



SOUTH AFRICAN STATEMENT TO THE SEVENTH CONFERENCE OF STATES PARTIES TO THE ARMS TRADE TREATY

23 August 2021

States Parties to the Arms Trade Treaty,
Signatory States,
Observer States,
International and Regional Organizations, Civil
Society, NGOs and Industry,

South Africa expresses its gratitude to the President, Bureau, fellow members of the Management Committee, Working Group Chairs and Facilitators, as well as to the Secretariat for their hard work, dedication and tireless efforts to prepare for this Seventh Conference of States Parties under exceptional circumstances.

We recognize that the COVID-19 pandemic continues to have a devastating impact on us all. We are facing a new reality, which severely hampers the effective implementation of, and compliance with, many global instruments. The pandemic also impacted negatively on regional implementation initiatives, such as the implementation of the AU Master Roadmap of Practical Steps for silencing the Guns in Africa. In this regard South Africa welcomes the agreement by the African Union to extend the implementation of the AU Master Roadmap for a period of ten years, from 2020 to 2030.

The African Union Master Roadmap identifies a number of obstacles such as the persistence of illicit transfers and illegal arms transactions as constituting serious threats to the African peace and security agenda. It is unfortunate that as we were intensifying our efforts at “Silencing of the

Guns”, we had to shift focus to developing a comprehensive response to the outbreak and the spread of the COVID-19 pandemic. Nevertheless, our commitment to Silencing the Guns on the continent and to address the illicit transfers and illegal arms transactions worldwide is unwavering.

The Arms Trade Treaty is an essential element in the arms control architecture and was established to regulate not only the international trade in conventional arms but also to prevent and eradicate illicit trade and diversion of conventional arms by establishing international standards governing arms transfers. Although Small Arms and Light Weapons remain the most commonly used weapons in conflicts, especially in Africa, trade in other conventional weapons has been recognized as a contributory factor to the escalation of conflicts. It is therefore important to ensure that all conventional weapons remain our focus.

The proliferation of and trade in conventional arms, exacerbated by, *inter alia*, inadequate or weak control systems at the respective national levels, destabilises communities, negatively impacts security and compromises development. The full implementation of the ATT and the development of further rules through the respective working groups, will, through regulating the legal trade in conventional weapons, combat the illicit trade in conventional weapons. The effective implementation of the ATT will tangibly contribute to promoting international peace, security and stability, socio-economic development and will reduce human suffering.

In South Africa’s view, the discussions in the Working Groups add impetus to the realisation of the goals and the objective of the ATT. The substantive discussions, sharing of experiences and compilation of basic guides in the Working Groups assist States Parties to establish or strengthen their control systems, especially for States Parties without systems currently in place. The Working Groups provide an opportunity to robustly engage with experts from other States to understand existing best practices and challenges. In this regard, we hope that during this week we would be able have thorough deliberations on the Working Groups and their priorities. Given the varying levels of development of control systems, it would be vital to ensure the Working Groups’ mandates are structured in a manner that ensures that all voices are heard, and all perspectives considered.

The work in the Working Groups should address deficiencies, to prevent exploitation by unscrupulous officials and arms dealers and brokers of weak systems. The task of adequately addressing such weaknesses and loopholes is often too insurmountable for developing countries to achieve on their own, without assistance. The reality is that unscrupulous arms dealers and brokers will target States with weak national export controls and enforcement to organize the transfer of arms to illegitimate end-users. Any system is as strong as the weakest link.

It is for this reason that South Africa has traditionally strongly advocated the need for international cooperation and assistance in the full implementation of treaty obligations in the field of disarmament, non-proliferation and arms control and for a measured approach to the development of rules and guidelines to allow for all ATT State Parties to implement at the same

speed, in order to prevent the exploitation of States with weaker national controls and enforcement capacity.

South Africa has previously proposed that consideration be given to the creation of a subsidiary body that would promote 'International Cooperation and Assistance' (Articles 15 and 16) in a pro-active manner. It also proposed that such a subsidiary body, which may take the form of a Committee, could serve as a platform for exchanging information, building partnerships and facilitating interaction between States Parties seeking assistance, and those in a position to provide such assistance, including but not limited to information exchange on best practices, as well as practical and concrete support in the aforementioned areas.

Article 16 stipulates that a States Party may seek assistance, including legal and legislative assistance, institutional capacity-building, and technical, material or financial assistance in areas such as stockpile management, DDR and effective implementation practices. The effective and concrete implementation of these inter-related control measures at the national level is key to regional and global implementation efforts. We are aware that many States Parties, including those from the developing world, face concrete challenges in implementing their treaty obligations.

South Africa reiterates the importance of the Voluntary Trust Fund and the Sponsorship Programme as being key to enhancing, without prejudice, developing country participation in treaty awareness that contributes to universalization and effective implementation of the ATT at the national level.

There is no doubt that the discussions in the Working Group on Effective Treaty Implementation (WGETI) and the Working Group on Transparency and Reporting (WGTR) will add impetus to the realization of the goals and the objective of the ATT. CSP7 will inter alia, consider the Report of the WGETI, which is based on the work of the three Sub-working groups. South Africa is honoured to facilitate the Sub-working group on Article 9 (Transit and trans-shipment) and hope to focus on preparing for a more in-depth look at the measures to regulate the transit and trans-shipment of arms by land.

South Africa supports the WGTR, which includes exchanges concerning the fulfilment of the reporting obligations, as well as discussions on the draft proposed amendments to both the Initial and Annual Reporting templates, taking into account pertinent comments and concerns of States Parties. South Africa always maintained that the intention, and the mandate, of the working group was to address the clarifications, user friendliness issues, gaps and inconsistencies in the current templates and that those promoting amendments to the templates should bear in mind the risks that such an exercise runs in being a deterrent to treaty reporting, which may impact directly on the implementation and universalisation of the ATT.

The universalisation of the ATT would strengthen the norms to effectively regulate the international trade in conventional arms and to prevent their diversion. We are disappointed to note that the total number of States Parties to the Arms Trade Treaty remained at 110 State

Parties. We expressed the view previously that we hope that China's accession to the ATT will serve as encouragement to all major conventional arms producers and exporters to do the same and we call upon all other States that have not yet become States Parties to the ATT to take the necessary steps to ratify or accede to the Treaty.

The issue of non-payment of assessed contributions directly affects the overall implementation and operation of the Treaty, however, it needs to be considered in a holistic manner and cannot simply be seen from the prism of an individual State not paying. There needs to be an overall balance in that measures adopted should be considerate of circumstances and not frustrate any other initiatives within the ATT. In this regard, South Africa welcomes the redrafted guidelines on Financial Rule 8 (1) (d) regarding the issue of making financial arrangements with the Secretariat.

In conclusion, while States have had to shift their focus to developing a comprehensive response to the outbreak and the spread of the COVID-19 pandemic, South Africa reiterates that the object and purpose of the Treaty will only be achieved when all States Parties move in concert in Treaty implementation and in this regard has confidence that through the decisions adopted at this Conference, we would be able to work towards a productive and successful Seventh Conference of States Parties.