily impact the nature of international and regional trade in conventional arms. It is thus rather difficult to expect the success of a treaty dealing with arms transfers and trade which overlooks addressing the elements of production and stockpiles. Both elements should be introduced in an obligatory mechanism for national reporting.

The Arab group will continue to actively interact with other States participating in the Preparatory Committee, hoping that this interaction will yield a constructive discussion, the results of which are to enhance the chances of arriving at a consensus on all relevant elements of the proposed treaty within an appropriate timeframe and in a realistic manner, which realizes the balance between the rights and obligations among all States irrespective of the size of their involvement in the trade of conventional weapons.

Thank you Mr. Chairman