



Security Council

Seventy-eighth year

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Monday, 10 April 2023, 10 a.m.

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Provisional

President: Mr. Nebenzia/Mr. Polyanskiy (Russian Federation)

Members:

Albania	Mr. Spasse
Brazil	Mr. De Almeida Filho
China	Mr. Geng Shuang
Ecuador	Mr. Montalvo Sosa
France	Mr. Olmedo
Gabon	Mr. Biang
Ghana	Mr. Agyeman
Japan	Mrs. Shino
Malta	Mr. Camilleri
Mozambique	Mr. Fernandes
Switzerland	Mr. Hauri
United Arab Emirates	Mr. Abushahab
United Kingdom of Great Britain and Northern Ireland . .	Ms. Jacobs
United States of America	Mr. Wood

Agenda

Threats to international peace and security

Risks stemming from violations of the agreements regulating the export of weapons and military equipment

Letter dated 3 April 2023 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (S/2023/243)

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The meeting was called to order at 10 a.m.

The President: Before we start our meeting, I would like to wish a happy Easter to all those colleagues who celebrated in recent days.

Expression of thanks to the outgoing President

The President (*spoke in Russian*): I would like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Pedro Comissário Afonso, Permanent Representative of Mozambique, for his service as President of the Security Council for the month of March. I am sure I speak for all members of the Council in expressing our deep appreciation to Ambassador Afonso and his team for the great diplomatic skill with which they conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security

Risks stemming from violations of the agreements regulating the export of weapons and military equipment

Letter dated 3 April 2023 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (S/2023/243)

The President (*spoke in Russian*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Belarus, India, Indonesia, the Islamic Republic of Iran, Lebanon, Mexico, Pakistan, Poland and South Africa participate in this meeting.

On behalf of the Council, I welcome His Excellency Mr. Yuri Ambrazevich, Deputy Minister for Foreign Affairs of Belarus.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mrs. Izumi Nakamitsu, Under-Secretary-General and High Representative for Disarmament Affairs, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2023/243, which contains the text of a letter dated 3 April 2023 from the Permanent Representative

of the Russian Federation to the United Nations addressed to the Secretary-General, transmitting a concept note on the item under consideration.

I now give the floor to Mrs. Nakamitsu.

Mrs. Nakamitsu: The illicit and unregulated trade in, and the diversion of, weapons and their ammunition has been a major concern for the international community. Illicit and unregulated arms transfers can instigate, fuel and prolong armed conflict, armed violence, terrorism and crime. They can destabilize entire regions, contribute to and enable human rights abuses and lead to violations of arms embargoes. To respond to the risks associated with illicit and unregulated arms transfers, States have established a number of international, regional and bilateral arms control treaties, agreements and frameworks to prevent and eradicate the illicit trade in, and diversion of, conventional arms, to regulate the international arms trade and to promote transparency in weapons transfers.

At the international level, that includes, for instance, the Arms Trade Treaty — whose tenth anniversary we just marked on 2 April — as well as the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, the International Tracing Instrument and the Firearms Protocol. Those instruments vary in scope and membership, but they are all guided by the overarching principle of preventing and combating the illicit trade in arms. My Office shares that objective and has been supporting States in the full and effective implementation of those instruments. As such, Member States are urged to comply with their international obligations under the agreements to which they are parties.

Regulating the international arms trade and preventing the illicit trade in conventional weapons and ammunition requires robust frameworks for the effective control over the export, brokering, import, transit, storage and retransfer of weapons and ammunition. Emanating from any arms transfer is the inherent risk of diversion of the equipment to unauthorized end users. Measures to counter the potential diversion of weapons and ammunition contribute to international peace and security, particularly to conflict resolution and prevention efforts.

In accordance with international norms, any transfers of arms and ammunition should include pre-transfer risk assessments and post-shipment

controls, such as on-site inspection and end-user verifications. Preventing diversion also requires cooperation and information exchange between importing, transit and exporting States, appropriate accounting practices and safeguarding of arms and ammunition, as well as customs and border control measures. Tracing weapons and ammunition is another important measure to effectively address diversion. That requires the marking of conventional weapons and their ammunition and recordkeeping and protocols for international cooperation need to be in place.

Transparency in armaments is yet another confidence-building measure that can serve to reduce tensions, ambiguities and misperceptions among Member States. The United Nations Register of Conventional Arms, which was established in 1992, remains a key tool in that regard. I strongly encourage all Member States to participate in that transparency mechanism by reporting on exports and imports of equipment that falls within the Register's seven categories of major conventional arms, as well as small arms and light weapons and procurement through national production. I also call on all States that have not yet done so to join the Arms Trade Treaty.

Finally, I call on States to consider the differential impact of the illicit trade in arms and ammunition on women, men, girls and boys. Taking that into account, we must guarantee the full, equal, meaningful and effective participation of women in decision-making and implementation processes related to conventional arms control. Only then can we make a real contribution to international and regional peace, security and stability, reduce human suffering and promote transparency and cooperation.

The President (*spoke in Russian*): I thank Mrs. Nakamitsu for her briefing.

I shall now make a statement in my capacity as the representative of the Russian Federation.

Questions concerning control over the supply of conventional arms and military equipment have recently taken on particular relevance. Risks associated with their uncontrolled spread and their falling into the hands of criminals and terrorists by way of the black market are growing exponentially. We consider today's debate a good opportunity to discuss with a wide range of Member States the existing regional and international agreements in this area, as well as the threats posed by violations thereof.

The Russian Federation gives priority attention to issues regarding control over supply of military equipment. We are consistently strengthening our relevant national legislation and are prepared to share our own experience in that area. We support relevant initiatives in Africa, Latin America and other regions where people know at first-hand about the devastating consequences of the illegal diversion of weapons. We note the adoption by certain regional groupings of specific commitments in this area, in particular the European Union (EU) common position, which in 2008 established the basic rules for members of the EU on control over the export of military technologies and equipment. The latter was adopted in the framework of section V of the 1992 Treaty on European Union and was approved by a relevant decision of the European Council. It is therefore mandatory for all EU member States when it comes to their positions and actions.

The Russian Federation is also making an active contribution to the work of existing United Nations international mechanisms. In particular, we consider the United Nations Register of Conventional Arms as a universal tool for increasing transparency. We regularly transfer relevant data to the Register, while the importance of providing such information is enshrined in Russian national legislation. We believe that ensuring the universalization of the Register is the main task in achieving its goals — that is to say, increasing the number of countries that regularly submit annual national reports on the export and import of weapons.

We also pay special attention 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. We consistently propose a number of specific measures that could contribute to the practical implementation of joint efforts to curb the illegal circulation of small arms and light weapons, namely, putting in place a universal ban on the transfer of all types of small arms and light weapons to entities not authorized by the Governments of recipient States; ensuring strict regulation and direct control by States in the territory under their jurisdiction over brokering activities related to the export of weapons and setting a maximum limit on the number of such brokers; introducing a strict ban on the re-export or subsequent transfers of imported small arms and light weapons without the written consent of the State that originally exported them — that is, making end-user certificates a required condition in

exporting weapons — and preventing the production of small arms and light weapons under expired licenses or without a license from the country that owns the technology for its production.

As for the international Arms Trade Treaty (ATT), we must once again note that the standards it sets are significantly lower than Russia's standards. The ATT does not include a direct ban on the unlicensed production and transfer of weapons to non-State actors, or provisions regulating the procedure for the re-exporting of military goods only with the consent of the original exporting State. At the same time, we continue to monitor the implementation of the Treaty and consider it important that its signatories fulfil the legal obligations they undertook.

During discussions at specialized platforms, we consistently point out that the fight against the uncontrolled proliferation of military goods must remain the focus of attention of all Member States. In the absence of appropriate agreements, it is often impossible to trace the chain of transfer of military goods — and thereby establish control over them — and countries and entire regions end up flooded with illegal weapons, which leads to an increase in violence and crime.

At the same time, we believe that the Security Council, which deals with issues of control over the supply of military goods within the framework of its mandate, should not duplicate the functions of the General Assembly, where discussions of relevant global measures are being held. However, the Council is obliged to respond to threats to international peace and security that arise when individual countries violate their obligations previously assumed in relation to the supply of military weapons and violate already concluded agreements.

The world has already faced the consequences of such irresponsible policies many times. A number of States, guided by their geopolitical ambitions, have throughout the years carried out large-scale deliveries of weapons and ammunition to various regions around the world, including the Middle and Near East, the Balkans and North Africa. Subsequently, faced with the bitter experience of the radicalization of so-called "opposition forces" they supported and the subsequent uncontrolled spread of military equipment around the world, Western countries have consistently promoted the concept of "responsible behaviour" and strengthening control over arms trade. However, the crisis they

themselves provoked in Ukraine was a clear illustration of the insincerity of their statements in support of international efforts to combat the uncontrolled spread of military goods.

Russia has repeatedly convened meetings of the Security Council regarding the dangerous consequences of pumping the Kyiv regime with weapons, which clearly illustrates the risks of violating the obligations assumed in the area of control over military goods. We note that, regardless of the attitudes of certain countries as to what is happening in Ukraine, those risks are quite real and applicable to any other region or State. It is the duty of the Security Council to respond and discuss, including jointly with other Member States, potential measures to curb those risks.

