



# General Assembly

Sixty-second session

First Committee

**19**<sup>th</sup> meeting

Monday, 29 October 2007, 12 p.m.  
New York

Official Records

*Chairperson:* Mr. Badji ..... (Senegal)

*In the absence of the Chairperson, Mr. Hunger (Switzerland), Vice-Chairperson, took the Chair.*

*The meeting was called to order at 12.25 p.m.*

## Agenda items 88 to 105 (continued)

### Thematic discussion on item subjects and introduction and consideration of draft resolutions submitted under disarmament and international security agenda items

**The Acting Chairperson:** We will now resume our thematic discussion on conventional weapons. Approximately 40 speakers remain on our list, so I encourage delegations to be brief in their statements and to respect the time limit.

**Mr. Shin Dong-ik** (Republic of Korea): Since Ambassador Kim Hyun Chong was not available to attend this meeting, allow me to read out the following statement on his behalf.

“According to a recent study, of the 870 million small arms and light weapons across the globe, three quarters — 650 million — are possessed by civilians. Each year, small arms and light weapons claim half a million innocent lives.

“While significant progress has been made in the field of small arms and light weapons within the United Nations framework, it will be of no use without follow-up, action and implementation. The international community must make continuous efforts and display

genuine commitment if we are to practice what we preach, particularly in terms of the United Nations Programme of Action on Small Arms and Light Weapons and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.

“An encouraging development to that end was the adoption in June of a consensus report by the Group of Governmental Experts on the illicit brokering in small arms and light weapons. The report set out practical recommendations on how to control illicit brokering activities in this field. We believe that controlling brokering is crucial if the international community is to adequately address the unregulated worldwide proliferation of small arms and light weapons. It was on that understanding that the Government of the Republic of Korea, together with the Australian Government, hosted an international conference on brokering controls last March, providing a valuable opportunity to pool our wisdom, experience and information.

“We hope that the Group of Governmental Experts on conventional ammunition stockpiles in surplus, to be convened next year, will mark another milestone in strengthening international efforts on small arms and light weapons. It is also our sincere hope that next year’s Biennial Meeting on the Implementation of the Programme of Action on Small Arms and Light Weapons will spur the international community to reaffirm our

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commitment to the Programme of Action and to strengthen its implementation.

“I would also like to take this opportunity to inform the Committee that the Government of the Republic of Korea is planning to host a regional workshop next year, in cooperation with the United Nations Office for Disarmament Affairs and other sponsors, to promote the International Instrument on marking and tracing of small arms and light weapons at the regional level.

“With regard to the issue of an arms trade treaty, my delegation welcomes and supports the adoption last year of General Assembly resolution 61/89. It is our hope that the group of governmental experts on an arms trade treaty, to be established early next year, will thoroughly examine the feasibility, scope and parameters of the proposed treaty and will provide practical and balanced recommendations to the Assembly on how to further develop this issue within the United Nations framework. It is our expectation that, during that process, the group of governmental experts will take due consideration of the views presented by many Member States. Those views should be analysed either by the Secretariat or by the group of governmental experts so that they will also serve as a valuable reference for Member States in their future deliberations.

“In designing a comprehensive, legally binding instrument for the establishment of common international standards for the import, export and transfer of conventional arms, it is of crucial importance to come to a clear understanding of the international arms trade as it currently exists. According to the recent 2007 survey by the Stockholm International Peace Research Institute, a small number of countries account for the majority of the global demand for arms. Eighty-nine of the world’s hundred largest arms-producing companies are based in Western countries. Of these, the top 40 companies of one country and the top 32 in Western European countries accounted for about 92 per cent of global arms sales. Those clear imbalances in the international arms trade should be taken into account as we develop a new set of obligations that will affect the international community as a whole. The active participation of those major

arms-supplying States will be indispensable for the success of this exercise.

“There is also a need to accord due consideration to the existing guidelines regulating international arms transfers, in particular the guidelines for international arms transfers adopted by the Disarmament Commission in 1996, which provide both general principles and detailed recommendations for international arms transfers. The experience of regional groups such as the European Union and the Economic Community of West African States will also serve as a valuable guide.

“My delegation recognizes that the international trade in conventional weapons is an extremely complex issue. We therefore believe that the best way to achieve the desired result will be through a deliberative, comprehensive, practical and step-by-step approach to the issue of an arms trade treaty.

“Since its adoption in 1980, the Convention on Certain Conventional Weapons (CCW) has played a pivotal role in the global effort for conventional weapons control and in the realization of the principles of international humanitarian law.

