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Statement by

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Ambassador for Arms Control and Disarmament

on behalf of the United Kingdom

“Conventional Weapons Cluster”

New York, 21/22 October 2008
Mr Chairman,

The United Kingdom fully subscribes to the statement made yesterday on behalf of the European Union by my distinguished French colleague.

Amongst all the challenges facing us today on the Arms Control and Disarmament agenda, it is worth recording the progress that is being made in the field of conventional weapons, although not all of it in the formal track of the United Nations.

On Cluster Munitions, a new treaty banning a whole class of weapons was negotiated earlier this year at the Dublin Conference. The end result is a Convention that will make a real contribution to addressing the humanitarian threat posed by these weapons. The United Kingdom plans to sign the Convention on 3 December.

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 UK Armed Forces – the M85 and the M73;
- beginning the process of withdrawing these munitions from service, and placing them in a destruction programme; and
- adding cluster munitions as defined to the UK’s list of prohibited items for transfer in the latest update of the export control regulations.

At a political level, the 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. We will therefore be playing our full part in future efforts to promote universalisation of the new convention.

Colleagues who were at Dublin will recall that interoperability - the ability of the armed forces of states parties to continue to operate and cooperate with states not party to the future convention - was a key issue for several states. But we believe that the end result meets our objectives and allows us to continue playing our full part in coalition operations.

We appreciate the fact that certain major users and producers are unable at this stage to sign up to the future Oslo Convention. That is why we are supportive of efforts within the Convention on Certain Conventional Weapons to achieve a complementary instrument by end 2008; an instrument which would of course include them. We are fully supportive of and grateful for the key role played by Ambassador Wigotski in guiding the GGE thus far. In the remaining week there is still a lot to do. But we believe a good outcome is possible.

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 UN Programme of Action. We regret that its adoption by consensus was not possible, but note that those unable to support had no difficulty with the substance but rather the process. As we go forward it will be important to focus on substance in order to address the illicit trade in Small Arms and Light Weapons in all its aspects. Following on from the paper on illicit brokering, which we submitted jointly with the Netherlands during the BMS, the United Kingdom is pleased to support the awareness-raising resolution submitted at First Committee by South Korea and Australia. We are pleased to have taken part in the GGE on the problems arising from ammunition surpluses. In addition, we are co-sponsoring this year’s omnibus resolution on Small Arms and Light Weapons, and we support the idea of holding intersessional expert group meetings.

We look forward to the proposed GGE next year to examine the scope and operation of the UN Register of Conventional Arms, and hope that this will recommend the inclusion of Small Arms and Light Weapons. The Register remains the only international transparency and confidence building measure in the area of conventional arms and its relevance to all states is fundamentally important to the issue of participation.

In the important field of Anti Personelle Landmines covered by the Ottawa Convention, this Delegation joins others in congratulating Jordan for its skilful leadership of the Eighth Meeting of States Parties. The Dead Sea Report is both comprehensive and timely. We look forward to welcoming Switzerland as incoming Chair of the Ninth MSP. There will be difficult decisions to take on stockpile destruction and clearance deadlines. We will work constructively with States Parties and the Chair to further the aims of Convention. It is worth recalling that the UK is the 3rd largest donor to mine clearance programmes in affected countries where anti-personnel landmines pose a serious humanitarian threat. No efforts should be spared to clear those anti-personnel landmines that still kill and maim.

We also reaffirm our strong support for the European Union’s efforts to universalise the Ottawa Convention. We look forward to the Second Review Conference and hope that a consensus decision on its venue will be possible.

Mr Chairman,

Two year’s ago the First Committee launched the process towards an Arms Trade Treaty in Resolution 61/89. We have made steady progress since then. In 2007 over 100 States submitted their views to the UN Secretary General; a quite unprecedented number.