First of all, among such risks, we would point to the erosion of international law in the area of supply of military goods. Violations of bilateral agreements, including bans on third-country re-exports or production without the permission of the country supplying the weapons or technology, run counter to fundamental practices in the area of supply of military goods. Covert weapons deliveries to a given region through a third country further distort the picture of arms flows throughout the world and decrease transparency in that area. Unfortunately, Western countries are not only not trying to combat such violations, but they are even encouraging them.

The United States and its allies are putting pressure on third countries, demanding that they violate such agreements with Russia and other States in the interest of increasing weapon supplies to Kyiv. On 30 November, United States Secretary of State Blinken clearly announced that they would resume production of Soviet-designed weapons systems at facilities in Eastern European States, whereas inter-State agreements with those countries stipulate obligations not to supply such weapons without the written consent of the Union of Soviet Socialist Republics — or of Russia, as its successor. Therefore, such actions are a direct violation of the fundamental international norms in the area of conventional arms control, regardless of the purpose.

It is no coincidence that the requirement of including end-user certificates as part of all deliveries of military goods has become a universally acknowledged international practice. Ignoring that leads to the fact that the weapons supplied often end up on the black markets and fall into the hands of organized crime.

Another very dangerous consequence of the unchecked supply of weapons is the risk that they will end up in the hands of terrorists, particularly when we are talking about especially sensitive weapons, for example, portable air-defence systems or anti-tank systems, which pose massive risks for international civil aviation and rail transport.

We recall that signatories of the Arms Trade Treaty as well as EU countries have assumed obligations to prevent the use of weapons that are supplied by them to undermine global peace and stability, violate international humanitarian law, commit acts of violence, escalate armed conflict and facilitate repression, genocide and so on. When weapons are provided to a regime that, for many years, has been using and continues to use them to fire on civilians and civilian infrastructure, one cannot talk about these obligations being complied with. This contempt for one's own obligations, setting aside the moral part of the question, creates a significant risk that the unchecked provision of weapons will take place in other conflict zones, notwithstanding the likelihood of further escalation. At the same time, baseless accusations that any given State is allegedly providing arms to Russia in violation of the relevant Security Council resolutions have not been supported by any evidence, and we have repeatedly officially refuted them.

Another less visible but very serious risk of irresponsible behaviour in relation to the transfer of arms is the "fusion" of national Governments and their military-industrial complexes. Of course, curbing this is of no interest to the military-industrial complexes of Western countries, and their Governments have taken on analogous positions. The failure to strengthen oversight on arms control leads to many other very serious consequences for international peace and security. We hope that today's open debate will allow Member States to talk about threats to various regions of the world and share their own experiences, ideas and initiatives when it comes to how to curb those risks.

I now resume my functions as President of the Council.

Mr. Wood (United States of America): First, let me begin by thanking Mozambique for an outstanding presidency in March. I was pleased to be able to participate in the Security Council trip to the Democratic Republic of the Congo during the Mozambican presidency, and we appreciated Mozambique's deliberate approach to its work in that role.

Russia, on the other hand, began its presidency by trying to justify kidnapping Ukrainian children. Today's meeting is a thinly veiled effort to portray Russia as a responsible actor in arms control, attempting to obfuscate the reality that it launched an unjustified armed invasion of its neighbour.

Despite the circumstances that bring us to the Security Council Chamber, I thank the High Representative for Disarmament Affairs for her thoughtful and thorough briefing today. For over two decades, the United States has assisted other Governments in developing and adopting the necessary laws, regulations and policies to control the import and export of conventional weapons. We do this because we know that transparent laws and regulations allow countries to work together to hinder the illicit proliferation of these weapons.

Our own policy on international arms transfers is laid out in our conventional arms transfer policy, which was updated earlier this year and is a matter of public record. Even with strong laws and wise policies in place, there are inherent risks of weapons capture and illicit diversion on the battlefield in any armed conflict. The United States takes these risks very seriously. We assess the risk for potential illicit diversion of weapons when evaluating any proposed defence transfer anywhere in the world and take proactive steps to protect United States defence and dual-use technologies and prevent their diversion. We also carefully assess the risk of battlefield loss, particularly in complex environments.

Let us now focus on the most conspicuous such environment today, Ukraine. We must not pretend that the conflict in Ukraine is a matter of weapons-export systems. Ukraine was invaded, and it has every right to defend itself, which is reflected in the United Nations Charter, and the international community has every right to continue its long-standing support for Ukraine's defence. This equipment provides important support to Ukraine, and Ukraine has a strong incentive to protect it. The United States continues to work closely with Ukraine to establish and implement procedures to mitigate the risk of illicit diversion of weapons and military equipment.

The Government of Ukraine is committed to appropriately safeguarding defence equipment and accounting for its transfer. We welcome the Ukrainian Government's formation of a commission in 2022 to strengthen the monitoring of donated military equipment just this summer.

Russia, on the other hand, has never let facts interfere with its false narratives. In a blatant effort to discredit Ukraine and weaken international support for Ukraine's self-defence, Russia continues to spread disinformation about diversions. In fact, the greatest risk of illicit trafficking comes from battlefield capture of weapons by Russia and pro-Russia forces. Russia has proposed that it would supply captured weapons to separatists in eastern Ukraine. These statements and actions are dangerous and irresponsible.

Russia has also turned to rogue regimes to try to unlawfully obtain weapons and equipment to support its military operations. In November 2022, the Democratic People's Republic of Korea delivered infantry rockets and missiles into Russia for use by the Kremlin-backed Wagner Group, and we know Russia is actively seeking to acquire additional munitions from the Democratic People's Republic of Korea. Such arms transfers from the Democratic People's Republic to Russia directly violate Security Council resolutions. These actions, particularly by a permanent member of the Security Council, are deeply disturbing and serve only to fuel Moscow's brutal war of aggression against Ukraine.

Iran has also transferred unmanned aerial vehicles to Russia, a fact that Iran's Foreign Minister acknowledged in public statements on 5 November. Russia is using these drones to attack Ukraine's civilian infrastructure. Let me state it clearly: resolution 2231 (2015), specifically Annex B, paragraph 4, prohibits all countries, even permanent members of the Security Council, from transferring these types of drones from Iran without advance Security Council approval.

The most effective and obvious path towards peace and reducing risk of illicit diversion of arms would be for Russia to end the war that it started and withdraw its forces from all of Ukraine's sovereign territory. We once again urge Russia to do so, and to do it now.

Mr. Camilleri (Malta): I too begin by thanking High Representative Nakamitsu for her informative briefing.

Malta strongly supports export-control mechanisms and agreements, which are crucial tools in preventing sensitive materials technology and equipment from falling into the wrong hands, contributing to the implementation of treaty obligations on non-proliferation and facilitating peaceful uses by enabling the secure transfer of dual-use technology.

Malta is a committed member of the Australia Group, the Nuclear Suppliers Group and the Wassenaar

Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, and it strictly implements the European dual-use export-control regulations and the relevant annexes. These export-control groups are voluntary arrangements comprising States from all regions that seek to prevent the uncontrolled proliferation of certain dangerous weapons, materials and technologies, including to non-State actors and terrorists.

Malta signed the Arms Trade Treaty (ATT) as soon as it was opened for signature in 2013 and has been a State party since 2014. The Treaty regulates the international trade in conventional arms and seeks to prevent and eradicate illicit trade and diversion of conventional arms by establishing the highest possible common international standards governing arms transfers. Malta places a high priority on the universalization and full implementation of the ATT. The Treaty has a wide membership of 112 States parties, and we encourage all States that have not yet done so to sign and ratify the Treaty without further delay.

The European Union (EU) has some of the highest standards of export controls in the world. It has adopted a uniform approach to the export of small arms and light weapons and their ammunition, and it established a set of common features that end-user certificates will have to respect to diminish the risk of diversion to illicit or unintended users.

EU member States committed to preventing and curbing the illicit trade in small arms and light weapons and their ammunition through the 2018 EU strategy. Malta's Sanctions Monitoring Board adopts a rigorous approach to implementing arms embargoes, and their circumvention directly undermines regional and international peace, security and stability.

Malta fully supports the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. We welcome the consensus outcome reached by all Member States during the eighth Biennial Meeting of States to Consider the Implementation of the Programme of Action last summer.

Malta is also a firm supporter of the African Union's Silencing the Guns initiative. That is underpinned by our determination to break the cycle of violence and conflict in Africa through the effective implementation of agreements on landmines and the non-proliferation of small arms and light weapons on

the continent. Challenges that lead to marginalized communities acquiring weapons, such as poverty and unemployment, should be addressed simultaneously to ensure a holistic approach to tackling the conflict cycle in a sustainable manner.

We have consistently supported the International Tracing Instrument, which requires States to ensure that weapons are properly marked and that records are kept, and advocated for the Instrument's adaption to new technological developments in order to remain effective.

I conclude by expressing Malta's concern regarding the many different conflicts with which countries around the world are having to deal. We firmly believe that any provision of arms to State or non-State actors that violates Security Council resolutions is an affront to the authority and integrity of the Security Council itself. As such, all such violations must be investigated and, when necessary, addressed in order to ensure accountability.

