



General Assembly

Sixty-third session

First Committee

14th meeting

Tuesday, 21 October 2008, 3 p.m.
New York

Official Records

Chairperson: Mr. Marco Antonio Suazo (Honduras)

In the absence of the Chairperson, Mr. Mutavdžić (Croatia), Vice-Chairperson, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda items 81 to 96 (*continued*)

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

The Acting Chairperson: This afternoon, the Committee will continue its thematic discussion on conventional weapons. We have as guest speaker Mr. Michael Hasenau, Chairman of the Group of Governmental Experts established to consider further steps to enhance cooperation with regard to the issue of conventional ammunition stockpiles in surplus. I would kindly ask our guest speaker to adhere to the time limit suggested by the High Representative in his letter of invitation, namely 10 to 15 minutes. I welcome Mr. Hasenau and now invite him to make a statement.

Mr. Hasenau (Chairperson, Group of Governmental Experts established to consider further steps to enhance cooperation with regard to the issue of conventional ammunition stockpiles in surplus): The problems arising from the accumulation of conventional ammunition stockpiles in surplus are of growing concern. While accurate data on the exact scale are not available, we know that the global stockpile of conventional ammunition in surplus runs into many millions of tons. The magnitude of the

challenge is illustrated by the increasing frequency of accidental explosive events within ammunition storage areas worldwide, resulting in hundreds of lives lost each year.

The Group of Governmental Experts was tasked to consider further steps to enhance cooperation with regard to the issue of conventional ammunition stockpiles in surplus. In doing so, the Group agreed that it was the prerogative of each State to assess its conventional ammunition requirements in accordance with its legitimate security needs.

It started its work from the premise that the surplus problem is largely a result of inadequate stockpile management policies and practices. States that do not manage their national stockpiles risk being unable to monitor the quality and quantity of the conventional ammunition within them or to effectively address the accumulation of surplus.

Conventional ammunition stockpiles that are poorly managed pose an excessive risk because they can become unstable and threaten public safety with explosion or contamination. The Group was particularly concerned about the significant physical risk to communities from the presence of inappropriately located and poorly stored and managed stockpiles of ammunition. Unsecured and poorly managed stockpiles also allow the diversion of ammunition to illicit use, which can increase fatalities arising from civil wars, insurgencies, terrorism, crime and other armed violence.

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08-56252 (E)



Ineffective stockpile management and security can severely undermine arms embargoes and sanctions regimes. Ineffective stockpile management and poor physical security risk facilitating access by armed non-State actors to conventional ammunition and may constitute a source of supply for the construction of improvised explosive devices. Moreover, the presence of poorly managed stockpiles of conventional ammunition poses a threat to peacekeeping operations and a serious risk to peacekeeping personnel.

In its report, the Group argues strongly that comprehensive and effective management of conventional ammunition stockpiles is the only long-term means for States to prevent the growth of surplus stockpiles and to minimize the safety and security risks that are inherent to all conventional ammunition stockpiles. Such effective stockpile management has a number of basic components. They range from categorization and accounting systems that are essential to ensuring safe handling and storage and to identifying surplus, to physical security systems to discourage loss or diversion, as well as surveillance and testing procedures that assess the stability and reliability of ammunition and its suitability for use by national military and security forces.

Owing to the nature of conventional ammunition, specific resources and cooperation programmes are required so that surplus ammunition can be destroyed in a safe, rapid, transparent and environmentally benign way. Elements of institutional capacity-building are essential to introduce effective and efficient stockpile management processes with a long-term perspective. The Group recommends that special attention be given to the development of national staff skills through education and training.

The Group considers it important to recommend a set of mutually reinforcing measures in the areas of stockpile management, awareness-raising, capacity-building and international assistance as a basis for concerted and structured attention to the issue. These measures could be undertaken at the national, regional and global levels to address the accumulation of conventional ammunition stockpiles in surplus and enhance cooperation.

A key element among the measures recommended by the Group departs from the lack of global model regulations or technical guidelines for the stockpile management of conventional ammunition. National

legislative and regulatory frameworks, supported by effective operational procedures, are essential for effective and efficient stockpile management. They are the indispensable basis for any form of cooperation.

The Group is therefore of the view that technical guidelines on the management of stockpiles can greatly facilitate international cooperation. The Group sees an important role for the United Nations in developing such a set of international guidelines for conventional ammunition stockpile management. These guidelines would be available for States to use on a voluntary basis in developing and implementing effective stockpile management and security systems and in strengthening international cooperation and assistance.

In conclusion, the Group concentrates on a few recommendations for action at the national, regional and global levels that I would like to summarize. At the national level, the Group calls upon States to address stockpile management issues in a comprehensive manner and to develop or improve legislative and regulatory frameworks that govern the safe and secure storage of stockpiles of conventional ammunition. The Group also calls upon States to strengthen their support for projects and programmes to improve stockpile management and, in this context, the destruction and demilitarization of conventional ammunition stockpiles in surplus.

At the regional level, the Group sees an important role for regional organizations to play in cooperating more thoroughly on the issue of stockpile management and the exchange of relevant information and experience, with a special focus on sustainable capacity-building, the key elements being education and training.

At the global level, the Group strongly recommends the development of technical guidelines for the stockpile management of conventional ammunition that would be available for States to use on a voluntary basis. These guidelines would serve to assist States in improving their national stockpile management capacity, preventing the growth of conventional ammunition surpluses and addressing wider risk mitigation.

In closing, I should like to thank the members of the Group for their very constructive approach and their individual contributions to the work process which allowed the Group to come to substantive conclusions and recommendations. I also wish to

express my appreciation for the support received from the staff of the United Nations Office for Disarmament Affairs.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): We note that the problem of conventional weapons is naturally attracting growing attention in the international community. That is due to the humanitarian problems caused by the use of such weapons against innocent civilians and to a whole range of issues relating to their destabilizing accumulation in crisis regions and their illicit trafficking.

In that regard, the Russian Federation has co-sponsored a number of draft resolutions on the problem of conventional weapons, in particular the draft resolution entitled "Transparency in armaments", which was introduced by the delegation of the Netherlands; the draft resolution entitled "Consolidation of peace through practical disarmament measures", introduced by the representative of Germany; and the draft resolution entitled "Information on confidence-building measures in the field of conventional arms", introduced by the delegation of Argentina. We are prepared to support a number of other initiatives in this area.

Russia has consistently advocated increased efforts to halt the illicit trade in small arms and light weapons at the national and regional levels. As was shown by the Third Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York in July, the situation with respect to the illicit trafficking of small arms and light weapons throughout the world has not fundamentally improved. We believe that the lack of progress in implementing the Programme is caused in many instances by a lack of financial resources in the developing countries and by a lack of qualified staff. At the same time, there is insufficient political will to promote order in this area. There are problems with the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.

Despite the well-known difficulties, we continue to believe that the Programme of Action is far from exhausted. States still have a great deal to do to

implement it at the national level, primarily in the areas of tightening control over the production and trafficking of small arms and light weapons and of strengthening regional cooperation. We welcome the adoption of the Outcome Document of the Meeting, the first such document agreed by the United Nations since the Programme of Action got under way. On the whole, it reaffirms and develops a working approach to implementing the Programme of Action in combating illegal brokering and tightening control over stockpiles and surpluses of small arms and light weapons, and charts guidelines for further international cooperation.

Unfortunately, we note that the report fails to address certain important aspects of the fight against illicit small arms and light weapons, such as end-user certificates; the illegal production of small arms and light weapons, including unlicensed small arms and light weapons; tightening re-export control; and the link between terrorism, organized crime and the illegal traffic in small arms and light weapons.

Effectively combating the illegal traffic in small arms and light weapons would also be helped by the adoption by the international community of a number of additional measures to prevent weapons moving from the licit to the illicit trade. Such measures might include, in particular, halting the production of small arms and light weapons on the basis of expired licences or a lack of licence; encouraging the practice of having the exporter assess the conditions in which these weapons are stored and the importer's intended use of certain types of small arms and light weapons — for example, man-portable air defence systems (MANPADS); tightening re-export control; introducing a ban on the transfer of small arms and light weapons to non-State end-users. The importance of these problems has been recognized in the document issued by the United Nations Group of Governmental Experts to examine the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms.

We believe that one especially important aspect in that regard is the strengthening of control over man-portable air defence systems in the context of combating international terrorism. The world has seen some progress in that regard. The Organization for Security and Cooperation in Europe (OSCE), the Wassenaar Arrangement and the Asia-Pacific Economic Cooperation Forum have adopted texts on man-

portable air defence systems export controls, and we believe that it would be in the interest of all States to develop and adopt a comprehensive international universal document in this respect.

The discussions on the proposal to draft a global arms trade treaty that took place in the context of the United Nations Group of Governmental Experts have brought to light all the difficulties and the complex nature of this problem and highlighted the futility of attempts to find quick fixes. In our view, the Group did not manage to fulfil the key aspect of its mandate: identifying the practical feasibility, in current conditions, the idea of an arms trade treaty.

Moreover, in their consensus outcome document, the experts rightly noted that the main problems in the international arms trade are linked to their illegal trade and to the areas of the legal trade in which ever greater opportunities exist for diverting weapons into the hands of undesirable end-users. I refer in particular to unauthorized re-export, illegal brokering, the trade in unlicensed weapons and delivery to non-State structures.

We agree with the Group's conclusion regarding the desirability of considering the problem of the global arms trade in a gradual and phased manner aimed at finding a consensus-based result agreeable to all. It should be noted that the Group's document does not say that the result could be some kind of juridical instrument; that is, it has basically nothing to say about an arms trade treaty in this regard. We think this is significant, since the overwhelming majority of members of the Group represent countries that are active supporters of the idea of the treaty.

We believe that the draft resolution on the arms trade treaty submitted at this session of the General Assembly should, to the extent possible, take the Group's outcome document into account. On the whole, it guides us towards serious and meticulous work to restore order to the global trade in weapons and to combat the uncontrolled proliferation of and illegal trafficking in conventional weapons. A substantive discussion of the idea of an arms trade treaty will be possible only after the fundamental ideas of the document have been debated and the reasons for the ineffectiveness of existing arms transfers regional mechanisms clarified.

We note that, while we used to debate the slippage of regional treaties adopted in Africa and

Latin America, today it is clear that it is the relevant European mechanisms that are spinning their wheels. I refer, inter alia, to the OSCE Principles Governing Conventional Arms Transfers — the so-called Vienna Principles; the OSCE Document on Small Arms and Light Weapons; and, most significant of all, the European Union Code of Conduct on Arms Exports, which many European Union countries would like to see used as the basis of a possible future arms trade treaty.

We have always supported transparency in armaments and believe that it helps to build trust, reduces the likelihood of misunderstandings or erroneous assessments in relations among States, and hinders the destabilizing accumulations of weapons. As I said before, we have co-sponsored the relevant draft resolution introduced by the Netherlands in particular.

Within the Group, we intend consistently and gradually to develop the United Nations Register of Conventional Arms. We are prepared to participate in the work to further improve the Register. At the same time, because of the recent crisis in the Caucasus, a question has arisen as to the real value and practical results of transparency, given that a fifty-fold increase in the military budget of a particular State and the massive delivery to that State of heavy weaponry was no cause for concern or doubt among many countries. The question is: What is the role of transparency of arms as an instrument for really curbing the destabilizing accumulation of weapons? Do we need transparency for the sake of transparency? Maybe we should correct the current situation. Maybe we need to conduct a very careful analysis in that respect.