“During the Third Review Conference, in November 2006, States parties succeeded in agreeing on the decision on a compliance mechanism, the establishment of a sponsorship programme and the Action Plan to Promote Universality of the Convention. However, the discussions on mines other than anti-personnel mines have stalled despite the years of hard work put in by the Group of Governmental Experts. My delegation supports the establishment of a legally binding instrument that addresses the inhumane consequences of mines other than anti-personnel mines. We call upon all States parties to take a more flexible attitude so that we can achieve tangible results during the upcoming meeting of the High Contracting Parties to the Convention on Certain Conventional Weapons next month.

“My delegation welcomes the entry into force of Protocol V to the Convention on Certain Conventional Weapons, on explosive remnants of war, in November 2006. It is our pleasure to report that the Republic of Korea will be able to

ratify the Protocol in the very near future, as soon as the necessary domestic procedures are completed.

“During the meeting of the Group of Governmental Experts last June there were active discussions on the issue of cluster munitions, and it was confirmed that the international community should expedite its efforts to mitigate or minimize the indiscriminate and lasting effects of cluster munitions. However, differences on how to approach the issue were evident. We understand the eagerness and sincerity of the countries engaged in discussions on cluster munitions outside the Convention in pursuit of comprehensive and perfect legal requirements to address humanitarian concerns.

“My delegation believes that the Convention on Certain Conventional Weapons is the most appropriate forum in which to tackle the problems associated with cluster munitions and the challenges arising from differing positions on cluster munitions. A definition of cluster munitions that is acceptable to all countries has yet to be formulated. Military and technical aspects of these munitions also call for more detailed study. Furthermore, the effectiveness of any international regime adopted without the participation of the most relevant States is bound to be contested. In this vein, the discussions on cluster munitions should take place within the CCW to achieve more tangible outcomes and further strengthen the CCW regime. Moreover, it will allow us to strike a fine balance between humanitarian concerns and military needs.

“The Korean Government has faithfully implemented the principles of the Convention. With the aim of strengthening the CCW regime, we will continue to play our part to that end. My delegation calls on all States parties to demonstrate more flexibility to enable our aspirations to be translated into real action.”

**Mr. Mounagara Moussotsi** (Gabon) (*spoke in French*): My statement on the theme of conventional weapons will focus essentially on the position of my country regarding the necessity of an international instrument on the arms trade.

Around the world there are hundreds of victims of these weapons, which are produced, sold and used in

uncontrolled ways, including outside zones of conflict — and even, regrettably, in States that are lax in regulating and controlling those arms. Not only do they kill indiscriminately, those arms also destroy the economic fabric and widely contribute to insecurity and instability.

More rigorous legal measures are thus necessary to prevent their proliferation and their illicit and irresponsible use. To do this, we must, under the auspices of the United Nations — whose primary mission is the maintenance of international peace and security — establish norms that are internationally and legally binding. Those norms will serve to reinforce those already existing on the issue but which have shown themselves to be ineffective, with many gaps and limitations, notably in the areas of implementation, verification and follow-up. Existing regulations are selective and subject to commercial and political contingencies.

An effective treaty on trade in conventional weapons, as recommended in General Assembly resolution 61/89 last year, will provide all countries with common norms likely to guarantee more responsible, even more humane, arms trade. Furthermore, my delegation fervently hopes that such a treaty would contain non-discriminatory provisions and be based on international law, particularly international humanitarian law.

While guaranteeing States the legitimate right to equip their armed forces, that treaty should also allow for a control system that would assure that States scrupulously fulfil their obligations under the treaty. Such an arms trade treaty would also have the advantage of subjecting exporters to the same clear and objective rules.

Additionally, my country believes that a legally binding instrument of universal scope would reduce weapons stockpiles that unfortunately, fall into the hands of small groups that have no respect for human rights. The text would also contribute to depriving producers, exporters and unscrupulous users of those means which feed and worsen conflicts in which children, including girls, are often used.

While waiting for the adoption of such an instrument, States should abstain from authorizing arms or munitions transfers when they are destined to be used, or likely to be used, in violation of

international law, including international human rights and humanitarian law.

States must also, before authorizing such arms transfers, keep in mind factors such as respect on the part of recipient States for commitments and obligations regarding transparency in matters of non-proliferation, arms and munitions control as well as disarmament. It would also be highly advisable that the supplier States refuse all arms transfers that could prove harmful to sustainable development.

My delegation would be very pleased to see these elements incorporated into the arms trade treaty. The sincerity of our real commitment to disarmament, collective security and human rights will also be evident in the enthusiastic manner in which we will be involved in the negotiations and the adoption of legally binding instruments on issues of disarmament and the non-proliferation of conventional weapons.