Ms. Jacobs (United Kingdom): I would like to start by congratulating Mozambique on its presidency of the Security Council in March. I also thank Under-Secretary-General Nakamitsu for her briefing today.

As the perpetrator of a war of aggression against a sovereign nation, Russia has taken up the Security Council presidency, while it fails to meet the most basic obligations of a State Member of the United Nations. Russia's decision to unleash an illegal war of choice on an innocent people threatens the fundamental principles of the Security Council. As it sources weapons for its war, Russia is violating the very United Nations sanctions that it helped to draft on States such as Iraq and the Democratic People's Republic of Korea.

The wider consequences of this war for food and commodity prices are severe and are likely to drive further conflict. The United Kingdom calls on all other States to cease assistance to the Russian military and its affiliated forces. Arming the aggressor State is fuelling global instability.

To preserve the principles of sovereignty and territorial integrity of the Charter of the United Nations, Member States should assist Ukraine in protecting itself from that aggression, in line with Article 51 of the Charter. The United Kingdom has provided a wide range of equipment and support to Ukraine and, as a responsible State Member of the United Nations, will continue to do so.

Globally, the diversion and misuse of conventional arms cost hundreds of thousands of lives across the world every year, undermine security and sustainable development and fuel conflict, crime and terrorism. The Security Council can play an important role in that issue, complementary to multilateral and national processes. Regrettably, it is Russia that has long sought to undermine such work by opposing new texts and consistently abstaining from resolutions on the issue, such as resolutions 2117 (2013), 2220 (2015) and 2616 (2021).

The United Kingdom operates one of the most robust arms export control regimes in the world. We are committed to the full implementation and universalization of the Arms Trade Treaty. We remain committed to all related United Nations mechanisms, including the Programme of Action on Small Arms. We will continue to support appropriate measures through the Security Council.

Let me finish by restating one simple point: if Russia is serious about strengthening international peace and security, its first action should be to end its illegal invasion, withdraw from Ukraine and uphold its responsibilities under the Charter of the United Nations.

Mr. Olmedo (France) (*spoke in French*): I thank High Representative Nakamitsu for her briefing.

The threat posed by the uncontrolled proliferation and diversion of conventional weapons is a grave matter that deserves serious treatment. That is why we regret the attempted exploitation that we are witnessing today. It is astonishing to see Russia concerned about the consequences of a war of aggression that it itself started and for which it bears sole responsibility.

Let us recall the facts. If Ukraine needs weapons today, it is because Russia has unleashed that war and because it amassed thousands of tons of military equipment on the border of Ukraine before invading it. It is indeed Russia that is violating the resolutions of the Security Council in order to replenish its dwindling stockpiles of ammunition because it has been relentlessly bombing civilian populations and infrastructure for months in defiance of international humanitarian law. That finally exhausted its stocks. There is strong evidence that Russia is using combat drones supplied by Iran and acquiring missiles and munitions from North Korea.

Some of those arms shipments directly benefit the Wagner Group. That Group's massive and systematic

abuses have been substantiated. Moreover, the Russian authorities openly acknowledge the Group's role in Ukraine after having long denied its existence.

France and the European Union will continue to provide Ukraine with all the support that it needs for as long as it is required. Such support, whether bilateral or through the European Union, is exclusively aimed at enabling Ukraine to exercise its right to self-defence and preserve its sovereignty, territorial integrity and independence — principles that are enshrined in international law and the Charter of the United Nations. Our objective is clear: we want a return to lasting peace. The only way to achieve that is to defeat the Russian aggression.

France underlines Russia's cynicism in referring to instruments to which it has not adhered. It claims to baselessly accuse us of not respecting them. Unlike Russia, France respects its obligations. France is committed to promoting and universalizing the Arms Trade Treaty, which Russia has not joined. France also promotes the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. We encourage all States to adopt control measures regarding the recipient, final use and non-re-export.

The best way to prevent trafficking is to stop the conflicts that fuel it. That is what Russia must do immediately by ceasing its aggression, withdrawing all its troops from the territory of Ukraine and respecting that country's sovereignty, as the International Court of Justice ordered it to do more than a year ago.

Mr. Biang (Gabon) (*spoke in French*): I congratulate Mozambique on its exemplary leadership during its presidency of the Security Council in March. I wish Russia every success during its presidency in April. I thank Under-Secretary-General Izumi Nakamitsu for her briefing.

The compounded international crises have brought arms proliferation issues to the forefront of international security concerns. The distressing evidence of massive rearmament, which is evident in several crisis-ridden regions of the world, revives the fears and traumas of the two world wars and the concerns regarding the Cold War era's frantic race towards deterrence.

We seem to be moving away from the hope held by the international community to limit, if not contain, the most deadly and inhumane weapons. Today that hope, which led to the adoption of relevant multilateral and

regional disarmament instruments and culminated in the adoption of the Arms Trade Treaty in 2013, seems to have lost steam. We saw the heightened level of awareness that prevailed at the end of the Second World War, thanks to the scope of its atrocities and horror, when the peoples of the world said "never again" to war and its death machines. The first words of the Charter of the United Nations are an indelible expression of that sublime aspiration of humankind. Incomprehensibly, our generation has stood idly by while witnessing a terrible retreat, as if the blood that was shed in the past was not enough, the frenzied destruction was not devastating enough, and humankind had been struck by mass amnesia regarding the recent history that led us to found the United Nations on the funeral ashes of the League of Nations. The demons of wildly excessive armaments are looming and driving humankind towards an irreversible retreat into the abyss.

Apart from the major recent events themselves, we must take stock of their implications, consider the possible responses available to the international community and draw lessons from our successive crises in order to strengthen the fight against the proliferation of weapons, particularly nuclear weapons, which are part of a much broader problem that includes several other categories of weapons of mass destruction — chemical, biological and radiological weapons of mass destruction — including the development in a growing number of countries of ballistic capabilities that could considerably extend their potential range of action. Regardless of the motivations of the various parties, we must emphasize that the recent and ongoing crises have two main characteristics. On the one hand, they are fuelled by shortcomings in the international non-proliferation regime; on the other, they are particularly dangerous for international security and call for an urgent response on the part of the international community.

The peoples of the world have placed a great deal of hope in disarmament treaties, in particular the international nuclear non-proliferation regime, which is made up of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the nuclear-weapon-free-zone treaties, the various safeguards agreements concluded by individual States with the International Atomic Energy Agency (IAEA) and export-control regimes for sensitive items. The seriousness of the current situation portends a critical phase for international security, with the risk of a trend to nuclear proliferation and its effects in the years to come, while posing at least three

major dangers for international security. The first is the undermining of the credibility of the NPT. The second is a severe risk of international destabilization that could lead to a much more unstable strategic landscape. The third is a heightened concern about the possible links between proliferation and terrorism.

Mutual deterrence was undeniably important during the Cold War between the two blocs. Those days are clearly over. Today more than ever, an arms race based on deterrence carries more risks of uncontrolled escalation and poor political control over nuclear forces, not to mention the possibility of internal destabilization owing to the complexity of the contexts and the large number of actors involved. The growing levels of tension between poles of influence and the insatiable quest for hegemony encourage States to renege on their international commitments, which adds to the difficulty of controlling weapons technology transfers. We should also be worried about the fact that new proliferation crises may arise at a time when the threat of mass terrorism has gone beyond the nightmare that a terrorist group might develop a nuclear weapon or attack a nuclear facility. Those scenarios are not academic. Many countries do not have strict legal controls on the use, export and secure storage of their weapons.

It is more important than ever to keep the fight against the proliferation of weapons, particularly nuclear weapons, at the heart of the global security agenda. The Security Council must ensure that the authority and effectiveness of the relevant international instruments are strengthened. Since the Council's unanimous adoption of resolution 1540 (2004), on non-proliferation, the Council's responsibility has been at the centre of the fight against proliferation, which is a threat to international peace and security under Chapter VII of the Charter. The Council is mandated to promote the universality and full implementation of treaties, while at the same time undertaking cooperative efforts to prevent the trafficking of weapons of mass destruction and their means of delivery. The international community must show that it can be united in taking action and can transcend differences between the strategic interests of States or groups of States. In moving beyond ambivalence or ambiguity in national positions and differences in approach, the international community must find a way to unite in a single international and universal instrument all the improvements that the non-proliferation regime requires and pragmatically strengthen all our existing frameworks in order to bind States more firmly to an

entire network of other commitments that nonetheless contribute to non-proliferation. We must focus our action on something that is particularly important to the future of non-proliferation, and that is sanctioning States that do not honour their commitments.

This is a call to the Council to take bolder action on the most pressing issues affecting international peace and security and that can be more tangibly manifested within the IAEA and the Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. That kind of bold action is also vital in dealing with the illegal transfer of conventional arms through closer cooperation at the global and subregional levels, including measures to trace conventional weapons.

It will be crucial to respect the treaties that we have concluded and address violations of international non-proliferation commitments with sanctions that provide sufficient deterrence. The Security Council should make it a rule to automatically be seized of such situations when a violation is identified. The Security Council should also take the principled position of underlining the seriousness of such acts by specifying the range of measures or sanctions that it could adopt as a result.