Mr. Borisovas (Lithuania): I should like to address this Committee in my capacity as the President-designate of the Second Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW).

The States parties to Protocol V agreed on the establishment of a specific forum — a Meeting of Experts to facilitate coordination and cooperation among States parties on issues relevant to the implementation of Protocol V of the CCW. I wish to inform the Committee of the Meeting of Experts of the

High Contracting Parties to Protocol V of the CCW that was held in Geneva from 2 to 4 July 2008.

The Meeting succeeded in implementing a firm but flexible framework for international cooperation. This was achieved through the active involvement of five coordinators from Austria, Croatia, Hungary, India and the Netherlands, who were responsible for leading the discussions on the different substantive aspects of the Protocol's implementation, notably on the issues of clearance; cooperation and assistance and requests for assistance; a generic electronic template and national reporting; generic preventive measures; and victim assistance. Modalities on the implementation of these issues were discussed during the informal meeting and recommendations will be presented for approval by the Second Conference of the High Contracting Parties to Protocol V, which will be held in Geneva on 10 and 11 November 2008.

I wish to congratulate the 13 new States parties to Protocol V that have acceded since the first Meeting of the High Contracting Parties to the Convention, held in Geneva in November 2007. I hope to see more States acceding to the Protocol in the foreseeable future, which is also in conformity with the implementation of the Plan of Action to Promote Universality of the Convention and its Protocols, adopted by the Third Review Conference in November 2006.

Last year, during the sixty-second session of the General Assembly, the United Nations Office for Disarmament Affairs and the European Union joint initiative to promote the universality of the Convention on Certain Conventional Weapons was launched. The joint action covered a series of regional and subregional workshops that have been organized since the beginning of 2008. The first was held in March in Santo Domingo, Dominican Republic, for the region of Latin America and the Caribbean; the second and third workshops were held in April in Lomé, Togo, for the African regions; and the fourth was held in September in Almaty, Kazakhstan, for the region of Central Asia. Two more workshops are envisaged to be held for the regions of the Middle East and the Mediterranean and Asia in the months ahead.

The main goal of the seminars is to promote accession to the CCW by States in the respective regions by providing a forum for relevant Government officials to be informed of the content of the Convention and its Protocols, and of recent

CCW-related developments. The outcome of these outreach activities can already be seen by the increase in the number of CCW States parties from 103 last year to 108 as of this month. It is also reflected in an increase in the membership of different Protocols to the Convention.

The CCW Sponsorship Programme was established in 2006 as an important component supporting efforts to promote the universality of the CCW. I have the honour of chairing the Programme's Steering Committee coordinating its activities. In practical terms, the Sponsorship Programme is intended to support the participation of the representatives of States parties, especially countries affected by explosive remnants of war and landmines that have limited resources to participate in CCW-related activities. Priority in this case is accorded to States which, according to the United Nations, are least developed countries.

Another purpose of the Programme is to provide signatory States and States not yet parties to the Convention with an opportunity to participate in CCW-related activities and to become acquainted with the work related to the Convention. Furthermore, the Sponsorship Programme is not limited to organizing and managing accommodation and travel expenses for official Government representatives, but also supports the attendance of appropriate qualified experts with field experience or of scholars to prepare studies and presentations on certain relevant topics of interest at CCW meetings or seminars.

Since the Sponsorship Programme is financed by voluntary contributions only, I would like to convey my deep appreciation and gratitude to those States that have contributed financially to the Programme — Australia, Canada, China, Denmark, India, Lithuania, the Netherlands, Switzerland and Turkey — and in particular to the European Commission for their generous contributions. Thanks to this financial support, the Programme is fully functional and has significantly helped enhance cooperation, exchange of information and consultations among the States parties, as well as those States still outside the Convention, on many issues related to the universal observance of the norms and principles enshrined in the Convention and its Protocols.

Members are aware that the CCW has increased its activities and implementation performance during

the past few years, especially with regard to carrying out the obligations under Protocol V. In order to maintain and guarantee that the implementation and universalization of the Convention as a whole continue to receive adequate support and professional advice in the future, I believe that it is timely and appropriate to invite all CCW States parties to consider the possibility of strengthening support for the Convention's implementation. The establishment of an implementation support unit for the Convention would secure the continuity and stability of the support provided by officers of the Office for Disarmament Affairs to the CCW States parties. It would help to establish a permanent secretariat dedicated to this Convention. It would also help to preserve the institutional memory of the Convention and its process, and I encourage all CCW States parties to seriously consider this issue, which will be discussed at the upcoming Meeting of the High Contracting Parties to the Convention in Geneva on 13 and 14 November 2008.

Mr. Gioia (United States of America): During this part of the thematic debate, I should like to speak in particular on the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW).

The United States delegation is especially pleased to address this issue, because we have some important good news to report to this Committee. During the last week of September, even as the United States Congress was considering how to deal with the financial crisis, the Senate provided its advice and consent to United States ratification of all the outstanding protocols and amendments before it relating to the CCW — that is, Protocol III on Incendiary Weapons, Protocol IV on Blinding Laser Weapons, and Protocol V on Explosive Remnants of War, as well as the amendment to article 1 of the Convention that extends its application to non-international armed conflicts. Once the executive branch has completed the necessary procedures, these provisions will enter into force for the United States.

These actions demonstrate the continued commitment of the United States to the CCW and the continued vitality of the Convention. Protocol V in particular can do a great deal to mitigate the effects of armed conflicts on civilian populations, and we are grateful to the Netherlands for the efforts it has devoted to the task of ensuring that Protocol V does not

become just a piece of paper in the files of foreign ministries, but remains a living document with concrete benefits for the people of areas subject to conflict.

We call on all States that are not parties to the CCW to adhere to the Convention. We also call on all States that are already parties to adhere to Protocol V and any other protocol to which they are not parties.

States in the developing world are notably absent from the list of CCW parties, perhaps because they fear that they will be saddled with onerous and expensive obligations once they do adhere. I can promise them that this is not the case and can, in addition, make clear that States parties are prepared to work with States that wish to join the Convention to show them how to fulfil the requirements of CCW membership. Parties to the CCW can also demonstrate its continuing relevance and vitality by completing the negotiation of a sixth protocol on cluster munitions. We believe that there is a real opportunity to reach agreement on such a protocol, which will have significant humanitarian benefits.

Under the chairmanship of Ambassador Bent Wigotski of Denmark, the Group of Governmental Experts has made significant progress this year in negotiating a protocol. The experts have gone a long way towards agreement on most of the issues that would be addressed by a protocol on cluster munitions. Some tough negotiating remains on the key areas of technical improvements and transfer restrictions, but the United States believes that, with a will to compromise and a willingness to work hard, CCW parties can conclude a cluster munitions protocol in the time that remains this year.

The United States is convinced that an agreement that has significant humanitarian benefits and that includes the major producers, users and stockpilers of cluster munitions is well worth pursuing. We cannot be certain of success, but what we can know for sure is that if we do not try we certainly cannot succeed.

Mr. Charles (Trinidad and Tobago): Trinidad and Tobago is pleased to participate in these deliberations on disarmament and international security as they relate to conventional weapons. We align ourselves with the statements delivered by the representatives of Indonesia on behalf of the Non-Aligned Movement and of Barbados on behalf of the Caribbean Community.

Of particular importance to us is the question of the illicit trade in small arms and light weapons and its impact on the security and development of States. Indeed, for developing States it is a crucial issue. As it pursues its development agenda, a curb on this unlawful activity is becoming an area of increased focus for the Government of Trinidad and Tobago.

In Trinidad and Tobago, as in many other States in the Caribbean, the surge in violence in recent years is to a large extent attributable to a proliferation in the use of illegal firearms. Although we are not producers of small arms or light weapons, we bear a disproportionate part of the burden of the trade and its associated nefarious elements, which have far-reaching implications for the socio-economic development of our societies. This is due in part to the absence of common international standards for the import, export and transfer of conventional weapons in general.

Trinidad and Tobago is committed to achieving its development goals, which include the Millennium Development Goals. Our progress, however, could be stymied by the need that has arisen in recent years to redirect resources as we strive to deal with the negative consequences of the trade. We therefore welcome all multilateral initiatives aimed at addressing the challenges arising from this problem.

Among these is the Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which was convened here at United Nations Headquarters in July this year. We wish to congratulate the Permanent Representative of Lithuania on the expert manner in which he chaired the proceedings. Trinidad and Tobago served on the bureau of that Meeting and was among those States that submitted national reports pursuant to the Programme of Action.

We view international cooperation as fundamental to the eradication of the illicit trade in small arms and light weapons and its link to the commission of serious crimes. At the same time, we commend the work of the Group of Governmental Experts appointed by the Secretary-General to explore the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms. The work of the Group of Experts, as reflected in the

Secretary-General's report (A/63/334), serves as a sound basis upon which we can build as we work together on the question of the international trade in conventional arms.

We find tremendous merit, too, in the contention that the absence of a common international standard for the transfer of arms has proven to be a contributory factor to the threat to international peace and security, the prolongation of conflicts, the escalation of organized crime and the undermining of sustainable development.

Preventing the spread and misuse of conventional weapons is a multifaceted issue. It requires a range of measures to address both the supply of and the demand for weapons. This fact was borne out during a meeting held in Antigua and Barbuda earlier this month and attended by representatives of regional Governments and civil society. The impact of armed violence on Caribbean development constituted an integral aspect of the discussions, and Trinidad and Tobago supports the meeting's outcome, which called for the negotiation of a legally binding arms trade treaty that must be consistent with the principles of the United Nations Charter, as well as with the provisions of international law, particularly international human rights law and international humanitarian law.

Trinidad and Tobago is convinced that the time is ripe for international action to tackle this issue. We will continue to work with the United Nations, other multilateral agencies, intergovernmental organizations and civil society as we strive to resolve this problem, to the benefit of our citizenry and the promotion of sustainable development and the eradication of poverty.

The Acting Chairman: I call on the representative of Sweden to introduce draft resolution A/C.1/63/L.31.

Mr. Hellgren (Sweden): I have the honour to introduce draft resolution A/C.1/63/L.31, entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" — in short, the CCW Convention. This year, I am especially proud to be able to do so on behalf not only of my own country, Sweden, but also of Greece, Jordan and the Netherlands, all three of which have held the office of Chairperson or President of Meetings or Conferences

of States parties within the framework of the Convention during this past year.

The purpose of the CCW is to ban or restrict the use of certain specific types of weapons that cause excessive injury or unnecessary suffering to combatants or affect civilians indiscriminately. The Convention forms an essential and integral part of international law applicable to armed conflict. It is designed to provide a framework within which humanitarian concerns regarding conventional weapons can be dealt with. We need the CCW to be a dynamic instrument responding to urgent humanitarian challenges before us. This is as pertinent and as relevant as ever.

