In the Name of God, the Most Compassionate, the Most Merciful

Mr. Chairman,

Consideration of issues related to conventional weapons should be in an open, transparent, balanced, comprehensive and non-discriminatory manner.

Negotiations must be carried out within the United Nations, with the equal participation of all States and all decisions should be made by consensus.

Nothing shall affect the inherent rights of any State to security, self-defence and territorial integrity.

The sovereign right of any State to acquire, manufacture, import, export and retain conventional arms, their ammunitions, parts, components and related technologies and know-how for its self-defence and security needs should fully be observed.

It was based on these principles that my country constructively participated in the UN Conferences on the Arms Trade Treaty, expecting the conclusion of an effective, robust, balanced and non-discriminatory treaty aimed at reducing human suffering resulting from the illicit trade in conventional arms.

However, the process has been redirected towards the narrow national agendas and regional policies and the draft treaty fell far short in meeting those expectations.

Accordingly, my delegation was compelled to join others in objecting to the adoption of draft ATT, in particular for the following reasons:
1. ATT failed to incorporate the prohibition of arms transfer to aggressors and foreign occupiers. This is a clear legal flaw in the ATT and as a victim of the act of aggression in the recent history it is totally unacceptable to us.

2. The international movement of conventional arms by, or on behalf of, a State Party for its use was exempted from the Treaty application. It also provides the ground for the exemption of transfer of arms between member States of military alliances and contains similar exemptions at the bilateral level. These are incompatible with object and purpose of the Treaty. Such arms transfers in some cases have been used to commit aggression and occupation causing human losses and destruction of the infrastructures of a number of countries including in the Middle East and the Persian Gulf.

3. ATT fell short of recognizing the inherent right of States to acquire, produce, export, import and transfer of conventional arms required for the realization of the inalienable right of any State to security, self-defense and territorial integrity.

4. While the rights of arms exporting States is well preserved in the ATT in the form of exemptions, exceptions and protections, the most basic and inherent rights of importing States is subject to the discretionary judgment and extremely subjective assessment of the exporting States. There is no real safeguard in the Treaty to secure the rights of importing countries and therefore, it is highly abusable and susceptible to politicization, manipulation and discrimination. ATT gives a blank check to arms exporting countries to apply any measure and standard in exporting arms, even if they are not compatible with the Treaty provisions and its overall object and purpose.

5. ATT does not prevent arms to fall at the hands of criminals, illegal armed groups, terrorists and extremist groups.

6. It also does not ask for limiting the production and transfer of conventional arms.

7. The inclusion of “parts and components” in the Treaty, in the absence of any clear definition, runs the high risk of equating every simple duel use goods and equipments with the actual conventional weapons. As a result, many types of equipment for civilian use can easily be subject to such restrictive measures detrimental to the economic development of importing developing countries.

Mr. Chairman,

It was for the first time in the history of international treaty making within the UN, a text full of legal flaws, loopholes and other deficiencies was tabled for adoption as an international legally binding instrument without being negotiated. This was the product of a closed, discriminatory and non-transparent process administered by the president of the Final Conference.

In conclusion, the Program of Action and the International Instrument on marking and tracing are the main international platforms to address the multifaceted challenge resulting from the illicit trade in Small Arms and Light Weapons.

While welcoming the designation of Ambassador Zahir Tanin of Afghanistan as the Chair of the 5th BMS, we will spare no effort to cooperate with him to make that meeting a success.

I thank you Mr. Chairman.