In conclusion, I would like to emphasize the critical importance for our collective security system of dispelling any impression of a legal vacuum or weakness that could lead others to believe that breaches or violations of the non-proliferation regime would have no consequences for the States that commit them. It is the responsibility of every part of the international community to redouble its efforts to strengthen international unity in order to achieve the goal of non-proliferation of weapons, particularly nuclear weapons, on which the survival of humankind depends.

Mr. Hauri (Switzerland) (*spoke in French*): I thank Under-Secretary-General Izumi Nakamitsu for her briefing.

The uncontrolled spread, destabilizing stockpiling and illicit use of conventional weapons are long-standing concerns for Switzerland. That is why, at the international level, Switzerland is committed to the adoption of rules governing the transfer of conventional weapons and to fully upholding them. At the national level, Switzerland controls the transfer of war materiel, as well as specific military and dual-use products. I would like to underscore three points.

First, we call on all States to comply with the Arms Trade Treaty (ATT) and to implement the provisions of the instruments to which they are party. The ATT, the Wassenaar Arrangement, the United Nations Register of Conventional Arms and the principles of the Organization for Security and Cooperation in Europe that govern the transfer of conventional arms are key instruments establishing rules in that regard. They strengthen transparency and confidence among Member States and participating States, both globally and regionally, thereby contributing to peace, security, stability and the reduction of human suffering.

Secondly, the Charter of the United Nations authorizes the use of armed force in specific cases. For the acquisition of such weapons by States to be legitimate, international law and the rules applicable to conventional arms exports must be respected. It is also paramount that States ensure that the weapons supplied cannot be used to commit war crimes, such as attacks on civilians, civilian objects or other crimes under international law, including gender-based violence. It is therefore essential that measures to limit those risks and prevent possible diversion be taken, including risk assessments prior to transfers, the use of end-user certificates and post-shipment verification.

Thirdly, member States are required to comply with the obligations on conventional arms exports resulting from the measures taken by the Council, acting under Chapter VII of the Charter of the United Nations. We are concerned about violations of those resolutions in several contexts. Conventional arms shipments in violation of those provisions destabilize already fragile situations and undermine efforts to resolve and prevent conflict.

Switzerland will continue its commitment to ensuring that the export and use of conventional arms comply with international law and applicable rules.

Mr. Fernandes (Mozambique): I begin by congratulating and wishing good luck to the Russian Federation on its assumption of the presidency of the Security Council for the month of April. I would also like to express gratitude for the kind words addressed to Mozambique. I wish to thank you, Mr. President, for convening today's open debate on the important and timely topic of the risks stemming from violations of the agreements regulating the export of weapons and military equipment. We also wish to thank the briefer, Under-Secretary-General Izumi Nakamitsu, for her useful insights.

My country, Mozambique, attaches great importance to the topic under discussion today. The world is currently experiencing growing tensions in international security and an increase in the illicit trade in small arms and light weapons. Such arms significantly hamper our collective efforts to achieve and maintain peace and security. According to the 2021 report of the Secretary-General (S/2021/839), at least 176,095 civilians were killed between 2015 and 2020 in various armed conflicts, while 27 per cent of those civilian deaths were caused by small arms and light weapons. Critically, access to small arms and light weapons by terrorist groups has also exacerbated armed violence. The proliferation and illicit trafficking of those weapons has disproportionately affected the people living in the most vulnerable regions of the world, in particular the African continent. The illicit trafficking in small arms and light weapons further aggravates the poor living conditions and the well-being of people who have already been living in precarious situations due to protracted conflicts.

That unfortunate situation is happening despite calls from the international community, demanding increased transparency in military armament sales, in particular with regard to trade in small arms and light weapons. We are also witnessing arms and ammunition purchases worldwide, with uncooperative sellers being subjected to enormous political pressure, even reportedly involving direct blackmail and threats. It is in that context that 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 and Africa's Silencing the Guns agenda are of paramount importance and advances in the matter are urgently needed. We believe that preventing violations of the agreements and regulations related to the transfer of conventional weapons and military equipment constitutes the collective responsibility of all States Members of the United Nations. Allow me to make some concrete suggestions on the potential way forward.

First, under the Programme of Action, it is important that we each control our national weapon storage and management systems in order to avoid small arms and light weapons ending up in the hands of illicit users. To that end, as part of its ongoing peace process, Mozambique continues to reinforce its strategies and hosts international experts, who share knowledge and best practices with national authorities. At the same time, we must also look at and beyond our borders to

halt the illicit flow of weapons. We call on States in which weapons are being produced to enforce existing international standards in order to ensure that weapons produced within their borders may be traded only with legitimate partners.

Secondly, the arms race must stop in order to ensure the preservation of international peace and security. We believe that continued competition in weapons stocks and increased expenditures perpetuate a global environment of insecurity and undermine the 2030 Agenda for Sustainable Development. In that regard, we call on those States with the capacity to acquire advanced military technology and nuclear weapons to refrain from engaging in competition in the global arms trade.

Thirdly, binding international conventions and laws must be fully respected and implemented. We encourage individual States to harmonize their own legislation with international obligations. We are of the view that new technologies should be carefully managed and legislated to ensure they are not used to prolong or worsen the humanitarian situation.

Fourthly, international cooperation on arms control efforts is required. We value the great transformative potential of the Silencing the Guns agenda, a flagship initiative of the African Union. That and similar initiatives in other parts of the world need to be nationally owned, with the support of regional and international partners, at both the bilateral and multilateral levels. More action must be taken to prevent and combat all forms of transborder illicit weapons trafficking. To that end, the sharing of information, appropriate accountability and safeguards related to arms and ammunition sales are of paramount importance. Since 2018, Mozambique has become the 100th State party to the Arms Trade Treaty, which is a clear demonstration of my country's commitment to arms control and reduction and to the disarmament agenda.

In conclusion, Mozambique reiterates its commitment to universal disarmament and ending the illicit trade and proliferation of small arms and light weapons so as to ensure international peace and security and the protection of human lives.

Mr. De Almeida Filho (Brazil): Let me start by congratulating Mozambique on an impeccable presidency last month. Let me also wish Russia a productive and successful presidency during the month of April. I would like to thank High Representative for

Disarmament Affairs Izumi Nakamitsu for her briefing today and for her tireless work on the disarmament file. My delegation welcomes the participation in this meeting of the representatives of Belarus, Indonesia, Poland, South Africa, Mexico, Lebanon and India.

As a party to the Arms Trade Treaty, Brazil abides by the set of principles that it outlines. They are binding on States parties to the Treaty and offer valuable guidelines for arms transfers generally. First, the Treaty highlights the importance of respecting and ensuring respect for international humanitarian law and human rights law, regardless of military objectives or security concerns. Secondly, it urges States to regulate their arms trade through effective systems of national control so as to prevent diversion. Those principles should serve the objectives of promoting responsible action in arms trading, building confidence, reducing human suffering and contributing to international and regional peace and security and stability.

Brazil is encouraged by recent efforts in the General Assembly to improve the through-life management of conventional ammunition, such as those in the Open-ended Working Group on Conventional Ammunition. We have made progress on discussions on ammunition marking and tracing, which should contribute to reducing diversion and improving the oversight of ammunition use in conflict zones. The adoption of a set of political commitments during our next session could consolidate those advances and bring greater stability and predictability to ammunition management.

We met to discuss the topic of arms transfers last year, and at the time we deplored the fact that the war in Ukraine had already dragged on for six months (see S/PV.9127). More than six months later, we are back in this Chamber to discuss a similar topic while the war continues unabated, with larger arsenals and a growing humanitarian toll. Brazil strongly believes that the increasing flow of weapons into the conflict in Ukraine will only fuel more violence and will not help to end it. While arms exports should be subject to strict regulations and guiding principles, let us not lose sight of the forest for the trees. We continue to believe firmly that there is no alternative to negotiating a ceasefire as a first step towards solving the present crisis. We must do more than abide by rules that limit damage by weapons in conflict situations — we must engage in proactive diplomacy to wind conflicts down where they exist and prevent their occurrence where they are

likely. That is our primary role in the Council, and it is a role we must urgently relearn how to perform.

Mr. Montalvo Sosa (Ecuador) (*spoke in Spanish*): I welcome the briefing by the High Representative for Disarmament Affairs, Mrs. Izumi Nakamitsu, as well as the valuable recommendations she made.

In line with the rule of law among nations, any violation of agreements involving aspects of peace and security, arms control, disarmament or non-proliferation represents a threat to international peace and security. That is the case, for example, with regard to the violation of security assurances relating to Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons, as agreed in the Budapest Memorandum. It is also the case with regard to violations of arms embargoes and sanctions regimes prohibiting exports or transfers of arms. Worse still, it is the case with regard to arms exports to countries engaged in hostilities or military occupation in violation of the Charter of the United Nations.

The Security Council must join multilateral efforts with greater determination to ensure that major producers and exporters of conventional weapons do not favour their industries over global stability. Conventional weapons continue to be one of the main causes of deaths and injuries in the world. Such weapons exacerbate conflicts and fuel terrorism and transnational organized crime, undermine security in border zones, stoke violence in fragile areas and weaken traditionally stable ones. They undermine peace and security, with a disproportionate impact on women and girls.