Today, the CCW has more than 100 States parties. With the adoption and subsequent entry into force of Protocol V on Explosive Remnants of War in November 2006, the CCW has shown that it is a living and important instrument of international humanitarian law. The number of States parties to the Convention is increasing, but it still falls short of achieving universal membership. Let me take this opportunity to express my hope that the countries that have not yet joined the Convention will find it in their interest to do so and become parties to the Convention and its Protocols, including the important amendment that extended the scope of the Convention to include situations of non-international conflict. In this context, I welcome the positive news on ratifications just reported by the United States delegation. I hope we hear more such announcements as the discussion continues.

The purpose of the draft resolution that I introduce today is to continue to express support for the CCW, with particular focus on the universalization of the Convention and its Protocols. The text of the draft resolution also reflects the ongoing work within the framework of the Convention since the adoption of last year's resolution. It is an expression of support for the CCW as an important international humanitarian law instrument. The specific substantive issues will, of course, have to be addressed by the States parties themselves at their forthcoming meetings.

In conclusion, on behalf of all the sponsors, I wish to express our sincere hope that the draft resolution, as with similar draft resolutions in previous years, will be adopted without a vote.

Ms. Millar (Australia): The past year has proved to be important for conventional arms control. After

years of faltering progress, 2008 has seen a step forward. Australia is proud to have played a role in developing a new Convention on Cluster Munitions, ensuring a consensus report from the Group of Governmental Experts on an arms trade treaty, and refocusing international attention on small arms and light weapons. These steps show us that it is indeed possible for the international community to make progress on difficult security issues if a sufficient number of States are committed to a common goal and are convinced that the time to act has come.

In May this year in Dublin, 107 States showed such commitment and adopted a new Convention on Cluster Munitions. The Convention is a significant humanitarian achievement. It prohibits cluster munitions that randomly scatter tens or hundreds of so-called submunitions that have no self-destruct capability or capacity and that pose a long-term threat to innocent civilians for years to come after hostilities have ceased. Its groundbreaking provisions on victim assistance will deliver for the survivors of cluster munitions and their families, and its clearance and assistance provisions will help communities free their lands of contamination. The Convention will also protect cooperation between nations in peacekeeping and enforcement operations. All States involved in this process can be rightly proud of their achievement and should now turn their common determination towards encouraging maximum signatures, rapid entry into force and full implementation of the Convention.

I am pleased to inform the Committee that Australia's Foreign Minister, Stephen Smith, announced earlier today in Canberra that Australia will be among the first nations to sign the Convention when it opens for signature in Oslo in early December. We urge all delegations to join us and to ensure that this valuable addition to our humanitarian and arms control architecture is swiftly operationalized.

Australia has supported the United Nations Mine Action Service (UNMAS) clearance of cluster munitions in Lebanon over the past year, and Foreign Minister Smith also announced today that Australia will make a further contribution to that vital humanitarian work.

While Australia and many others are prepared to accept the prohibitions of the new Convention on Cluster Munitions, some major producers and users seem likely to remain outside it. We will therefore

continue efforts in the Convention on Certain Conventional Weapons to achieve meaningful prohibitions on the use of cluster munitions by those who have not engaged in the Oslo process.

This year, and in fact in this very Room, we witnessed a heartening turn of events for the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. After the disappointing 2006 Review Conference, Australia and others worked hard to reinvigorate the Programme of Action. Australia was one of the Chairs of the Geneva process on small arms, as well as its working group on the Biennial Meeting of States, which produced a number of papers on how to bring the Programme of Action back on track.

We saw a fruition and realization of these efforts at the Third Biennial Meeting of States in July. Australia welcomes the Outcome Document of that meeting, including the substantive and accurate description of the state of play and the innovative proposals on the way forward. The Outcome Document is of real and tangible benefit to Australia when tackling the threat of small arms and light weapons proliferation in our own region. We would like to commend the Lithuanian Chair of the Meeting for his exemplary chairing, his extensive preparations and consultations and his personal dedication to the subject matter. And we congratulate Japan, Colombia and South Africa on their far-reaching and far-sighted resolution on small arms and light weapons. The resolution concretely builds on the Biennial Meeting of States Outcome Document and paves the way for the successful implementation of the Programme of Action for years to come at the global, regional and national levels.

The progress and vision we have seen on cluster munitions and small arms and light weapons are necessary across the broader conventional arms control agenda. An arms trade treaty is greatly needed to arrest the irresponsible and illicit transfer of conventional arms and their components. A legally binding, multilateral treaty could bring much needed transparency and accountability, codify existing best practice in the responsible transfer of conventional weapons, and prevent human rights and international humanitarian law abuse, transfers to terrorists and the destabilizing accumulation of arms. While doing this, a

well-crafted arms trade treaty would also provide greater assurance for legitimate trade.

Australia was a member of the Group of Governmental Experts which met this year in three sessions to examine the scope, parameters and feasibility of an arms trade treaty. We welcome the consensus report of the Group of Governmental Experts, including the recommendation that States ensure that their national systems and internal controls are of the highest possible standards, and the recommendation for further consideration of this issue in the United Nations framework.

Credit here too belongs to the skill of the Group of Governmental Experts Chair, Ambassador Moritán of Argentina. Australia is pleased to co-author the draft resolution on an arms trade treaty (A/C.1/63/L.39), which proposes establishing an open-ended working group in 2009 and beyond. Step by step, the international community is moving towards the realization of this vital addition to our arms control and security architecture.

Australia remains committed to the goal of a comprehensive solution to the global landmine problem. As past President of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, we will join the current President, Jordan, and the President-designate, Switzerland, in presenting this year's draft resolution on the Mine Ban Convention (A/C.1/63/L.6). Delegations will remember that, last year, Australia led a panel discussion in the First Committee to mark the tenth anniversary of the opening for signature of the Convention.

We can all be proud of the Convention's achievements in the past decade. Vast tracts of land have been cleared and more than 40 million mines destroyed, and the number of new victims continues to fall. But our work is nowhere near complete. All States parties to the Convention need to ensure they are fully and transparently working towards meeting their obligations under the Convention. A key issue for the upcoming Meeting of States Parties in November will be the consideration of requests for an extension to mine-clearance deadlines, pursuant to article 5 of the Convention.

We encourage affected States parties to continue their demining efforts and to fulfil their article 5 obligations as speedily as circumstances allow. As a

major donor State, Australia will work with all States parties to ensure ongoing, dedicated and integrated mine action, thereby continuing to improve the livelihood of landmine and explosive remnants of war victims and realizing the Convention's vision of a world free of anti-personnel mines.

The international community has banned landmines and cluster munitions and has put in place regulatory frameworks to combat the proliferation of small arms and light weapons and other conventional weapons. But black-market weapons-related activity, including illicit brokering and intermediation services, threatens our efforts and is an ever-growing feature of today's proliferation challenge. Such trade illegally tries to avoid national, regional and international trade controls and poses an ever-growing threat to the international community. Weapons-related proliferation through illicit brokering can have a wide range of consequences, including prolongation of conflicts, weapons acquisition by non-State actors, including terrorists, and an adverse impact on sustainable development.

With these threats in mind, the Republic of Korea and Australia have introduced a new draft resolution on the prevention of illicit brokering activities (A/C.1/63/L.43). It is time that this important issue is placed comprehensively on the United Nations agenda. The draft resolution covers both illicit brokering in weapons of mass destruction and conventional arms, focusing on this dangerous activity across the board. The draft resolution affirms that brokering controls should not hamper legitimate trade and technology transfer. It calls on States to adopt national laws and measures to prevent illicit brokering and fully implement relevant treaties, instruments, resolutions and initiatives, and it paves the way for strengthened international cooperation and assistance. The co-authors have undertaken extensive consultations that have proved invaluable in shaping the draft resolution to meet the interests of as wide a range of States as possible. We commend the draft resolution to this Committee.

Australia has seen in its own region the humanitarian catastrophe of conventional arms proliferation. These weapons can hamper development and seriously threaten security and stability. We remain committed to addressing the threat of proliferation of conventional weapons, including through

operationalizing the important steps the international community has made this year.

Ms. García Jordán (Cuba) (*spoke in Spanish*): The delegation of Cuba fully supports the statement made by the representative of Indonesia on behalf of the Non-Aligned Movement.

Increasingly sophisticated and deadly conventional weapons are being developed and used in the world today. Their growing power of destruction is approaching that of weapons of mass destruction. Military actions of recent years have proved that the use of such weapons leads to ever greater collateral damage that kills and otherwise affects thousands of innocent people.

As noted by the Non-Aligned Movement, there is a significant imbalance between industrialized countries and developing countries with respect to the production, possession and trade of conventional weapons. The industrialized countries must significantly reduce their production and trade of these weapons with a view to promoting international and regional peace and security. We are concerned by the obvious imbalance in the priority given to certain categories of conventional weapons to the detriment of others, such as sophisticated conventional weapons whose effects are increasingly devastating.

The illicit arms trade has severe social, humanitarian and economic consequences in many countries in the world, where the rights to life, peace and sustainable development are seriously threatened. In order to eradicate the illicit traffic in small arms and light weapons in the short and medium terms, we must address its root causes. Cuba has supported and will continue to support the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Our country has also fully honoured its commitments and cooperated with the practical initiatives and measures contained therein.

Cuba defends the legitimate right of States to manufacture, import and stockpile small arms and light weapons for their own security requirements and legitimate self-defence, in accordance with Article 51 of the United Nations Charter. Cuba also supports the implementation of an effective follow-up mechanism to ensure the full implementation of the Programme of Action. Seven years after the Programme was adopted, some progress has been made, but there is still much to

do to achieve its full implementation. International assistance and cooperation are of vital importance if all countries are to move towards the full implementation of the Programme of Action.

This year, the Group of Governmental Experts established under General Assembly resolution 61/89 began its work, in which a Cuban expert participated. The Group was unable to agree on the feasibility of a legally binding instrument establishing common international standards for the export, import and transfer of conventional weapons. It is important to highlight that the Group of Experts, in its final report, emphasized that this complex topic requires a balanced, open, transparent and step-by-step approach within the United Nations framework and on the basis of consensus. That is why Cuba reiterates its willingness to continue considering this topic and calls for absolute rigour in this process. The complex question of conventional weapons transfers cannot be addressed through easy solutions or preconceived or simplistic formulas.

Cuba, a State party to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, fully shares the legitimate humanitarian concerns associated with the indiscriminate and irresponsible use of anti-personnel landmines. At the same time, it is also well known that our country has been subject to almost five decades of a policy of unflagging hostility and aggression from a military super-Power. As a result, it is impossible for Cuba to relinquish the use of this kind of weapon if it is to preserve its territorial sovereignty and integrity, pursuant to its right of self-defence recognized in the United Nations Charter. That is why Cuba is not a State party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.

We will continue to support fully all efforts that, while maintaining the necessary balance between humanitarian and national security questions, seek to eliminate the terrible effects of the indiscriminate and irresponsible use of anti-personnel landmines on civilian populations and the economies of many countries. Cuba urges all States in a position to do so to provide the financial, technical and humanitarian assistance needed for mine-clearance operations and the social and economic rehabilitation of its victims.

Mr. Adji (Indonesia): My delegation associates itself with the statement made yesterday by my delegation on behalf of the Non-Aligned Movement and wishes to take this opportunity to make a statement in its national capacity on four issues: small arms and light weapons, the arms trade treaty process, the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction and the Convention on Cluster Munitions.