**Mr. Rowe** (Sierra Leone): Let me begin by reiterating the position of Sierra Leone that the existence and proliferation of nuclear weapons and other weapons, not of just destruction but of so-called mass destruction, continue to pose the greatest threat to humanity.

However, the excessive accumulation, uncontrolled circulation and illicit trade in conventional weapons, including small arms and light weapons and ammunition, not only pose a serious threat but, more important, continue to kill and maim millions of people throughout the world today. On the one hand, we are surrounded by huge arsenals of so-called weapons of mass destruction, some of which are on high alert for deployment, while, on the other, conventional weapons are inflicting massive destruction of human life, including the lives of innocent people. What an ominous situation this is.

Sierra Leone, for its part and consistent with its commitment to the maintenance of peace and security at the subregional, regional and global levels, has made every effort to sign and ratify various instruments for the control of nuclear and conventional armaments. Since the theme of this thematic debate is conventional weapons, I should mention for example that we are a party to the Convention on Certain Conventional Weapons (CCW) and its Protocols, including those pertaining to explosive remnants of war, mines, booby traps and other devices. We are also a party to the Ottawa Convention and have destroyed the small

quantity of anti-personnel landmines that we inherited from a military regime. Incidentally, in this regard, we are interested in international action on the prohibition of the use of cluster munitions. At the subregional level, we will soon ratify the new Economic Community of West African States (ECOWAS) Convention on Small Arms and Light Weapons.

It is pertinent to ask what the purpose is of all our resolutions, declarations, codes of conduct and conventions on disarmament and non-proliferation. Sierra Leone believes that the basis — the rationale — of every disarmament and non-proliferation instrument is and should be human security. Disarmament or arms control is not so much about the principle of sovereignty and national interest. It is about the lives and livelihood of people — in short, human survival.

That is the approach my delegation takes in its contribution to this thematic debate on conventional weapons, a contribution that we would like to devote exclusively to the proposal for establishing common standards for the import, export and transfer of conventional arms, or an arms trade treaty.

I am sure that no one was surprised when Sierra Leone registered its full support for that proposal by sponsoring resolution 61/89, adopted by the General Assembly last December. For obvious reasons, Sierra Leone has been in the forefront of efforts at the regional, subregional and international levels aimed at addressing the proliferation, excessive accumulation and illicit trade in small arms and light weapons.

Sierra Leone supports the proposal for a legally binding instrument establishing common international standards for the import, export and transfer of conventional weapons, for one and only one reason, namely, human security: to enhance the safety, security and welfare of people. As we see it, the rationale for such a treaty is not merely to fill a gap regarding international trade transactions, but more important, as resolution 61/89 clearly states, because

“the absence of common international standards on the import, export and transfer of conventional arms is a contributory factor to conflict, the displacement of people, crime and terrorism, thereby undermining peace, reconciliation, safety, security, stability and sustainable development”.  
(*resolution 61/89, ninth preambular para.*)

Human security is at the centre of the proposal for an international arms trade treaty. The 2001 United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which currently enjoys universal acceptance and support, is also centred on human security. In that document, did we not express our concern about the wide range of humanitarian and socio-economic consequences of the illicit manufacture, transfer and circulation of that notorious category of conventional arms referred to as small arms and light weapons? Did we not also express grave concern in the Programme of Action about the devastating consequences of that phenomenon on our children?

One of the draft resolutions now before the First Committee would have the General Assembly express its deep concern about the magnitude of human casualties, especially among children, caused by the illicit proliferation and use of small arms and light weapons. A few days ago, the representative of Japan reminded us to bear in mind that 500,000 people lose their lives to small arms every year.

In the view of the Sierra Leone delegation, all those Member States that supported the Programme of Action and that continue to applaud it should now support the idea of working with us in the process of devising an international arms trade treaty. The overall objective is the same: common standards in the wider interest of humanity.

We believe that an arms trade treaty is not only feasible. It is necessary — absolutely necessary. From last year's debate in the First Committee on the subject, and from the views submitted by States to the Secretary-General in response to resolution 61/89 on the feasibility, scope and draft parameters of the proposed instrument, we can at this stage conclude that it is time to take the next bold step forward. Thereafter, we would then move into a negotiating process towards the objective of a legally binding instrument establishing common standards for the import, export and transfer of conventional weapons.

As the saying goes, we are not trying to reinvent the wheel. We already have various instruments, documents, best practices, guidelines, protocols, model regulations, codes of conduct, arrangements and conventions at the regional and subregional levels. In my subregion, for instance, we have the new ECOWAS

Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials. A solid foundation has been laid for the proposed international arms trade treaty.