Ecuador will therefore always be concerned about the challenges to peace and security posed by the destabilizing accumulation and unrestricted flow of firearms, including large-scale flows of arms and ammunition into any situation of armed conflict. In every such case we are concerned about the risks of diversion, spread and escalation and recognize that measures to counter those risks are central, including, of course, export-control measures, which are fundamental. In exercising such measures, States must comply with the responsibilities arising from their international obligations, as well as regional and multilateral ones.

Beyond that, the Security Council must strengthen its efforts to support the integrated management of arms and ammunition as a central support for reducing

violence in the world. To that end, it is essential that the Council support efforts to implement and strengthen the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, as well as the International Tracing Instrument, among other things. And it is time to revitalize efforts to effectively implement resolution 2220 (2015), which takes into account all multisectoral axes, as well as the need for synergies within and outside the United Nations system, and which also covers the issue of export controls. It is imperative to ensure that export-control efforts focus on the need to protect civilian populations and the lives and safety of individuals.

Ecuador is concerned about the continued production and export of weapons with indiscriminate effects on populations, whose use is incompatible with the rules of international humanitarian law. Ecuador rejects cluster munitions in general, especially the use of explosives in populated areas, and any production, export or use of weapons where the principles of distinction, proportionality and precaution cannot be respected.

Before concluding, I should stress our alarm at the fact that global military spending in 2022 exceeded \$2 trillion, and that in the context of the military aggression against Ukraine, that trend will worsen in 2023. We urge the Russian Federation to end its military occupation and hostilities against Ukraine. Ecuador rejects armed violence, militarization and a focus on armaments, while unambiguously recognizing the right of peoples to self-defence in accordance with international law and the Charter of the United Nations, including its Article 51.

Finally, the Council should be guided by the recommendations set forth in the Secretary-General's biennial report (S/2021/839). We hope that the next report will elaborate on the measures that the Security Council should take to counter threats to international peace and security.

Mr. Spasse (Albania): I thank Mrs. Nakamitsu for her briefing.

As this is the first formal meeting of the Security Council for this month, I would like, as other colleagues before me have done, to thank Mozambique for having presided over our work in a very thoughtful and professional way in March. I very much hope that we will be able to proceed in a normal way during this

month, bearing in mind that we find ourselves in an unusual situation and in uncharted waters. The contradiction could not be more unsettling: a country that has brutally violated the Charter of the United Nations and the very basic rules that govern relations among States is presiding over the body responsible for peace and security. That country, a permanent member of the Security Council, has done everything it can to undermine peace and security, and it has endangered the world. As this is unprecedented, States Members of the United Nations and public opinion worldwide have every right to feel worried. We are in this Chamber to discharge our responsibility as a member of the Council, in respect of the rules of procedure that govern this body, and in no way to provide the current presidency with moral credentials.

Albania attaches great importance to disarmament, non-proliferation and arms-control instruments. We stress the need not only to preserve, but also to further strengthen, these instruments. The Arms Trade Treaty (ATT) recognizes the legitimate interests of States in transferring arms. The faithful implementation of the ATT is a humanitarian imperative to prevent serious violations of international humanitarian law.

Unfortunately, we are witnessing a worrisome trend where a number of States are stepping away from their obligations. One of the most worrisome examples is the policy adopted by Iran, which, by its actions, including the illegal transfer of weapons to its proxies in the region and other countries, seeks to undermine peace and security. We have also, more than once, highlighted in this Chamber the most recent policies of Russia, which, in violation of Security Council resolutions, is using weapons purchased from the Democratic People's Republic of Korea and Iran to feed its illegal war and destroy Ukraine.

Illicit small arms fuel armed violence and organized crime, global terrorism and conflict. They pose a serious threat to peace, reconciliation, safety, security, stability and sustainable development. We support the universalization of the Arms Trade Treaty as a crucial instrument capable of mitigating risks. We call on all States, in particular major arms exporters, importers and transit States to ratify and accede to the Treaty without further delay. We also encourage the effective implementation of the Programme of Action on Small Arms and Light Weapons and the International Tracing Instrument, which constitute the main framework of measures to prevent, combat and eradicate the

illicit trade in small arms in all its aspects. We reiterate the importance of arms embargoes and their implementation by all Member States. We encourage States to strengthen their monitoring capacities, the enforcement of arms embargoes and, finally, to support the work of United Nations expert groups. We stress the importance of cooperation among regional and subregional organizations in the fight against arms trafficking and diversion.

In conclusion, we believe that transparency measures, such as arms export controls, contribute to the strengthening of mutual trust between States. Mutual trust is essential in the defence and promotion of the principles of arms control, disarmament and non-proliferation. It serves to maintain the international order based on rules established in the Charter of the United Nations.

Mr. Geng Shuang (China) (*spoke in Chinese*): First of all, I would like to extend to you, Mr. President, and to Russia our congratulations on assuming the presidency of the Security Council for this month. The Chinese delegation will support you, Sir, and your colleagues in discharging your responsibilities. I would also like to congratulate Mozambique for its successful presidency of the Council during the month of March.

I would like to thank Russia for the initiative it has taken in convening today's meeting and to express our gratitude to High Representative Izumi Nakamitsu for her briefing.

At present, the international security landscape features interlocking changes and turbulence. Geopolitical jostling is becoming increasingly intense. The global security deficit continues unabated. In this context, we see an increase in the scale of the global arms trade, an expanding regional arms race and the intensification of irresponsible arms exports. International peace and security are facing enormous risks and challenges.

In China's view, first of all, it is imperative that the legal instruments and institutional arrangements for conventional arms control be effectively implemented. To regulate arms trade, the international community made unremitting efforts over many years towards the elaboration and formulation of a number of important instruments, including the United Nations Programme of Action on Small Arms and Light Weapons, the International Tracing Instrument, the Arms Trade Treaty and the Firearms Protocol. Important

arrangements have been established, such as the United Nations Register of Conventional Arms. Member States should actively support the United Nations as the primary channel for conventional arms control, fully and faithfully implement their treaty obligations, promote the universality and effectiveness of the relevant treaties, make full use of pertinent mechanisms and continuously improve them so as to competently strengthen arms-export controls. The Security Council has previously held discussions on issues relating to weapons of mass destruction and small arms and light weapons. Today's meeting, convened by Russia, instils fresh momentum to such discussions at the Council level.

Secondly, it is necessary to pay utmost attention to the impact of the export of armaments on conflict and post-conflict situations. The continued illicit flow of conventional weapons into war-stricken areas and conflict zones is tantamount to adding fuel to the fire, which will lead only to the aggravation and continuation of the fighting. Once wars end, these weapons often stay in circulation locally, take the lives of innocent people and cause profound harm.

The tragic events in Afghanistan and Iraq remind us that the transfer of weapons into conflict zones must be handled in a more responsible manner, especially through the effective implementation of end-user and end-use certification. At the same time, we also need to design Council sanctions with precision. While enforcing relevant arms embargoes, we should safeguard the needs of the countries concerned in terms of their national defence and army building. Additionally, efforts must be made to prevent weapons from falling into the hands of illegal armed groups and terrorists.

Thirdly, it is essential to stand firm in opposing the use of arms exports to serve geopolitical self-interests. We call upon all countries, especially the major military Powers, to fulfil their international obligations, adopt responsible arms-export policies and stop using arms exports to interfere in the internal affairs of other countries. In this regard, I find myself obliged to point out that a certain military Power has a lax arms-export regulatory regime and has even transferred military products to non-State actors on a long-term basis. That country withdrew from the Arms Trade Treaty in 2019. That country's arms exports in 2022 accounted for almost 40 per cent of the world's total, which is a dominant position indeed. That country cooperates with

foreign partners on nuclear submarines and transfers highly enriched weapons-grade uranium. That country has reneged on commitments made in diplomatic communiqués, challenged the sovereignty of other countries, connived with separatist forces and escalated arms sales. All such actions stoke confrontation, lead to instability, advance a geostrategic agenda and stir up tensions. They must be resisted.

Fourthly, we must vigorously promote the building of a balanced, effective and sustainable security architecture. Last April, Chinese President Xi Jinping proposed a global security initiative. It advocates that all countries adhere to a common, comprehensive, cooperative and sustainable security concept, uphold the principle of indivisible security and build a world of lasting peace and universal security through joint efforts.

That initiative also guides the conventional arms control process and weaponry export control. All countries, particularly the major military Powers, should lead by example, bear in mind the concept of peace and cooperation, which represents security for all by turning swords into ploughshares, abandon the Cold War mentality and zero-sum thinking, pay attention to each other's legitimate security concerns, strive to maintain a global military balance and strategic stability and jointly contribute positive momentum to promoting peace and stability in the world and the region.

China has always taken a prudent and responsible approach to arms exports. China cooperates only with sovereign States in the conventional arms trade and does not provide arms to non-State actors. We explicitly ask Governments of countries receiving military products to provide end-user and end-use certificates and to commit to not transferring weapons imported from China to third parties without China's consent. China's accession to the Arms Trade Treaty in 2020 and its commitment to the ratification process for accession to the Firearms Protocol exemplify China's determination and sincerity in firmly upholding the multilateral arms control process to maintain international peace and security. China stands ready to work with the international community to continue its unremitting efforts to build a world of lasting peace and universal security and to promote a community with a shared future for humankind.