This year under the able Chairmanship of Ambassador Garcia Moritan of Argentina the Group of Government Experts also made good progress. They identified that while there was still a variety of views on the key criteria that an eventual ATT should cover, there was also a significant number of areas where we believe that early agreement is possible: The GGE Experts agreed that an ATT should not include:

- internal transfers;
- national ownership provisions;
• national constitutional protections on private ownership within that State’s territory.

All the Experts agreed that principles enshrined in the Charter of the United Nations would be central to an eventual ATT.

They considered that an ATT should include a recognition of the responsibilities of both exporters and importers. Only a few states are arms manufactures, 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.... The Group acknowledged the respective responsibilities of exporters and importers.... and recognised the need for all States to ensure their internal systems and national controls are at the highest possible standards....” The question then arises on what basis are states going to do this unless there is an ATT.

On the issue of scope, while it is true that there were “differing views” in the GGE on types of weapons an ATT 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 GGE shared concerns that weapons from illegal re-export, illicit brokering, unlicensed production and unlicensed transfers (exports and imports), as well as unsecure weapons storage and transportation 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 Necessary Conditions for Transfers. Experts also raised “the need to address the following 12 aspects” (as a necessary condition for transfers):

• terrorism;
• organised crime and other criminal activities;
• maintaining regional stability;
• promoting social and economic development;
• unlawful transfers to non-state actors;
• unauthorised re-exports;
• unlicensed production;
• illicit brokering;
• right to manufacture and import;
• end use/end user assurances;
• diversion;
• compliance with Security Council arms embargoes and other existing international obligations.
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 a necessary condition for transfers.

Mr Chairman,

Under Operative Measures and Practical Implementation, the GGE experts examined: information sharing mechanisms, reporting mechanisms, international co-operation and assistance. They also looked at issues of stockpile management/security, transit and transhipment; end use/end user assurances; the need for national points of contact and implementation and transparency reports.

All these issues are fundamental elements to any eventual ATT and some very useful preliminary work has been done. However, all 28 nations in the GGE agreed that further work was needed.

The United Kingdom is encouraged by the number of regional initiatives in support of the ATT process, in particular the recent meetings in Nairobi and Antigua. We are pleased that work is underway to continue this very important part of our collective effort.

Over recent weeks the ATT Co-Authors have consulted widely, both with supporters of the ATT initiative, and also with those countries who are more sceptical. The result of those discussions is a new draft resolution, formally presented on behalf of the Co-Sponsors by Argentina earlier today 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. As the United Kingdom Foreign Secretary, David Miliband, recently remarked "It is bizarre that while treaties and conventions have existed for several decades to control the spread of nuclear, chemical and biological weapons, there is no equivalent global arrangement to stop weapons flooding into conflict zones".

Mr Chairman,

I note that there is widespread international support for establishing an ATT. However, it is a source of some regret that 2 years after the launch of this process we still hear some of our friends and colleagues questioning the very need for an ATT.

We are told that the major arms suppliers will not agree, or if they do, then it must be a cartel. We are told that an ATT will be used to establish black lists or embargoes against certain countries because of concerns over their human rights record. We are told that the ATT will prevent countries in regions of tension from effectively pursuing their self-defence against powerful neighbors.
Mr Chairman,

None of these claims are true.

But there is one area where the naysayers are right -- the time for an ATT is not now.

The time for an ATT, Mr Chairman, colleagues and friends 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 inter-linked, something the English poet John Donne recognised 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".

As an international community we should not have allowed a situation to develop where 1000 people per day are killed by armed violence; where insurgents and terrorists are able to obtain better and more lethal weapons with which to use against our peacekeepers and law enforcement and security forces; 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 an international level in a comprehensive manner and to agree common international standards which we 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 amongst responsible arms traders.

153 members of this room voted to take action to rectify this situation 2 years ago. More than 80 have agreed to co-sponsor the resolution before us today. This proposal moves beyond the rhetoric and advocates a pragmatic step by step approach focusing on the substance that we need to agree.

Some countries 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 the irresponsible.

Mr Chairman,

Thank you.