The impact of small arms and light weapons has never in any way been small or light, particularly on the communities and countries that they have affected. Time and again we see the capacity of these weapons to inflict human suffering and inhibit socio-economic development. People will continue to live in fear and suffer unless all members of the international community effectively implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

It is clear that the dangers of illicit small arms and light weapons cannot possibly be addressed by individual nations, given the regional and international dimensions of this issue. Indonesia therefore reaffirms the validity of the Programme of Action and emphasizes the importance of its continued and full implementation, as well as that of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons. We welcome the Third Biennial Meeting of States convened in New York in July this year. At that Meeting, States stressed the importance of regional approaches and underscored their support for the convening of meetings at that level.

In the context of the Programme of Action process, Indonesia will continue to work with the United Nations, as well as countries in the region, to facilitate such meetings in the South-East Asia region. With regard to the Programme of Action, we support the creation of a common framework for linking needs and resources in order to enhance the implementation capacity of States. In this context, we welcome the establishment by the United Nations of the Programme of Action Implementation Support System, as well as the initiative of the United Nations Institute for Disarmament Research to develop the database for matching needs with resources.

While supporting those practical measures, my delegation is also of the view that the legitimate defence and security needs of States should always be taken into account. The inherent right of individual or collective self-defence in accordance with Article 51 of the United Nations Charter, including the right of States to maintain their territorial integrity, should not fall victim to our efforts to prevent small arms from falling into the wrong hands. The legitimate rights of sovereign States to acquire and possess small arms and light weapons, and Government-to-Government trade relations pertaining to these weapons, should indeed be guaranteed.

We welcome the process leading to the establishment of a common international standard on the import, export and transfer of conventional arms within the context of the United Nations. My delegation is flexible and open to considering a treaty that will enforce control over the export, import and transfers of conventional weapons, thus preventing their acquisition by irresponsible entities, provided that this does not hamper legitimate transfers between Governments for self-defence and security needs. Such common international standards should be negotiated multilaterally and take into consideration the views and concerns of as many States as possible, including developing countries, which mostly are importers of such weapons.

Following the process of the Group of Governmental Experts, which discussed the feasibility, scope and draft parameters of a possible arms trade treaty, the draft resolution (A/C.1/63/L.39) on an arms trade treaty this year requests the convening of an open-ended working group. This, we believe, is consistent with our approach of inclusiveness and transparency. We look forward to participating in the open-ended working group and encourage member States to make use of this opportunity to do the same and actively express their views.

Indonesia became a party to the anti-personnel Mine Ban Convention in 2007, just last year. Following that, Indonesia immediately started the implementation of its commitment as required by the Convention, especially on stockpile destruction. We are happy to say that the first phase of destruction was completed in February this year. It is our fervent hope that our steps will be followed by other countries that remain outside the Convention, particularly in the South-East Asia

region, which is considered one of the most mine-affected regions of the world.

To facilitate the implementation of the Convention and to encourage its universalization, Indonesia and Canada, supported by Australia, co-hosted a regional workshop in Bali in February 2008 on the implementation and universalization of the anti-personnel Mine Ban Convention. We are cognizant of the fact that non-State parties are important actors and need to be engaged positively. Some States do indeed face big challenges once they join the Convention. Hence, active international cooperation is crucial, not only to the implementation of the Convention but also to the efforts to universalize it effectively.

The use of cluster munitions has caused unacceptable harm to civilians in the past 40 years, killing and injuring thousands and engendering widespread suffering. It is proven that such weapons have disastrous humanitarian consequences and cause indiscriminate devastation both during and long after the conflict has ended. We view it as positive, therefore, that more than 100 States took decisive action and adopted the Convention on Cluster Munitions in Dublin, Ireland, in May 2008 with a view to ending the decades of human grief and misery caused by these munitions.

Compared to other regions, our South-East Asia region from the most severe and widespread contamination caused by the use of cluster munitions. It is ironic that not all countries in the region have committed to supporting the Convention. It is therefore of the utmost importance that countries promote regional adherence to the Convention. We welcome the South-East Asia Regional Meeting on Cluster Munitions, which is being held this week in the Lao People's Democratic Republic. We hope that greater political will be shown at that important Meeting, and we look forward to a positive outcome. We also encourage States to sign the Convention on Cluster Munitions, which will be open for signature in Oslo, Norway, in December, and we hope that they will also ratify it thereafter.

Mrs. Gustava (Mozambique): Since I am taking the floor for the first time in the Committee at the present session of the General Assembly, allow me to join previous speakers in congratulating the Chairperson on his election to chair this important

Committee. I extend my congratulations also to other members of the Bureau.

My delegation associates itself with the statement delivered by the representative of Indonesia on behalf of the Non-Aligned Movement.

The clearance and total eradication of landmines continue to be a priority of the Government of Mozambique. The successful outcome of the efforts to free our planet from these dangerous and indiscriminate weapons requires a commitment from all stakeholders at the national and international levels. According to official figures, 2 million mines were planted in Mozambique over the 16 years of the war that ended in 1992. Although we have done our best through our ongoing clearance plan of action, landmines still represent a serious challenge to development efforts.

Even as I speak today, landmines continue to kill adults and children alike and to keep the latter from school, thus undermining the foundations of the economy. To address this issue of paramount importance, my Government is deeply involved in efforts aimed at accomplishing the country's clearance targets, providing technical expertise and efficiently allocating financial resources in compliance with the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.

The Government has concluded a survey that has determined that 541 areas, representing more than 2 million square metres of contaminated surface, need to be cleared as a matter of urgency. As a result, a mine plan of action for 2008-2012 was approved recently with the objective of securing the eradication of mines and preventing the occurrence of accidents by promoting the collection of information in the areas affected by landmines. The plan, which is also part of Government efforts to ensure the safe return of people to their places of origin and to enable them to resume socio-economic activities, including agriculture, is aimed at ensuring steady progress in overall clearance activities so that the free and safe movement of people and goods can be secured throughout the country.

Despite the progress made so far, the assessment is that the country is likely to face constraints in the plan's implementation, mainly due to the lack of financial resources. To this end, the continued support of the international community remains as crucial as

ever, especially at this critical moment. As members will be aware, Mozambique has submitted a request to the Standing Committee on Mine Clearance, Mine Awareness and Mine Action Technologies, for an extension until 2014 under article 5 of the Convention. The fact that the request was welcomed, while subject to recommendations — mainly regarding the need to pay attention to the indicated contaminated areas, as well as to redefine the workforce involved in the clearance process — is encouraging.

On 23 June and 4 July this year, the Government held a meeting with its cooperation partners in the mine action plan with the objective of discussing the strategy of implementing the Plan. We did so recognizing that we are at a crucial stage, both politically and economically, taking into consideration the time limit and the need to join synergies for its success.

I should like to appeal to member States that have not yet joined the Ottawa Convention to do so in order to achieve the objectives of this important instrument of disarmament. We also call for the implementation of the Nairobi Action Plan for 2005-2009, whereby member States committed themselves to sparing no effort to meet the challenges in universalizing the Convention, destroying stockpiled anti-personnel mines, clearing mined areas and assisting victims.

In conclusion, Mozambique wishes to reiterate its commitment to the objectives of the Ottawa Convention as we strive to eliminate hunger and poverty and to ensure sustainable economic development in our country.

Mr. Srisukwattana (Thailand): Thailand associates itself with the statement made yesterday by the representative of Indonesia on behalf of the Non-Aligned Movement.

The illicit proliferation and misuse of small arms and light weapons pose a serious threat to peace, security and development as they are inextricably linked to transnational crimes, drug trafficking, terrorism, human rights violations, and have devastating consequences on humanitarian and socio-economic issues. Illicit small arms and light weapons are a real and constant threat in countries and communities that suffer from conditions of underdevelopment as well as the lack of the rule of law. Their abundant availability, easy concealment, affordability and durability make them the weapons of

choice for gangs, organized crime and armed groups that prey on impoverished communities. The problems associated with the illicit proliferation of small arms and light weapons transcend national borders and affect poor and rich countries alike. Illicit small arms and light weapons proliferation is a global challenge that requires our collective efforts to tackle it in a comprehensive manner.

Thailand supports the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. We see the Programme of Action as the culmination of international efforts and political will to tackle the challenge of illicit small arms and light weapons. The implementation of the Programme of Action would help decrease human suffering by the misuse of these deadly weapons.

Additionally, Thailand is committed to the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, the key international standard for marking small arms and light weapons and for systematic recordkeeping with respect to weapons marked under the Instrument, and notable measures to identify lines of supply and improve the traceability of illicit small arms and light weapons. Thailand supports efforts at all levels effectively to implement the international tracing Instrument in a concrete manner.

The Third Biennial Meeting of States to Consider the Implementation of the United Nations Programme of Action was held this year. We welcome the fact that the Third Biennial Meeting produced a substantive Outcome Document that lays the groundwork for the furtherance of important initiatives under the United Nations Programme of Action. Thailand notes with appreciation the ongoing follow-up process of the Programme of Action with regard to preventing and combating the illicit brokering of small arms and light weapons. Furthermore, Thailand appreciates the role of the United Nations Office for Disarmament Affairs and the United Nations Institute for Disarmament Research in establishing the Programme of Action Implementation Support System, including a database for matching needs and resources, which contribute to enhancing effective communication between States that request and offer assistance in support of the implementation of the Programme of Action.

Like the illicit proliferation of small arms and light weapons, landmines destroy lives and hinder development. The international community therefore came together in 1997 under the umbrella of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction with the goal of eliminating the scourge of landmines once and for all. Thailand attaches great importance to the principle of humanitarianism, which has always been at the core of Thailand's foreign policy. Our attachment to humanitarianism was the inspiration for Thailand to sign the Ottawa Convention on the very first day it was open for signature.

Thailand is fully committed to its obligations under the Convention and has played an active role from the beginning, for example, by hosting the Fifth Meeting of States Parties to the Ottawa Convention in 2003. Thailand welcomes the outcome of the Eighth Meeting of States Parties to the Convention, held in Jordan last November. We also welcome the accession of Palau to the Convention, which increased the number of States parties to 156.

Indeed, Thailand attaches great significance to achieving universal adherence to the Convention. We look forward to the coming Ninth Meeting of States Parties to be held in Geneva, Switzerland, next month, at which Thailand has the privilege of serving as co-Rapporteur of the Victim Assistance Committee under the Convention. Because of our commitment to humanitarianism, victim assistance is an imperative issue for Thailand. We place great emphasis on article-6 of the Convention, especially with regard to the rehabilitation process.

The obligation for the destruction of all anti-personnel mines, as mandated by article 5 of the Convention, is a priority for the Royal Thai Government. At present, Thailand has cleared around 63 per cent of the total mine-suspected areas. This year, the Government has set aside 1.4 billion baht, which is around \$41 million, to complete the task of demining in Thailand's territory.

Since becoming a party to the Ottawa Convention, Thailand has never used anti-personnel mines for any purpose. Our mine action efforts have been very successful in preventing new landmine-related deaths and injuries. That is why we learned with shock and disbelief that, just two weeks ago, two

Thai army rangers stepped on anti-personnel mines while conducting routine duty patrol along a trail in the area of Phu Ma Khua, in Thailand's territory near the border with a neighbouring country. Both men lost their legs upon impact. Thailand views this incident with grave concern because local inhabitants regularly walk along this particular path, which they have understood to be free of landmines.