Mrs. Shino (Japan): I would like to thank Under-Secretary-General Nakamitsu for her insightful briefing.

First, let me touch on the importance of the regulation of conventional weapons in general terms. Japan is deeply concerned about the significant number of civilian casualties resulting from the unlawful use of conventional weapons. The illicit trade in, and uncontrolled accumulation of, small arms and light weapons can fuel instability and terrorism, posing a serious threat to international peace and security.

Japan urges all Member States to effectively and seriously implement international agreements and commitments related to the control and disarmament of conventional weapons. For example, the Arms Trade Treaty (ATT) is a landmark agreement to regulate the international trade in conventional arms. The date of 2 April marked the tenth anniversary of the adoption of the ATT. Japan calls on all Member States that have not yet done so to join the Treaty.

In addition to treaties, Security Council resolutions stipulate obligations for Member States. There are growing concerns over reports of Iranian and North Korean weapons being transferred to Russia, in violation of the relevant Security Council resolutions. The transfer of arms in violation of Security Council resolutions is illegal and should never be tolerated. The Security Council should support efforts to investigate and clarify such cases to ensure the full implementation of those resolutions.

Japan is also committed to promoting the implementation of the Programme of Action on Small Arms, adopted at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects in 2001, and supporting international cooperation and assistance in that area. As part of that effort, as a sponsor together with Colombia and South Africa, Japan has been submitting annual General Assembly draft resolutions since 2001, the most recent of which was adopted by consensus last December (resolution 77/71). I thank all Member States in that regard.

In addition, Japan has been a proactive contributor to the Saving Lives Entity trust facility, which now operates in Africa and Latin America and assists Member States in tackling illicit small arms and light weapons. Japan reiterates its firm commitment to enhancing the effective regulation of conventional arms and combating their unlawful transfers.

Let me now turn to my second point. Regarding the alleged concerns about the transfer of defence equipment

to Ukraine, we must look at the fundamental cause of the issue — Russia's aggression against Ukraine, which the General Assembly deplored in the strongest terms in its resolution ES-11/1.

Japan reiterates its condemnation of Russia's aggression against Ukraine in the strongest terms. Russia's actions are a clear and flagrant violation of international law and the Charter of the United Nations. We underscore Ukraine's right of self-defence to defend itself against aggression. It is ironic that Russia, which has been hesitant to support the Arms Trade Treaty despite the repeated international calls, is accusing other countries of violating the Treaty.

The support of the international community in stopping the aggression is entirely legitimate in terms of the maintenance of international peace and security and ending the continued violations of human rights and the humanitarian crisis in Ukraine. By contrast, no nation should support Russia's aggression.

Russia should not abuse its position as the President of the Security Council to divert attention from its acts.

Mr. Abushahab (United Arab Emirates): At the outset, I would like to express sincere appreciation to Mozambique and to congratulate it on its successful presidency of the Security Council last month. I wish the same to the Russian Federation on its assumption of the presidency of the Security Council for this month. I would like to thank Under-Secretary-General Nakamitsu for her briefing today.

In recent years, we have witnessed a worrisome rise in geopolitical tensions. That turmoil has mirrored a global increase in military expenditure, which reached an all-time high of \$2.1 trillion last year. That figure could rise even higher if trust among major Powers continues to be eroded.

The right of States to develop security and defence capabilities for their self-defence is tempered by both risks and responsibilities. An effective and accountable security sector is indispensable to addressing threats to the security and territorial integrity of States. At the same time, the proliferation of weapons is fraught with unintended consequences and poses significant threats to international peace and stability.

Today I want to speak on this topic in two ways: first, by acknowledging what has been done and, secondly, by offering views on what we have yet to do.

First, it is useful to recall the strides made so far in managing weapons transfers in accordance with international law. States have come together, including within this institution, to develop international norms and best practices regarding the manufacture, trade and possession of conventional arms and weapons needed for self-defence, while addressing the risks of illicit trade and diversion. The Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and its International Tracing Instrument are elements of that framework within this institution. The United Nations has played a key role in facilitating the further development of the framework to improve regulation and address gaps. Meanwhile, the Security Council continues to consider and discuss the illicit transfer of weapons and military equipment in connection with counter-terrorism and in some country-specific contexts.

Despite the strides made, challenges in regulating arms remain. That leads me to my second point, namely, what remains to be done in the area. Efforts towards greater effectiveness of arms control demand a strong emphasis on tracking and tracing systems, which is key to achieving assurances that the weapons being delivered in legitimate good-faith transfers do not end up in the wrong hands, particularly those of terrorists. With that in mind, we underline the importance of ensuring that weapon stockpiles are carefully managed. The lack of effective arms control risks the safety and security of populations at large. But it is usually women and girls who are the first to experience the negative impacts of the uncontrolled spread of weapons, often further increasing their exposure to gender-based violence.

We cannot address the destabilizing impact of the illicit proliferation of arms without referring to weapons of mass destruction. Chemical, biological, radiological and nuclear weapons pose some of the most significant and greatest existential threats to our survival. Although the performance of international instruments regulating such weapons has long been discussed both within and beyond this Chamber, participation and enforcement must be strengthened. We encourage all Member States to join the Treaty on the Non-Proliferation of Nuclear Weapons and other agreements for the regulation of weapons of mass destruction, and to comply with all relevant international obligations, including Security Council resolutions. Until that is done, the proverbial sword of Damocles will remain poised above our heads.

Weapons and arms may be a reality of the world we live in, but the United Arab Emirates will never tire of calling for peaceful means, including diplomacy, for the resolution of disputes and the cessation of hostilities throughout the world. Before that moment is reached and before the guns are silenced, we must do everything that we can to mitigate the risks associated with the use and transfers of arms around the globe. Above all, our discussion today takes place at a time when urgent humanitarian needs and longer-term development are not being adequately met. We should therefore recall that every dollar spent on a weapon is one dollar less available for funding schools, hospitals, public services and the very institutions that strengthen international peace and security.

Mr. Agyeman (Ghana): Let me begin by congratulating Mozambique on its successful presidency of the Security Council last month and by wishing you and your delegation, Sir, the best of luck and a successful presidency. I also thank your delegation for convening this open debate, and the High Representative for Disarmament Affairs, Mrs. Izumi Nakamitsu, for her briefing.

Inasmuch as the ideal world should be anchored firmly on a culture of peace, the reality is that very few periods of human history have been free from violence and war. Over the past century and beyond, that reality has shaped the international law and commonly agreed rules that have aimed to abate the impact of conflicts and wars on our aspiration for stable and peaceful societies. As we have come to appreciate from the two World Wars, the instruments of war and violence should not be wielded abroad, except for the purposes of collective security or of individual or collective self-defence, as provided for by Article 51 of the Charter of the United Nations. As a country, and consistent with the views of the International Court of Justice, we uphold the inherent rules of self-defence under customary international law, which provide that self-defence must be necessary and proportionate to the aggression.

Some have chosen to establish a link between high military expenditure and their national security. For our part, we do not lose sight of the correlation between the business of weapons and the state of insecurity in several parts of the world. Violations of national regulations on the export of weapons and military equipment have led to the proliferation of arms and have exacerbated conflicts. They have also led to significant national security threats in many States. Indeed, in

addition to the consequences of diversion, which have had particularly adverse effects for the African continent, the counterbalancing actions against the build-up of military arsenals by strategic competitors have also had negative global socioeconomic effects. It is therefore not surprising to see that in recent years there has been an exponential growth in the business of weapons and military equipment. As the 2022 report of the Stockholm International Peace Research Institute notes, world military spending in 2021 reached an all-time high of \$2.1 trillion, as other delegations mentioned earlier.

When one reviews the direction, trends and upsurge in the international flow of conventional weapons between 2018 and 2022, the results are intriguing, correlating with some of the armed conflicts around the world and manifesting in conflicts that have also involved non-State actors, such as political militias, criminals and terrorist groups. In asserting the right of every State to legitimately use force within its territory, and mindful of the rights of its citizens, we also make the point that the influx of weapons into any conflict situation aggravates that conflict. In order to address the risks associated with such violations, we would like to make three brief additional points.

The first is that exporting countries, in particular the major weapon-exporting States, need to strengthen regulations for all aspects of export-control processes, backed by effective monitoring and enforcement action to improve compliance. In emphasizing the responsibility of the major exporters, four of whom are permanent members of the Council, we also underscore the importance of international instruments and treaties aimed at preventing the illicit acquisition, proliferation and misuse of conventional weapons. In that regard, it is regrettable that, of the five major weapon-exporting countries, the two most significant ones have opted not to join the Arms Trade Treaty (ATT). We urge them to reconsider their decision, and we particularly emphasize the need for the universalization of the ATT in order to regulate international trade in conventional arms and prevent their diversion. As a State party to the ATT, we would like to highlight articles 6 and 7 of the Treaty, which explicitly prohibit arms transfers that would be contrary to international legal obligations or contribute to the commission of genocide, crimes against humanity and certain war crimes.