We would like to suggest that this Committee should organize next year a special joint thematic debate with the Second and Third Committees on disarmament, non-proliferation and human security. My delegation would like to appeal to all those States that have expressed strong reservations about the idea of a treaty and even opposition or reservation to the idea of starting the process, to reconsider their positions. We agree that it is a complicated issue. We are aware that the process of negotiations could be lengthy. All we ask of them is to join us in starting the process. They will have the opportunity to participate in a process that will be transparent and open-ended. They will also have an opportunity — indeed, a right — to address the issue on its merits, present articles, propose amendments and analyse every provision of the proposed instrument. All of this, of course, will be done with the understanding that we are all working in the interest of peace and security of peoples everywhere and in the larger interest of humanity.

**Ms. Foster (Canada):** It is critically important that the international community take every measure possible to protect civilians both during and after conflict.

Canada remains fully committed to the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. To this end, Canada hosted an informal meeting on small arms and light weapons transfer controls in August, which was attended by 100 countries and many United Nations agencies, regional organizations and non-governmental organizations. There was extensive discussion of global principles that can guide the transfer of small arms and light weapons, as well as of practical strategies to mobilize resources and strengthen capacity to effectively control small arms transfers. The Chair's summary of this meeting will be submitted to the 2008 Biennial Meeting of States to consider the Implementation of the Programme of Action, for their consideration. This experience has reaffirmed our belief that informal, intersessional meetings as a regular feature of the work of the international community can complement formal

meetings of States and do much to accelerate the implementation of the United Nations Programme of Action on Small Arms and Light Weapons.

Canada welcomes the report of the Group of Governmental Experts on the illicit brokering of small arms and light weapons submitted by the Netherlands, and we look forward to a similarly successful outcome to the work of group of governmental experts on an arms trade treaty, leading to the negotiation of a legally binding agreement regulating all international conventional arms transfers.

Canada continues to recognize the threat posed by the illicit trade in man-portable air defence systems (MANPADS) primarily from a disarmament perspective and will continue to work with States to effectively address this issue. Canada commends Norway for its leadership in the Oslo process, which seeks to develop a new legally binding international instrument by the end of 2008 that would comprehensively address the humanitarian and development impact of those types of cluster munitions that cause unacceptable harm to civilians.

In February 2007, Canada was pleased to join 45 other countries in issuing the Oslo Declaration on Cluster Munitions, a declaration that has now been endorsed by more than 80 countries, including many producer nations and nations affected by cluster munitions. We very much look forward to the commencement of negotiations in Austria in December and will do our utmost to contribute to the successful negotiation of this new treaty.

At the same time, Canada will continue to pursue action on cluster munitions and related issues within the traditional disarmament framework of the Convention on Certain Conventional Weapons (CCW). We see no contradiction in engaging in these two processes concurrently. Quite the opposite. As membership of the two processes is not identical, more countries will be engaged by pursuing the Oslo process and work in the CCW Convention framework in parallel. If managed properly, these processes can — and indeed should be — mutually complementary.

Canada strongly supported the decision of the CCW Group of Governmental Experts, which met in Geneva last June, to recommend that the November Meeting of the States Parties consider as a matter of urgency action to address the impact on civilians of cluster munitions, including the negotiation of a new

legally binding protocol. Canada will work closely with other States parties in order to achieve a positive outcome in November.

This year marks the tenth anniversary of the negotiation and opening for signature of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, otherwise known as the Ottawa Convention. After 10 years there is much to celebrate. There are 155 States parties to the Convention and many others have adopted its norms. Millions of stockpiled mines have been destroyed; vast tracts of land have been cleared and returned to productive use; and tens of thousands of landmine survivors have been rehabilitated and reintegrated into their societies. But much remains to be done to rid the world of this indiscriminate killer and to achieve the goal of a mine-free world. Canada pledges to continue to work with other countries, United Nations agencies, international organizations and civil society to this end. We will also continue to integrate mine action into our regular peace and security, humanitarian and development programmes — a process that has enabled us to increase our contribution to mine action in recent years.

Whether we speak of anti-personnel landmines, cluster munitions, small arms and light weapons or other weapons, the highest humanitarian concern of the international community must remain the protection of civilians and the rehabilitation of survivors.

**The Acting Chairperson:** I call on the representative of Mali, who will introduce draft resolution A/C.1/62/L.5.

**Mr. Mallé (Mali)** (*spoke in French*): The delegation of Mali would like once again to convey its thanks to the Chairman for the remarkable way in which he has have led the work of the First Committee.