The incident immediately raised suspicion among Thailand's deminers operating in the area. Upon further investigation, the Thailand Mine Action Centre and the non-governmental organization Mekong Organization for Mankind discovered four more landmines on the trail. They concluded that these mines were recently laid and intentionally placed to injure passers-by. The mines, PMN-2 models, were in almost perfect condition. Those that exploded carried a force more powerful than the usual old mines. Therefore we can say with confidence that these were not the remnants of three decades of war in the area. Thailand therefore has reasonable doubt that the mines come from a foreign source.

We find it particularly regrettable that, in this day and age, these inhumane and devastating weapons are still being used. Furthermore, we are alarmed that this incident could constitute a violation of article 1 of the Convention. Thailand believes that this incident is a matter that carries far-reaching implications for the Ottawa Convention and hence is in the interests of all the States parties. Thailand is currently seeking clarification on this issue vis-à-vis the appropriate channels, as provided for under the Ottawa Convention.

Thailand wishes to reiterate that, as the President of the Fifth Meeting of States Parties, it is a strong believer and advocate of the spirit and principles of the Ottawa Convention. As such, we are compelled to take steps to defend the integrity and sanctity of this important international instrument.

Mr. Etensel (Turkey): The proliferation of conventional weapons is a cause of concern for Turkey, too. The excessive accumulation and uncontrolled spread of small arms and light weapons pose a significant threat to peace and security. They also affect the social and economic development of many countries. Furthermore, there is also a very close and disturbing relationship between the illicit trade in arms and terrorism. As a country fighting terrorism, Turkey

will continue actively to contribute to all efforts within the United Nations and other forums to foster international cooperation in the fight against terrorism, including through the establishment of effective norms and rules aimed at eradicating the illicit trade in small arms and light weapons in all its aspects.

Turkey has experienced its share of the negative effects of the illicit trafficking, proliferation and unauthorized use of small arms and light weapons. Therefore, in the context of the fight against terrorism, Turkey attaches great importance to the prevention and eradication of the illicit trade in small arms and light weapons and the elimination of their negative security and safety implications.

While developing the necessary tools and implementing certain practices to prevent and eradicate the illicit trade in small arms and light weapons, our approach should be comprehensive; the measures should address the whole series of steps from the manufacturing of small arms and light weapons to their seizure and destruction. Transparency and information-sharing would certainly help to promote consistency in the implementation of agreed multilateral standards for these arms and weapons.

In spite of the existence of many international instruments that address transfer controls, large numbers of weapons are still being transferred illicitly, pointing to the need to focus on the effective implementation of such instruments. This leads us to the conclusion that preventing the illicit trade in all its aspects necessarily involves the implementation of effective regulations over the legal transfer of arms, weapons and ammunition. A well-functioning transfer control system should be based in law and supported by comprehensive enforcement mechanisms.

Turkey remains committed to the effective implementation and further strengthening 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. We would like to join previous speakers in expressing our satisfaction at the adoption of a substantive report at the Third Biennial Meeting of States Parties to Review the Programme of Action that took place here in New York last July. Turkey attaches particular importance to the implementation of the recommendations and to the establishment of a follow-up mechanism to the Programme of Action. We believe that international

cooperation and assistance are fundamental to the successful implementation of the Programme of Action and other relevant documents and measures.

Turkey will continue to contribute to the efforts within the United Nations and other forums to foster international and regional cooperation and, when necessary, the adoption and implementation of additional norms and rules. Turkey will therefore continue to support the conclusion of an arms trade treaty, which should halt the unregulated and uncontrolled trade of conventional arms worldwide and establish common standards for their global trade. We also support the complementary efforts of certain regional organizations and initiatives in this field.

Another worrying issue in the field of conventional weapons is the scourge of the indiscriminate and inhumane weapons known as anti-personnel mines. As a State party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction since 2004, Turkey fully supports the efforts for the universalization and effective implementation of the Convention and the vision of a world free from anti-personnel mines.

A number of speakers have mentioned the issue of stockpile destruction in their statements. My list might not be exhaustive and I apologize to those whom I may forget. I recall in particular Mr. Young from the International Committee of the Red Cross (ICRC), who spoke last Tuesday, and also the statements made by the representatives of Norway, Austria, Switzerland and New Zealand this morning. As a testimony to our sincere and transparent approach, I wish to give a short update of the process of destruction of Turkey's stockpiled anti-personnel mines.

Following the circulation of a note verbale dated 28 February 2008 by the Turkish Permanent Mission in Geneva, colleagues from the ICRC, the International Campaign to Ban Landmines and the Implementation Support Unit were in Turkey last May. They visited the Turkish munitions disposal facility that was inaugurated a year ago in November 2007 and, during that visit, they were briefed on the progress of work achieved so far. The delegation also visited the rehabilitation and health-care centre for mine victims.

Furthermore, the President of the Eighth Meeting of States Parties, His Royal Highness Prince Mired of Jordan, accompanied by the Director of the

Implementation Support Unit in Geneva, Mr. Brinkert, paid a working visit to Ankara just a fortnight ago, between 6 and 8 October 2008 to be precise. During their visit, they were briefed by representatives of my ministry, the Ministry of Foreign Affairs, as well as military and other related authorities regarding Turkey's ongoing efforts to fulfil its obligations arising from the Mine Ban Convention. During the visit, His Royal Highness and Mr. Brinkert also had the opportunity to visit the Turkish munitions disposal facility. The facility is currently operating at maximum capacity in order to destroy the remaining parts of Turkish stockpiled anti-personnel mines. Turkey's determination and dedication to comply with the requirements of the Convention was once again displayed during that visit.

I also have recent data as well. As of 30 September 2008, almost three weeks ago, 1,980,109 remaining parts of anti-personnel mines still needed to be destroyed. Turkey will continue to inform the States parties regularly on the progress achieved. In this framework, an update will be given during the forthcoming Meeting of States Parties to be held next month in Geneva. However, let me underline that Turkey has already destroyed the fuses of all the stockpiled anti-personnel mines, which means that they are no longer usable. Participants in the Standing Committee meetings held in Geneva will recall the information we gave on that occasion last June.

Let me take this opportunity to appeal to States that have not yet done so to accede to the Mine Ban Convention. In this connection, I would also like to emphasize that, since the rights and obligations enshrined in the Mine Ban Convention apply only to States parties, the consent of the relevant States parties is necessary if and when engagement by non-governmental organizations with armed non-State actors is contemplated within the context of the Convention. Such activities should in no way serve the purposes of terrorist organizations.

We would also like to comment on the Convention on Cluster Munitions that will open for signature in Oslo in December 2008. Turkey has been involved in the Oslo process and is also an active participant in the ongoing work in the Group of Governmental Experts on Cluster Munitions. We are encouraged by the discussions held by the Group in Geneva within the context of the Convention on Prohibitions or Restrictions on the Use of Certain

Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. We share the humanitarian concerns behind the international efforts to limit the use of cluster munitions. Turkey expects the Group of Governmental Experts to intensify its efforts to conclude a document that should take into account the concerns of all. In our opinion, parallel processes do not need to overlap each other entirely.

Mr. Charan Sethi (India): While weapons of mass destruction are rightly accorded priority in the area of disarmament and arms control, conventional weapons and small arms and light weapons constitute an important concern. We associate ourselves with the statement of the Non-Aligned Movement on this subject.

India is deeply concerned that conventional weapons, including small arms and light weapons, continue to pose a grave danger to the security of States. Their indiscriminate and irresponsible use, including by non-State actors, has caused enormous humanitarian concern. Such weapons disrupt political stability and social harmony, derail pluralism and democracy, and hamper growth and development. They also fuel international terrorism and internal conflicts.

The United Nations has had a measure of success in dealing with the threat posed by the illicit trade in small arms and light weapons. The United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects adopted in July 2001 outlines a realistic, achievable and comprehensive approach to addressing the problem at the national, regional and global levels. The integrity of the Programme of Action and its consensus nature must be preserved and strengthened. India will contribute constructively to the follow-up meetings being envisaged as part of the Fourth Biennial Meeting of States.

India will also continue to pursue the objective of a non-discriminatory, universal and global ban on anti-personnel mines in a manner that addresses the legitimate defence requirements of States. Landmines continue to play an important role in the defence of States that have long land borders with difficult and inhospitable terrain. The process of the complete elimination of anti-personnel mines will be facilitated

by the availability of militarily effective, non-lethal and cost-effective alternative technologies.

The Chairperson took the Chair.

This year, we mark the twenty-fifth anniversary of the entry into force of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW), which remains the only forum of a universal character that brings together all the main users and producers of major conventional weapons, thus ensuring that the instruments that emerge have a greater prospect of making a meaningful impact on the ground. India is privileged to be part of the small group of countries that have ratified all the instruments of the CCW package. India has proposed a broad-based dialogue to consider a new and strengthened format of the CCW that would, by common agreement, reaffirm and strengthen the application of international law in protecting the victims of warfare.

We share the international community's concerns about the humanitarian impact of the irresponsible use of cluster munitions. India has contributed actively to ongoing discussions to negotiate an instrument within the CCW, consistent with the mandate of the Group of Governmental Experts adopted in November 2007, that strikes a balance between military and humanitarian concerns. We look forward to productive discussions in the Group of Governmental Experts meeting in Geneva in early November.

Mr. Kim Bonghyun (Republic of Korea): The destructive power of conventional weapons may not surpass that of weapons of mass destruction, but their humanitarian and development implications require just as much of the international community's attention as those of weapons of mass destruction. In this regard, the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) has an increasingly important role to play in international efforts to promote the goal of practical disarmament and to realize the principles of international humanitarian law.

As a State party since 2001, the Republic of Korea attaches great importance to the Convention and has faithfully implemented it. My delegation takes this opportunity to inform all delegations that the Republic of Korea joined Protocol V of the CCW on Explosive

Remnants of War in January 2008, and the Protocol entered into force in the Republic of Korea on 23 July 2008. We believe that Protocol V is a significant and practical step forward in addressing the humanitarian problems of explosive remnants of war, and my Government is strongly committed to advancing the implementation of the Protocol.

In addition, my Government has actively participated in the discussions of the Group of Governmental Experts on cluster munitions within the framework of the CCW. We believe that it is very important to find common ground in the negotiations based on due consideration of humanitarian and security concerns alike, taking into account the different security, economic and technological conditions that States parties face. With only one more mandated meeting left, the Group of Governmental Experts has now reached a critical juncture. The Republic of Korea will continue to participate in the negotiations in a constructive manner and calls upon all States parties to take a more flexible approach so that we can reach a realistic and viable solution this year.

Small arms and light weapons are the weapons of choice in present-day conflicts and their universal availability and excessive accumulation prolong armed violence and aggravate regional conflicts. The illicit trade in small arms is often closely linked with organized crime, terrorism and drug trafficking. Also, different socio-economic and human rights problems, such as child soldiers, refugees, food insecurity and the illegal exploitation of natural resources, are all associated with and, in many cases, aggravated by the proliferation of small arms.