Secondly, Ghana believes that greater transparency within the rubric of international cooperation is

necessary for reducing the risks that appertain to international peace and security from the production and sale of weapons and military equipment. Mindful of that concern on the African continent, regional disarmament measures — such as the Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials of the Economic Community of West African States; the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa; and the Protocol on the Control of Firearms, Ammunition and Other Related Materials in the Southern African Development Community Region — have aimed at ensuring transparency in arms transfers in order to enable States to identify and trace conventional weapons in a timely and reliable manner. That is critical for combating diversion and preventing the acquisition of such weapons by unauthorized end users, including terrorist groups. We urge further global efforts in that direction and reaffirm the importance of the effective implementation of treaties such as the ATT; the Firearms Protocol; the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and its International Tracing Instrument; the Anti-Personnel Mine Ban Convention; the Convention on Cluster Munitions; and the Convention on Certain Conventional Weapons.

Thirdly, through the tool of sanctions, the Council has been deeply involved in efforts to prevent the flow of arms to conflict parties and settings. That tool, however, requires recalibration in order to ensure that arms embargoes do not undermine the legitimate efforts of States to defend their territory, but instead target armed groups and other groups that exploit opaque trading and transfer arrangements, which often also benefit those who have sought to make a business out of war. That understanding must extend the effects of sanctions to those that manufacture such tools of violence and should ordinarily be responsible for how their products are traded and used.

In conclusion, I would like to underscore that, while Ghana does not see any prohibition in the Charter against Member States possessing and using conventional arms in defence of their territorial integrity, if it is done in conformity with international law, we are also of the view that, no matter their numbers and potency, weapons can never settle a conflict permanently. Dialogue and diplomacy remain the only pathway to the peaceful resolution of any conflict.

The President (*spoke in Russian*): I shall now make a further statement in my capacity as the representative of the Russian Federation.

I feel obliged to respond to the remarks today by certain representatives in which they directed unfounded accusations at Russia. The purpose of today's debate is not to discuss the situation in Ukraine and the danger of the continuing flood of weapons there. We have had that discussion regularly and have provided the relevant facts. Today we had hoped for a depoliticized, substantive discussion between the members of the Council and other Member States about the concrete risks created by violations of international agreements regulating the supply of military equipment. Obviously those risks exist, and it is certainly not our fault that Western States' policy on the Ukrainian crisis clearly demonstrates that.

We have already noted that the accusations about supplies of such equipment to Russia in contravention of Security Council resolutions are baseless, unlike the specific cases of violations of existing agreements by Western States. Neither Kyiv nor its sponsors have presented proof of their accusations beyond arguments of the "highly likely" variety, just as none of the specialized bodies created in support of the relevant Committee established pursuant to resolution 1718 (2006) on the Democratic People's Republic of Korea have been able to confirm the unfounded opinions we have heard expressed today. And yet a number of Western States continue to make them, as we have seen today. Washington and its satellites have clearly been unable to come up with any other ways to conceal their role in provoking and fuelling the crisis in Ukraine. We will now provide concrete and strictly factual examples of how the Western States are violating the obligations they undertook earlier in the context of Ukraine.

For a long time now Russia has been drawing attention to the fact that the flood of weapons being supplied to the Kyiv regime would end up on the black market and in the hands of organized crime and terrorist groups. And that is now confirmed by the facts. The weapons supplied by Western countries are now surfacing in various European States and adding to the arsenals of organized crime, as European police representatives have admitted. Arms supplied by the West to Ukraine are making their way around the world and have already fallen into the hands of insurgents, especially in Africa, as we have all heard about in statements by African leaders. The signatories to the

Arms Trade Treaty and the countries of the European Union (EU) have completely ignored their obligations when it comes to supplying arms to Kyiv, which has continued to use them to bomb the peaceful population and civilian infrastructure of the Donbas for years.

The flood of weapons supplied to Kyiv continues. Over the past year, the combined direct military assistance from NATO member States totalled \$40 billion along with \$12 billion through the EU. But beyond direct assistance alone there is more, camouflaged as general aid. Josep Borrell Fontelles, High Representative of the European Union for Foreign Affairs and Security Policy, made a noteworthy admission when he said recently that the so-called European Peace Facility is being used to fund arms supplies to Ukraine, in spite of its obvious breach of the EU's founding agreements, obligations under the Organization for Security and Cooperation in Europe and the policy aims of the Facility itself. What is that if not an overt violation of obligations, not to mention how cynical it sounds?

We would also like to draw attention to the fact that the issue of the supply of weapons to Kyiv has now developed a strategic dimension, since the list of military equipment is expanding, which means that in this specific case certain States are not only violating their obligations but are not setting any reasonable limits on themselves, despite the very serious risk of an escalation of the crisis in Ukraine. On the contrary, the West has no interest in ending the crisis in Ukraine. It wants to prolong it and it admits that without a twinge of conscience.

The countries of the West have consistently ignored the so-called concept of responsible behaviour that they themselves have touted when it comes to promoting their own interests in various regions of the world. The examples abound. The United States and its allies are well aware of the dire consequences of the use of toxic armour-piercing munitions with depleted uranium thanks to their invasions of Yugoslavia and Iraq, but that has not stopped London from announcing plans to send munitions of that kind to Kyiv. It is not responsible behaviour to transfer military equipment to the Kyiv authorities, who cannot monitor its further transfer. The Western countries have brought this up themselves and have supposedly even taken steps to strengthen control over the distribution of so-called military assistance. However, attempts to organize an audit through the United States Congress of the aid provided to Kyiv

got no support, and on 28 February Robert Storch, the Department of Defense Inspector General, was forced to admit that Washington had received reports of improper handling of weapons supplied to the Kyiv regime. Meanwhile, shadow arms markets are already overflowing and continue to be replenished, including with Western-produced weapons that have not been used in combat before.

We have already mentioned the risks of merging the military-industrial complex and national Governments. It is no secret that huge funds supposedly intended to help Ukraine are trickling down to the pockets of Western manufacturers of military equipment, whose profits have increased by approximately 50 per cent since the start of the conflict in Ukraine, according to various estimates. Even in the United States Congress, Michael McCaul, the Chairman of the United States House Committee on Foreign Affairs, has mentioned that only 20 per cent of Washington's financial assistance goes directly to Kyiv, with some 60 per cent of it going to Americans. Clearly the coinciding interests of Governments and arms producers lead to the artificial prolongation of these and other conflicts, and it is civilians who suffer the most.

We would like to express our gratitude to those who approached today's discussion responsibly, as befits the members of the Security Council. We are also grateful to States that share the idea that the Security Council can discuss concrete measures to improve the situation. We hope that other countries will take a similarly responsible approach.

I now resume my functions as President of the Council.

I give the floor to the representative of Belarus.

Mr. Ambrazevich (Belarus) (*spoke in Russian*): I would like to congratulate the Russian Federation on its assumption of the presidency of the Security Council and wish you every success in carrying out your important role, Mr. President.

According to the United Nations, a quarter of a million people are killed by firearms around the world every year. It is no accident that small arms and light weapons are referred to as a new type of weapon of mass destruction. Former Secretary-General Kofi Annan noted in one of his reports that the death toll from small arms far exceeds that inflicted by other weapon systems. The damage caused by conventional weapons to infrastructure and cultural, educational,

religious and health facilities also has long-term socioeconomic consequences. The fact is that the senseless and uncontrolled pumping of weapons into States today, even under the noble pretext of providing security and building defence capacity, is fuelling armed conflicts and contributing to the destabilizing stockpiling of weapons. That is a direct path towards the militarization of a region or regions, the creation of a military imbalance and the escalation of tensions. The excessive stockpiling of weapons also significantly increases the risk of their diversion into illicit trafficking. After all, most weapons enter the black market through the legal trade. Illicit flows of small arms and light weapons and other conventional weapons create fertile ground for the growth and strengthening of terrorist structures and transnational organized crime. Despite the extensive toolkit developed by the international community to control the export of conventional arms and the national export control legislation already in force, those mechanisms do not always work. What, therefore, are the causes of the ineffectiveness of existing instruments?

The first cause is the deliberate violation by certain States of existing agreements and their own national laws on export control, especially with regard to end users and targeted use controls on arms transfers.

The second cause is the selective interpretation of export criteria for narrow political goals.

Thirdly, there are gaps in the multilateral instruments themselves. For example, the issues of harmonization and control with respect to the re-export of arms, the prohibition of arms transfers to unauthorized non-State actors and the lack of consensus on humanitarian risk assessment criteria have not been adequately addressed, which has created loopholes for the diversion of conventional arms into the hands of unauthorized end users and consequently to illicit trafficking.

Belarus has a multitiered national export control system that makes it possible to effectively prevent military goods from being diverted to illicit trafficking. In our country, we prioritize the issue of control over the re-export of military equipment. One prerequisite for the end user and international import certificates provided by foreign partners is the obligation not to re-export without Belarus' prior consent. When necessary, we may request the importing State to verify that the weapons we supply are indeed being used for the stated purposes. We believe that those elements should

be an integral part of every national export control system and of the relevant multilateral agreements. In order to minimize the risks of conventional weapons ending up in illegal trade flows, the following steps are necessary.