The objective of our statement on the issue of small arms and light weapons is not only to contribute to the ongoing debate, but also and especially to share with other delegations Mali's perspective on the subject. Combating the proliferation of small arms and light weapons is an important aspect of human security, a concept that places the individual at the heart of societal concerns and views life as the prism through which we perceive our political, economic and social environment.

The extent to which small arms and light weapons are used and the tragic consequences of this use have demonstrated that the struggle against this scourge goes beyond national capacities. Aware of this reality, the international community has defined and implemented measures for counter this phenomenon. I will not enumerate the result of these measures, with which members are already familiar.

The October 2007 briefing paper produced jointly by the International Action Network on Small Arms, Oxfam International and Saferworld, entitled “Africa’s Missing Billions”, tells us that “armed conflict costs Africa around \$18 billion per year” and that the “vast majority of these weapons and their ammunition — perhaps 95 per cent — come from outside Africa”. That sum could have served to help build infrastructure for development.

On the question of combating the proliferation and illicit trafficking of small arms, Mali’s commitment and determination are universally recognized. This commitment is, first of all, reflected in our initiative that led to the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa, which was adopted by the Economic Community of West African States (ECOWAS) in 1998. Mali, supported by other ECOWAS countries, then supported the idea of transforming the Moratorium into a convention, so as to put in place a legally binding subregional instrument. The process led to the adoption by ECOWAS of the Convention on Small Arms and Light Weapons, Their Ammunition, and Other Related Material 14 June 2006 in Abuja. My country also provided a headquarters to host the new ECOWAS Small Arms Control Programme, which replaced the Programme for Coordination and Assistance for Security and Development.

It was also my country’s commitment that made combating the illicit proliferation of small arms and light weapons one of the priorities of the Human Security Network during our chairmanship, from May 2003 to May 2004.

Mali’s policy to combat the illicit proliferation of small arms involves both coercive and awareness-raising activities. Awareness-raising through micro-disarmament programmes financed by our development partners, to whom we express our deep gratitude, enabled us to collect and destroy thousands of weapons

and their ammunition. Furthermore, Mali destroyed a significant quantity of its stock of anti-personnel mines. As for the law and order side of this issue, we rely on our courts and security forces.

Still on the topic of national action, Mali was one of the first countries to create a National Commission to combat the illicit proliferation of small arms and light weapons. The Commission part of the Office of the President and a national focal point for the 2001 Programme of Action, is responsible for policy direction, research and the supervision of national efforts aimed at preventing, combating and eradicating the illicit arms trade in all its aspects. The Commission also organizes training missions within the country on the issue of small arms and light weapons, in collaboration with civil society, making use of decentralized local committees throughout the country.

At the legislative level, the law of 27 September 2000 regarding the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction and its 15 November 2000 implementing decree constitute the national instruments for implementation of the Ottawa Convention. Additionally, the law of 18 July 2001, relating to the customs code, bans the import or export of merchandise, including weapons, that poses a threat to public order. I would also mention the law of 12 November 2004 that regulates arms and ammunition.

The adoption of these legal norms grew out of the determination of the public authorities to wage implacable combat against the illicit traffic of light weapons and to respond to the urgent need to harmonize national legislation with legislation at the subregional, regional and international levels.

The United Nations Regional Centre for Peace and Disarmament in Africa has launched the Small Arms Transparency and Control Regimes in Africa, financed by Sweden and Norway, whom we very sincerely thank. In the context of this project, an inventory of national arms-production capacities in nine African countries, including Mali, has been published. It forms the basis of a control mechanism for arms production in those countries.

The delegation of Mali hopes fervently for the adoption of a convention aimed at regulating the international arms trade, but at the same time it

believes that such a convention should regulate arms brokering.

The draft resolution that Mali has the honour of introducing on behalf of the States members of ECOWAS (A/C.1/62/L.5) is entitled “Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them”. By the terms of the draft resolution, which is substantially unchanged vis-à-vis last year’s resolution 61/71, the General Assembly would commend the United Nations and international, regional and other organizations for their assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them. The Assembly would also invite the Secretary-General and those States and organizations that are in a position to do so to continue to provide assistance to States for curbing the illicit traffic in small arms and light

weapons and collecting them. Likewise, it would call upon the international community to provide technical and financial support to strengthen the capacity of civil society organizations to take action to help to combat the illicit trade in small arms and light weapons.

We invite other Member States to become sponsors of this draft resolution, and as in the past, we hope that the Committee will adopt it by consensus. The delegation of Mali would like warmly to thank all the countries that have already become sponsors.

In conclusion, my delegation reiterates Mali’s readiness to contribute significantly to the fight against the illegal proliferation of small arms and light weapons by taking part in efforts to be made in that regard.

*The meeting rose at 1.05 p.m.*