In preventing and addressing the problems associated with small arms, restraining the further inflow of small arms and improving the management of existing stockpiles are both critical. This is especially true in conflict and post-conflict environments, because reducing the number of arms in circulation is pivotal in preventing the destabilization caused by small arms. We also need to keep in mind that nebulous networks of arms brokers often defy United Nations arms embargoes and other measures to control the illicit trade in small arms. There is a need to improve the system for monitoring arms embargoes.

In this context, my delegation welcomes the substantive report of the Third Biennial Meeting of

States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. By identifying four key issues and practical recommendations to address the challenges to each of them, the Meeting succeeded in reviving the momentum for global action against the illicit trade in small arms. In addition, it will serve as a valuable guide, pointing the way forward for the full implementation of the Programme of Action and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.

I should also like to express our appreciation to the United Nations Office for Disarmament Affairs for launching the Programme of Action Implementation Support System and for improving the Coordinating Action on Small Arms. We believe that such initiatives will greatly facilitate coordination among all interested parties and thereby contribute to the full implementation of the Programme of Action.

Finally, my delegation welcomes the report of the Group of Governmental Experts on an arms trade treaty established pursuant to General Assembly resolution 61/89, and hopes that the Committee will further the debate on this important subject based on the report.

Mr. Bruneau (Canada) (*spoke in French*): The illicit trade and misuse of conventional weapons continue to have a devastating impact on the lives of civilians throughout the world. In that respect, Canada, together with the world community, continues to be seized by the critical urgency of addressing this problem.

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. Our country was pleased, *inter alia*, by the success of the Biennial Meeting of States in July 2008 and the strengthened momentum it has provided towards the full implementation of the Programme of Action. The early designation of the Chair, advance consultations with all countries, and an agenda on priority issues were all factors contributing to its success. As a result, we encourage future Biennial Meetings to follow this model.

Canada recognizes the need to pursue efforts to strengthen the global regulatory framework governing the transfer of all conventional arms. To that end, Canada continues to support efforts towards the negotiation of a comprehensive, legally binding arms trade treaty that would regulate the import, export and transfer of conventional arms, including small arms and light weapons. Canada also believes that such a treaty is both feasible and necessary in order to provide common international standards for the trade in conventional weapons. Canada welcomes the report of the Group of Governmental Experts to examine the feasibility, scope and draft parameters of such a treaty. We also welcome the draft resolution (A/C.1/63/L.39) circulated by the co-authors calling for the establishment of an open-ended working group on this issue.

(spoke in English)

Canada welcomes the draft resolution (A/C.1/63/L.43) circulated by the Republic of Korea and Australia on illicit brokering. Illicit brokering is a complex but pressing problem, and addressing it effectively will require concerted global action. Canada supports fully the draft resolution's approach in addressing illicit brokering in both conventional weapons and weapons of mass destruction, as there is a clear overlap in many of the measures to address each. While the form of domestic controls may vary between member States, we all must work to ensure the effective implementation of those domestic controls and cooperate with each other to prevent brokers from exploiting potential loopholes.

Canada welcomes the adoption of the new Convention on Cluster Munitions by the participants in the Oslo process in May 2008, and commends the host countries for their leadership throughout the negotiations. Canada sees the new Convention as a major step forward in addressing the humanitarian and development impacts of this type of weapon. Canada will continue to pursue action on cluster munitions and related issues within the traditional disarmament framework of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW). Canada calls on all high contracting parties to the CCW to participate fully in the final week of negotiations and to send a strong new protocol on cluster munitions to the November meeting of high-

contracting parties for its consideration and endorsement.

Canada is pleased to note continued support for the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. There are now 156 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 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. Last year, Canada provided more than \$50 million to mine action activities and hence is one of the leaders in the provision of such assistance worldwide. In this regard, we will continue to work hard to integrate mine action into our regular peace and security, humanitarian and development programmes.

Whether we speak of anti-personnel landmines, cluster munitions, small arms and light weapons or other conventional weapons, we as the international community must always have as our foremost concern the humanitarian and development impacts these weapons can have and work to address and prevent these impacts.

Ms. Fanny (Côte d'Ivoire) *(spoke in French)*: The delegation of Côte d'Ivoire — including my Minister, Mr. Amara Essy, who was honoured to preside over this Committee in 1984 and over the General Assembly at its forty-ninth session in 1994 — joins with all previous speakers in congratulating you, Sir, on your election to the chairmanship of this Committee. Our congratulations also go to all the members of your Bureau. Be assured of the full support and cooperation of my delegation in discharging your duties. We must recognize that you are doing a magnificent job.

My delegation unreservedly supports the statements made by the representatives of Indonesia on behalf of the Non-Aligned Movement and of Nigeria on behalf of the African Group, and that to be made by the representative of Burkina Faso on behalf of the

Economic Community of West African States (ECOWAS).

Côte d'Ivoire, a country that has been seriously affected by the proliferation and illicit trafficking of small arms and light weapons, attaches great importance to the establishment of an international binding instrument on the arms trade. My delegation therefore wishes to make a few comments.

The West African subregion, to which my country belongs, continues to suffer the devastating consequences of the proliferation and illicit trafficking of small arms and light weapons. Statistics show that, since 1990, more than 2 million people have died in conflicts driven by the use of small arms and light weapons. Moreover, small arms and light weapons destroy lives, property and the environment. They exacerbate conflicts, delay their resolution and lead to the massive displacement of populations — women and children in particular — add to refugee flows, undermine the rule of law, and encourage and support a culture of violence.

That is why, even before the international community broadly outlined its policy to combat the proliferation of small arms and light weapons through the adoption 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 in 2001, West African States, including my country, in 1998 took the initiative to align their positions through a regional document, namely, the moratorium on the transfer and production of small arms and light weapons. Our idea was to send a strong political message to set an example for the international community, because we believe that only regional and subregional cooperation and joint international action will enable us to meet this challenge.

The transformation in June 2006 by member States of the ECOWAS of their moratorium into the Convention on Small Arms and Light Weapons, Their Ammunition, and Other Related Materials was the most recent expression of the resolve and commitment of our region to advancing in our relentless struggle against the proliferation and illegal trade in small arms and light weapons. That is the true goal of the Convention.

The ECOWAS Convention prohibits the transfers of small arms, as well as material that could help to

produce them, within, to and from the territories of member States. It also prohibits any transfer of small arms and light weapons to non-State actors. Exemption criteria for legitimate national defence and security needs, policing activities and the conduct of peacekeeping operations dispense member States from the prohibition principle. The ECOWAS Convention stipulates strict control over the production of small arms and light weapons by regulating the activities of local manufacturers. It establishes a certain number of means and instruments to promote transparency and confidence among member States, in particular through the establishment of national and subregional registers, marking and tracing, the control of brokering, management of and safe storage of stockpiles, and control over the possession of civilian arms.

Accordingly, my country, which is bearing the full brunt of the consequences of the failure to control illicit transfers of arms, welcomes and supports the report of the Group of Governmental Experts on the feasibility, scope and draft parameters of an arms trade treaty, pursuant to General Assembly resolution 61/89. We would venture to say that we are at an historic crossroads given that, despite regional arrangements, it is undeniable and absolutely crucial that the international community should agree on legal rules and adopt a treaty to regulate the transfer of conventional weapons. For my delegation, the report is a good basis for considering future stages, in particular the establishment of an open-ended working group to negotiate an arms trade treaty to the benefit of member States. We hope that due account will be taken throughout this process of the views expressed by and experiences of our States and of certain regions.

The Convention on Small Arms and Light Weapons, Their Ammunition, and Other Related Materials adopted by West Africa could, we believe, serve as a guide for the international community. I believe it important to stress here that the Convention has reproduced most of the general principles of an international arms trade treaty, in particular those relating to human rights, international humanitarian law and sustainable development. Indeed, article 6 establishes an important rule relating to human rights. Indeed, the article prohibits the transfer of weapons if it is shown, or at least if there is a serious risk, that they will be used either to commit serious violations of international humanitarian law or human rights, to destabilize a State or to serve the interests of terrorists.

Our peoples, the prime victims of armed violence, place great hopes in the management of the process begun by the historic adoption of the Convention in December 2006. It is up to us not to be disheartened by the various obstacles that will come our way, but to stay the course and, above all, to accelerate the process that will lead us to a legal instrument. It is easy to agree that if nothing is done to curb the irresponsible transfer of illicit weapons, sub-Saharan Africa will not attain any of the Millennium Development Goals by 2015, much less achieve peace, democracy and development.

Mr. Perazza (Uruguay) (*spoke in Spanish*): Allow me to begin by extending our warmest congratulations to you, Sir, on your assumption of the chairmanship of the Committee and to wish you and the other members of the Bureau every success in your work.

My delegation fully associates itself with the statement made by the representative of Brazil on behalf of the member States of the Common Market of the South and associated States, in which he outlined the organization's position on various issues related to conventional arms. I will therefore simply focus on a few specific aspects.

Uruguay attaches particular importance to preventing and combating the illicit traffic in small arms and light weapons and fully shares the concern expressed in the Secretary-General's report, which stresses that small arms remain the weapons most widely used in current conflicts, especially those that have been and are being considered by the Security Council. Uruguay also fully agrees that, in considering the phenomenon of small arms and light weapons, we should not focus exclusively on security issues, but should also look at other, broader issues, such as human rights and development.

The Uruguayan Government has made significant efforts to adapt its policies and legislation to international and regional instruments on the illicit trade in small arms and light weapons. Our country has a range of legislation, regulations and administrative procedures on small arms and light weapons and aspects related to the manufacture, import, export, transit and re-transfer of these weapons. As reflected in the INTERPOL database, no evidence of illicit trafficking in small arms and light weapons has been detected in Uruguay, nor do we currently have national

manufacturers of firearms. Nonetheless, the Uruguayan Government has launched campaigns to destroy small arms and light weapons that are not duly registered or that have been seized in the course of illicit activities. Thus, between 1998 and 2008, we destroyed more than 35,800 illegal weapons.

With a view to strengthening our national legal regime, in September this year Uruguay organized a national seminar that was well attended by representatives of the national Government and neighbouring countries, parliamentarians and civil society with a view to debate a new arms law that would incorporate and adapt major international standards on preventing and combating the illicit trade in small arms and light weapons. The event concluded with a commitment signed by all Uruguayan political parties with parliamentary representation, to be submitted for parliamentary consideration as soon as possible. The event reflected the very clear will of the Uruguayan Government to continue strengthening its national legal regime in order to address this problem.

Uruguay is fully convinced of the fact that multilateralism plays a crucial role in the area of conventional weapons. That is why we appreciate the work of the Group of Governmental Experts to examine the feasibility, scope and draft parameters for a comprehensive, legally binding instrument for import, export and transfer of conventional arms, whose conclusions, as we all know, were recently discussed here in the First Committee. My delegation voted in favour of and co-sponsored General Assembly resolution 61/89 establishing the Group of Experts, and at this sixty-third session we will vote in favour of draft resolution A/C.1/63/L.39, introduced by the Argentinian delegation. Uruguay has already signed up as a sponsor of the draft resolution, one of the 88 nations that have given additional impetus to that important text.

With its decision, the Government of Uruguay hopes that the draft arms trade treaty, which may be negotiated by an open-ended working group in which all States Members of the United Nations are represented, will enter a new and decisive process that will lead to the adoption of a legally binding instrument, based on the fundamental principles of international law. Such an instrument would allow us to reduce the human cost of the proliferation of weapons, prevent unscrupulous arms dealers from taking advantage of the weakest link in the supply

chain, guarantee that all arms exporters work under the same standards, and prevent the transfer of arms or munitions that could be used to commit violations of international law, human rights or international humanitarian law, or to hinder development.

In September 2007, Uruguay joined the Ottawa process and expressed its firm commitment to promoting a legally binding instrument that would prohibit States under any circumstances from using, developing, manufacturing, acquiring, stockpiling or transferring cluster munitions. Uruguay's firm commitment reflects the peaceful conduct of a country that does not produce and has never used or stockpiled cluster munitions, and which advocates the strengthening of international humanitarian law properly and effectively to address the humanitarian issues arising from the use of such weapons.

That is why Uruguay firmly intends to proceed to the signing of the Convention on Cluster Munitions on 3 December in Oslo. We believe that this event will mark the first step of a solid and sustained process that will soon see the entry into force of an instrument establishing a framework of cooperation and assistance to guarantee due attention to the victims of cluster munitions, the clearance of contaminated areas, risk reduction education and the destruction of arsenals.

Uruguay thanks Ecuador for its initiative to convene a regional event in Quito in November to promote the signing and subsequent ratification of the Convention on Cluster Munitions among member States of Latin America and the Caribbean. The event will certainly enhance awareness of such an important issue among our populations.

Mr. Itzhaki (Israel): The international community has for some time been seized of the need to address the proliferation of weapons of mass destruction, but it has not allocated enough attention to the threats posed by the uncontrolled and irresponsible proliferation of conventional weapons, other military equipment and know-how.

This is especially true when it comes to terrorists. We have seen that irresponsible transfers of conventional arms strengthen extremist groups and turn terrorist cells into a dominating force using arms against civilians as a method of gaining political advantage. It is Israel's long-standing position that any initiative dealing with conventional arms has to maintain the balance between the legitimate security

needs of States and the need to prevent unnecessary human suffering.

The Middle East is particularly vulnerable to the impact of illicit arms transfers to terrorists. Arms continue to flow to terrorist groups notwithstanding the resolve of the international community to embark on a process to regulate the arms trade. The conflict that erupted in the summer of 2006 has shown that man-portable air-defence systems, unmanned aerial vehicles, missiles of various types and ranges, as well as short-range rockets, are not beyond the reach of terrorists. Hizbollah, which is supported first and foremost by Iran, has continued to arm itself since 2006. The Hamas terror organization is following closely in Hizbollah's footsteps. In the past year, Hizbollah has entrenched itself further in the Lebanese political sphere. It has increased the breadth and sophistication of its arsenals. The transfers of arms from Iran and Syria to Hizbollah have continued unabated, in contravention of Security Council resolution 1701 (2006). The smuggling of arms plays into the hands of those who wish to ignite conflict in the region and has been facilitated by States turning a blind eye to and sometimes even encouraging this course of action.

The international community must address as a priority the prevention of arms transfers to terrorists. We must create a clear and comprehensive norm banning such transfers and take concrete steps to halt all such transfers. Some States continue to transfer or condone the transfer of arms to terrorist groups while at the same time condemning terrorists. There can be no justification for this. Thus, curbing illicit arms proliferation must begin with strong national commitment and determination.

In June 2007, the delegation of Israel to the Conference on Disarmament in Geneva presented a working paper to promote further action on this issue. That working paper set out and analysed existing documents, instruments and resolutions on the prevention of arms transfers to terrorists. The paper demonstrated the need for immediate, comprehensive and systematic action. This will require pragmatism; long-enduring differences over issues such as definitions must be put aside. We must identify practical steps to move this issue forward. This could, for example, include identification of national programmes to increase awareness and build capacity, followed by enhanced cooperation and coordination

among States at the multilateral, regional and bilateral levels. Israel is looking forward to continued debate on how best to address this issue with all delegations in this room, as well as within the framework of the Conference on Disarmament in Geneva.

The irresponsible arms trade must be addressed first and foremost by stringent national measures. Enacting national controls of this type should take precedence over global ventures. Israel, for its part, has long maintained a vigorous national export control system. Recently, Israel has reformed its export control system, including legislation and operational framework, to meet the highest recognized international standards, in particular those set by the international suppliers' regimes. On 31 December 2007, a new export control law entered into force. This law regulates export control over the munitions list of the Wassenaar suppliers' regime, the Missile Technology Control Regime and beyond. In doing so, Israel also gives high priority to the implementation of Security Council arms embargo resolutions. It augmented its export control order of January 2007 that regulates control over dual-use items and technologies based on the dual-use list of the Wassenaar Arrangement.

Small arms and light weapons are the most accessible weapons of choice for terrorists and organized crime. Disturbing statistics point out that a growing number of people are being killed directly or indirectly due to armed violence. More than two thirds of about 750,000 deaths per year related to small arms and light weapons occur outside of war zones. The United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects of July 2001 is one of the most important instruments addressing this scourge. The Third Biennial Meeting of States held in July this year was a success. Israel welcomes the substantive Outcome Document, which sets up an incremental process based on international cooperation and assistance.

Israel regrets that no consensus could be reached on the Outcome Document, due to difficulties mounted cynically by Iran on the last day of the Meeting. Iran is notoriously known as the country most heavily involved in the transfer of arms to terrorists in our region. I take this opportunity to commend the Chairperson of the Biennial Meeting of States, Ambassador Dalius Čekuolis of Lithuania, for guiding

us to restored confidence in the Programme of Action process. Israel will continue to contribute to the rejuvenation of the Programme of Action and the process on which we are about to embark on in this regard.

Much focus in this First Committee session has been given to the establishment of a global regime for the responsible transfer of arms through an arms trade treaty. The Group of Governmental Exports on an arms trade treaty has concluded its work by consensus, and my Government is carefully studying the final report. I would note, however, that the report calls for further consideration on this issue within the United Nations on a step-by-step basis. This is clear evidence of the complexity of the issue.

Israel remains to be convinced that an international arms trade treaty could indeed provide commonly agreed standards that would enhance the overall level of control exercised by States. In particular, we continue to be concerned that an arms trade treaty would be ineffective in stopping uncontrolled flows of weapons and military equipment into untrustworthy hands, in particular terrorists. In deliberations on a future arms trade treaty, the international community should ensure that such an instrument does not have an effect on legitimate trade in arms. Moreover, it must limit the possibility that such an instrument could be abused for political reasons to limit legitimate transfers to States for self-defence.

This year has seen significant developments with respect to the creation of a norm on the use of cluster munitions. The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) remains the relevant and appropriate forum for addressing such weapons. As an important instrument of international humanitarian law, it continues to strike a balance between military and humanitarian considerations. Since its inception, it has encompassed major users and producers of conventional weapons, including cluster munitions.

In the past year, the CCW conducted serious, in-depth negotiations in order to conclude a new protocol on cluster munitions. Further negotiations are scheduled for the month of November. With continued seriousness on the part of all member States, a

meaningful protocol on cluster munitions can be achieved by the end of this year. Israel trusts and hopes that those CCW member States that were also involved in other negotiations on this issue will continue to exert their best efforts to achieve an agreement in the context of the CCW.

Finally, we believe that the time has come to look afresh at the traditional paradigm for addressing the threats caused by conventional arms proliferation. The international community must find new and innovative ways to address those emerging threats, and in particular that posed by terrorists.

Mr. Duncan (United Kingdom): The United Kingdom fully subscribes to the statement made yesterday on behalf of the European Union by my French colleague.

Among the challenges facing us today on the arms control and disarmament agenda, it is worth recording the real progress that is being made in the field of conventional weapons, although not all of it in the formal track of the United Nations. The full text of my intervention today has just been circulated, so I will give an abbreviated version in the interests of time.

On cluster munitions, we welcome the new treaty banning a whole class of weapons negotiated earlier this year at the Dublin Conference. This Convention will make a real contribution to addressing the humanitarian threat posed by these weapons. The United Kingdom has already taken several practical steps towards implementing the future Convention's norms by ceasing to use, with immediate effect from 30 May 2008, the two remaining types of cluster munitions as defined, which had been in service with the United Kingdom Armed Forces, and adding cluster munitions as defined to the United Kingdom list of prohibited items for transfer in the latest update of our export control regulations. At the political level, Prime Minister Gordon Brown has made it a personal commitment to work with other countries to promote the widest possible adherence to the norms of the new Convention.

Colleagues who were at Dublin will recall that interoperability was a key issue for several States, but we believe that the new treaty meets our objectives and allows us to continue to play our full part in coalition operations. That certain major. We appreciate that certain major users and producers are unable at this stage to sign up to the future Oslo Convention, and we

support efforts within the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects to achieve a complementary instrument by the end of this year.

Turning to small arms and light weapons, we welcome the adoption by the Biennial Meeting of States of a Final Outcome Document that paves the way for renewed efforts to fully implement the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. We also look forward to the proposed Group of Governmental Experts next year examining the scope and operation of the United Nations Register of Conventional Arms, and hope that it will recommend the inclusion of small arms and light weapons within the scope of the Register.

In the important field of anti-personnel landmines covered by the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, the United Kingdom delegation joins others in congratulating Jordan on its skilful leadership of the Eighth Meeting of States Parties, and we look forward to welcoming Switzerland as the incoming Chair of the Ninth Meeting.

There will be difficult decisions ahead to take on stockpile destruction and clearance deadlines. The United Kingdom will work constructively with States parties and the Chair to further the aims of the Convention. It is worth recalling in this context that the United Kingdom is the third largest donor to mine-clearance programmes in affected countries where anti-personnel landmines pose a serious humanitarian threat. No effort should be spared to clear those anti-personnel landmines that still kill and maim.

Two years ago the First Committee, launched the process towards an arms trade treaty in General Assembly resolution 61/89. We have made progress since then. In 2007, more than 100 States submitted their views to the Secretary-General — a quite unprecedented number.

This year, under the able chairmanship of Ambassador García Moritán of Argentina, the Group of Governmental Experts also made good progress. It identified that, while there was still a variety of views on the key criteria that an eventual arms trade treaty

should cover, there were also a significant number of areas on which we believe early agreement is possible.

Significantly, the Group of Governmental Experts agreed that an arms trade treaty should not include internal transfers, national ownership provisions or national constitutional protections on private ownership within a State's territory. All the experts agreed that principles enshrined in the Charter of the United Nations should be central to the eventual arms trade treaty. They considered that an arms trade treaty should include recognition of the responsibilities of exporters and importers alike.

Only a few States are arms manufacturers, but virtually all of us are arms suppliers when our armed forces dispose of older weapons and purchase new ones. Experts emphasized the importance of objective and agreed global criteria that reflect respective responsibilities of exporters and importers, and they recognized the need for all States to ensure that their internal systems and national controls are at the highest possible standards. The question that then arises is: On what basis are States going to do this unless there is an arms trade treaty?

On the issue of scope, while it is true that there were differing views in the Group of Governmental Experts on the types of weapon an arms trade treaty might cover, it was agreed that no single existing instrument contains a list that might encompass the range of options raised in the submissions from member States.

On the activities that should be controlled, the Group of Governmental Experts shared concerns that weapons from illegal re-export, illicit brokering, unlicensed production and unlicensed transfers — exports and imports — that could be used for terrorist acts, organized crime and criminal activities needed to be brought under effective control. Similar issues were raised under the heading of “necessary conditions for transfers”, where experts raised the need to address 12 aspects, where perhaps end use is one of the most significant practical steps, as necessary conditions for transfers. As is well known, the United Kingdom sees respect for human rights, humanitarian and socio-economic development as key aspects that should be taken into account as necessary conditions for transfers.

Under operative measures and practical implementation, the Group of Governmental Experts

examined a number of issues such as information sharing, reporting mechanisms, international cooperation, and the need for national points of contact.

All these issues are fundamental elements of any eventual arms trade treaty, and some very useful preliminary work has been done this year. All 28 nations in the Group of Governmental Experts agreed that further work was required in the United Nations. The United Kingdom is encouraged by the number of regional initiatives in support of the arms trade treaty process, in particular the recent meetings in Nairobi and Antigua. We are also pleased to note that further work is under way to continue this very important part of our collective effort.

Over recent weeks, the arms trade treaty co-authors have consulted widely, both with supporters of the arms trade treaty initiative and with those countries that are more sceptical. The result of these discussions is a new draft resolution (A/C.1/63/L.39), formally introduced today by the representative of Argentina on behalf of the sponsors, covering the central track of our work, namely, the discussion within the United Nations.

The United Kingdom is committed to achieving a global, effective arms trade treaty. We have noted the widespread international support for establishing an arms trade treaty. It is, however, a source of some regret that, two years after the launch of this process, we still hear from friends and colleagues questioning the very need for an arms trade treaty. We are told that the major suppliers will not agree or that, if they do, it must be to form a cartel. We are told that an arms trade treaty will be used to establish blacklists or embargoes against certain countries because of concerns over their human rights record, or that the arms trade treaty will prevent countries in regions of tension from effectively arranging for their self-defence against powerful neighbours.

None of these things is true, but there is one area where the naysayers are right — the time for an arms trade treaty is not now. The time for an arms trade treaty is long overdue. If the events in the financial markets over recent weeks have shown us nothing else, it is the extent to which we are all intrinsically interlinked — something the English poet John Donne recognized nearly 500 years ago when he wrote:

“No man is an island, entire of itself ... Any man's death diminishes me, because I am

involved in Mankind; And therefore never send to know for whom the bell tolls; It tolls for thee". (John Donne, *Devotions*)

As an international community, we should not have allowed a situation to develop where 1,000 people are killed every day by armed violence, where insurgents and terrorists are able to obtain better and more lethal weapons to use against our peacekeepers and law-enforcement and security forces, and where our ability to achieve the Millennium Development Goals and a better quality of life for ordinary people is so seriously undermined. Our past reluctance to address this issue at the international level in a comprehensive manner and to agree common international standards that we can all operate has allowed the unscrupulous to bypass the existing patchwork of regional and weapon-specific regulation. At the same time, it increasingly frustrates the development of cooperation among responsible arms traders.

One hundred and fifty-three members in this room voted to take action to rectify this situation two years ago. More than 80 have agreed to sponsor the draft resolution before us today, a proposal that moves beyond rhetoric and advocates a pragmatic step-by-step approach focusing on the substance that we need to agree. Some nations still have concerns. These must be addressed openly and honestly. That is the purpose of the key proposal in the draft resolution before us. A properly regulated arms trade will be to everyone's benefit — the business community (exporters and importers), our peacekeepers, law-enforcement and security forces and, most important of all, ordinary people whose hopes for the future are so frequently dashed by our failure to control the unscrupulous and irresponsible.

Mr. Seruhere (United Republic of Tanzania): Due to unavoidable circumstances, Ambassador Mahiga is not able to attend this meeting, so I will read out the statement on his behalf.

"It is an honour once again to take the floor to share with States Members of the United Nations and the Secretariat some views and general proposals on how to eliminate the menace of the proliferation and illicit trafficking of small arms and light weapons in the Great Lakes region of Africa. We align ourselves with the statements made by the representatives of Nigeria on behalf

of the African Group and of Indonesia on behalf of the Non-Aligned Movement.

"Recalling the spirit of cooperation between the United Nations and the Great Lakes region of Africa, enshrined in Security Council resolution 1653 (2006) of January 2006, my delegation is convinced that the international community can mobilize the requisite resources to assist the subregion in curbing and eventually eliminating the illicit traffic in small arms and light weapons. Recent history has demonstrated that the consequences of the menace of small arms and light weapons are not limited to the subregion alone, but could engulf the entire African region and suck in the developed world. Both security and development prospects for the region, especially foreign direct investments, are at stake if the instability in the subregion persists and spreads.

"There is an obvious link between the illicit trafficking of small arms and light weapons, insecurity and human development. In tandem with that, humanitarian crises and breaches of law in some parts have reached alarming proportions. Consequently, impunity, resource plundering and economic stagnation have become widespread, especially in the eastern part of the Democratic Republic of the Congo, and warring factions hold sway in defiance of State authority and the international presence.

"Security Council resolution 1653 (2006) calls, among other things, for the disarmament of rebel groups and negative forces in the Great Lakes region. We welcome the efforts undertaken by the United Nations through the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) in that regard. However, two years down the road the task has not been fully accomplished. On the contrary, the situation has deteriorated in some of the eastern parts of the country. Most of the arms reaching the warring factions are illicit, smuggled and traded by criminal merchants of war. It is not sufficient to point out what has gone wrong; we must raise the height of United Nations action to cause peace and security to prevail in the subregion so that the population can embark on development. International investment would come in handy. We must compel the warring forces to comply

with the Security Council's decisions through more robust action by MONUC.

"My delegation calls upon the United Nations and the international community to increase resources and efforts to curb the illicit circulation and proliferation of small arms and light weapons in the Great Lakes region of Africa, first by addressing the security and political issues raised by the stakeholders and by enforcing existing agreements. In so doing, the logic of peaceful negotiations should prevail over the logic of force. There is an urgent need, therefore, to develop and employ a combination of confidence-building mechanisms, which include regional diplomatic initiatives and reactivating the verification mechanisms that the United Nations and the African Union have put in place.

"At the same time, traditional friends of the Great Lakes region should work with the regional actors to seek new ways to address the chronic problems that have plagued the Great Lakes region. The Pact on Security, Stability and Development in the Great Lakes Region can be used to complement and facilitate the efforts of the United Nations and the international community, especially considering that it was negotiated with United Nations assistance and participation. It has adequate provisions and legal protocols that only need implementation to address the security problems of the subregion, including the menace of small arms and light weapons. The United Nations role has to be revitalized.

"Through you, Sir, I ask the Secretariat to take a fresh look at this challenge."

Mr. Kafando (Burkina Faso) (*spoke in French*): It is my honour to take the floor on behalf of the States members of the Economic Community of West African States (ECOWAS) on the important issue under discussion today.

The uncontrolled trade in and anarchic circulation of weapons is of concern to the international community, given its disastrous impact on the security of citizens and the well-being of people in general. When, on 6 December 2006, the General Assembly unanimously adopted resolution 61/89, in which it called upon the Secretary-General to establish a group

of governmental experts to examine the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms, it sought to underline the clear correlation between conflict and the illicit trade in conventional weapons. We thank the Secretary-General for having acted swiftly in implementing that resolution.

In West Africa, we can attest to the humanitarian consequences and manifold devastating effects of the illicit trade in and proliferation of small arms and light weapons. The spread of a culture of violence, in particular among young people, as well as the many conflicts fuelled by the proliferation of conventional weapons and their possession by non-State actors, are also among the main causes of underdevelopment in the subregion and in Africa as a whole.

In order best to control the circulation of conventional weapons and in general to promote disarmament, in 2006 ECOWAS adopted a Convention on Small Arms and Light Weapons, Their Ammunition, and Other Related Materials. The Convention was designed to take over from the 1998 moratorium and will provide a legally binding framework on the basis of which countries of the subregion will conduct their struggle. I should like to call on States members of ECOWAS that have not yet done so to ratify the Convention so that it can enter into force as soon as possible.

Nonetheless, regional agreements such as the ECOWAS Convention, howsoever relevant, remain limited in scope and thus in their capacity to track down with the required effectiveness the networks of illicit arms trafficking in an increasingly globalized world that is confronted by an upsurge of uncontrolled non-State actors. Accordingly, it is a matter of urgency for the international community to adopt legally binding collective measures not only to regulate the trade in weapons, but also and in particular to prevent them from falling into the hands of organized criminal groups capable of destabilizing States.

In that respect, I congratulate the Chairman of the Group of Governmental Experts, Ambassador Roberto García Moritán, and other members on the timely conclusion of their work, which we are convinced will enable the international community better to control the thorny question of the conventional arms trade.

In ECOWAS, we are convinced that the establishment of a comprehensive, legally binding instrument will help reduce the number and intensity of conflicts and other forms of violence, which should be of major benefit to the promotion of human rights, democracy and economic, social and cultural development. Given the complexity of the subject, we need intensively to pursue our discussions in order to reach agreement on an arms trade treaty that will take into account a very broad range of activities, including the import, export, transit, trans-shipment and transport and any other movement from or through the territory of a State.

It should also take into account the broad coverage of conventional weapons and questions relating to human rights, international humanitarian law and sustainable human development. I assure the Committee that the member States of ECOWAS are committed to that goal and will make every effort fully to attain it.

The Chairperson (*spoke in Spanish*): The representative of the Syrian Arab Republic has asked to speak in exercise of the right of reply. I remind him that, in accordance with General Assembly decision 34/401, statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second.

Mr. Hallak (Syrian Arab Republic) (*spoke in Arabic*): Earlier today, the representative of Israel made a desperate attempt to misinform the Committee in order to obfuscate Israel's crimes and ongoing violations of international resolutions. He made false allegations with respect to Syria's alleged shipment of weapons to Lebanon.

The Syrian delegation wishes to stress the fact that United Nations resolutions relating to Lebanon and the reports issued by border commissions have denied any arms transfers. That has been confirmed by Lebanese officials. We recall, however, that United Nations reports note that Israel has continued its violations of Lebanese sovereignty on an almost daily basis. In so doing, Israel has violated Security Council resolution 1701 (2006).

We would also remind the Committee that, in the course of its aggression against Lebanon, Israel dropped more than 1 million cluster bombs, and that it did so following the adoption of Security Council resolution 1701 (2006) and the cessation of hostilities. These bombs have claimed many Lebanese victims, including many children and some international volunteers who were helping to remove mines from Lebanon. We remind the Committee that Israel continues to refuse to hand over the landmine maps, in violation of several Security Council resolutions. Israel has planted thousands of mines in the occupied Syrian Golan, the detonation of which has claimed hundreds of victims, including 17 children.

We would also recall that Israel has brought terrorism to the Middle East. It has become almost redundant to point out that Israel is responsible for the deaths of United Nations officials and that it has committed countless terrorist acts. Israel's ongoing occupation of the Arab territories is one of the most flagrant examples of terrorism.

The Chairperson (*spoke in Spanish*): We have heard the last speaker for this afternoon.

The meeting rose at 5.55 p.m.