First, we must strictly abide by international and national export control commitments, while avoiding any exemptions that serve narrow political interests. In that context, parties must refrain from arms transfers to conflict zones, even if a Security Council arms embargo has not been imposed on that particular region.

Secondly, existing multilateral arrangements and national legislation should be strengthened, where necessary, through provisions for mandatory controls on the re-export of military equipment, including the prohibition of the re-export of such arms without the written consent of the original exporter.

Thirdly, the Security Council should be tasked with regularly reviewing the issue of arms transfers to armed conflict zones in order to ensure that they are not used to further escalate such conflicts.

In conclusion, I should like to point out that Belarus, which finds itself very close to the epicentre of the events in Ukraine, cannot help but be legitimately concerned by the ongoing arbitrary actions of NATO countries stepping up arms supplies to Ukraine and the direct consequences of such actions, such as the spread of those weapons throughout the region, with them ending up in the hands of non-State actors and terrorists. We are convinced that the time will soon come when Western weapons will fall into the hands of extremists and be used against them. We agree with Russia that there is a need to strengthen depoliticized arms control by the international community and the relevant United Nations bodies. We also agree with Ghana's assertion that all conflicts are ultimately resolved through diplomacy and negotiation.

The President (*spoke in Russian*): I now give the floor to the representative of Indonesia.

Mr. Nasir (Indonesia): I would like to begin by congratulating Mozambique on its successful presidency last month, and I thank you, Sir, for convening this open debate. I also thank Under-Secretary-General Nakamitsu for her presentation.

The continuing global rise in military expenditure is disturbing. Given finite resources, the increases in global military expenditure often come at the

expense of international development. The Stockholm International Peace Research Institute's database showed a seven-year consecutive increase in arms sales. In 2021, the value of arms sales was several times higher than that of total official development assistance in the same year, according to the data of the Organization for Economic Cooperation and Development.

At a time when the majority of the global population is fighting to recover from a pandemic and faces various development challenges, the contrast between arms sales and official development assistance shows that our priority has been misplaced. That is indeed concerning, especially in the light of the current geopolitical tension. We do not want to add fuel to the potential conflict that may be simmering beneath — not to mention the potential impact on global peace and security should those weapons fall into the wrong hands. The diversion of arms and military equipment could increase the threats from armed groups, terrorists and criminal organizations. While underscoring the sovereign rights of States with respect to conventional arms and ammunition, we must intensify international cooperation to prevent their diversion. In that regard, allow me to highlight three points.

First, we must strengthen collective efforts to combat the illegal trafficking in weapons and ammunitions. The full implementation of existing international mechanisms, such as the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, must be supported. The Programme of Action should be implemented in a balanced, full and effective manner, in accordance with national laws and regulations. Particularly important are the issues of capacity-building for developing countries, the exchange of information and the sharing of databases to support tracing efforts.

Secondly, regional mechanisms to address the transboundary nature of the flow of arms should be strengthened. Much regional cooperation in that field, particularly in Africa, the Western Balkans and the Caribbean region, has proven to have an impact. The Association of Southeast Asian Nations (ASEAN) continues to strive towards the implementation of the Programme of Action. ASEAN has also established a working group on arms smuggling, which focuses on training and information-sharing. Enhancing regional cooperation is an important building block in the global effort to counter illicit arms transfers.

Thirdly, we need to boost national capacities — a vital element, considering that the responsibility to address the illicit flow or transfer of small arms and ammunition ultimately rests with individual countries. Capacity-building programmes play an important role in that regard. Such capacity-building programmes should not take a one-size-fits-all approach, but rather focus on the unique conditions and needs of each country. If all countries have the adequate capacities and tools at their disposal, we can better address those challenges.

The President (*spoke in Russian*): I now give the floor to the representative of Poland.

Mr. Szczerski (Poland): Let me begin by thanking Madam Under-Secretary Izumi Nakamitsu for her very insightful briefing.

Poland fully supports and complies with all arms-control regimes and transparency measures aimed at reducing the risk of military conflicts. We are truly devoted to global cooperation in this area, as proven by the numerous initiatives introduced and facilitated by our country throughout the years.

In the light of recent developments, we believe that it is especially important for the international community to tackle the challenge of illicit arms flows to terrorist organizations and private mercenary groups operating in foreign countries. These groups' actions are extremely harmful to global peace, and we laud such worthy efforts to counter these trends as the African Union's Silencing the Guns in Africa initiative.

On the other hand, based on Article 51 of the United Nations Charter, we are absolutely convinced that a country aggressed by its neighbour has a right to legitimate self-defence, including by military force. Assisting such a country is not only admissible, but legally substantiated and morally right. A case in point is Ukraine, which is fighting a just war, defending itself from a brutal aggression from Russia. We are supporting the victim of this aggression by providing humanitarian, financial and military assistance, and we will continue to do so until a just peace is restored, international law is obeyed, and perpetrators are brought to justice. Poland is proud to be a part of the world's collective self-defence against the trespasser trampling on the most fundamental principles of the United Nations Charter.

This is our stance because Poland anchors its foreign policy on the need to ensure peace and strengthen security in our region. We want it to be free

of domination, suppression and external threats. We want it to be stable and sheltered from the scourge of war. We are resolute in our actions because our own history is marked with numerous examples of the horrors of war, including those stemming from Russia.

This year, as every year, in the first days of April, we commemorate one of the most tragic events in Poland's recent history — the Katyn massacre. Back in 1940, on a secret order issued by Joseph Stalin, the Soviet secret police conducted a series of mass executions of nearly 22,000 Polish officers and prisoners of war from the Polish intelligentsia. These events occurred just months after Stalin's Red Army had joined Hitler's Wehrmacht in the military invasion of Poland, which effectively started the Second World War. Polish prisoners, their hands tied, were shot in the back of the head and dumped in the pits of unmarked mass graves — one by one, 22,000 times. It is no surprise, then, that the images from last year's events in Bucha and Irpin brought the horrible memories from our own past to mind.

It was in the hope that this tragic history would never repeat itself that the late Polish President Lech Kaczynski stood before crowds gathered in Tbilisi, Georgia, in 2008, on the brink of another Russian invasion of a neighbour. At that time, President Kaczynski uttered these very prophetic words:

“[Russia] believes that the times of its empire, which had fallen less than 20 years ago, are coming back — that domination will once again be a characteristic of this region. It will not!”

President Kaczynski's mission to defend the sovereignty of the countries in our region continued until the very last day of his presidency, which was brutally interrupted by a fatal plane crash on this very day 13 years ago. The tragic symbolism of that event is amplified by the fact that President Kaczynski, together with his spouse, the Polish First Lady, Mrs. Maria Kaczynska, and the rest of his official delegation, were then on their way to the commemoration of the seventieth anniversary of the Katyn massacre I mentioned a moment ago. They all perished near Smolensk, in Russia.

The investigation into this heartbreaking tragedy that took lives of 96 people has not been concluded as of today, as Russia has stubbornly persisted in withholding from Polish investigators some of the crucial evidence in the case, namely, the plane remains and the flight recorders. In addition, access to some key witnesses

has also been denied. One may ask, what is the mystery behind that plane crash that prevents Russia from granting access to those key pieces of evidence?

For the foregoing reasons, from within the Security Council Chamber, I am calling on Russia to release the missing evidence, return the plane wreckage belonging to Poland under international law and fully cooperate with Polish investigators in order to clarify all the circumstances of the disaster so characteristic of the tragic history of our region.

The President (*spoke in Russian*): As President of the Security Council, I must thank the representative of Poland for his statement, despite the personal challenge it poses to us. We will find a different time and place to address that issue.

I now give the floor to the representative of South Africa.

Mr. Mabhongo (South Africa): South Africa congratulates the Russian Federation on its assumption of the presidency of the Security Council for the month of April.

We welcome the opportunity to participate in today's open debate on this important matter, which affects the attainment of peace and security in many parts of the world. I would like to thank Under-Secretary-General Nakamitsu for her briefing, which shed much light on the threats posed to international peace and security by the risks stemming from violations of agreements regulating the export of weapons and military equipment.

The regulation of South Africa's conventional arms, including the transfer of such arms, is governed strictly by our country's National Conventional Arms Control Act. This act of parliament was the result of South Africa's decision in 1995 to create the National Conventional Arms Control Committee, which is at the Cabinet level. The primary goal of this Committee has been, and still is, to establish and promote our country as a responsible producer, possessor and trader in conventional arms, advanced technologies and dual-use goods.

South Africa continues to be an active and constructive partner in terms of global conventional arms control, particularly as a State party to such legally binding instruments as the Certain Conventional Weapons Convention, the Anti-Personnel Mine Ban Treaty and the Convention on Cluster Munitions. In

addition, as far as United Nations political processes are concerned, South Africa consistently participates in and submits its annual reports to the United Nations Register of Conventional Arms. We continue to be one of the three main sponsors, along with Colombia and Japan, of the annual General Assembly resolution entitled "The illicit trade in small arms and light weapons in all its aspects", most recently, General Assembly resolution 77/71.

Under the theme of this debate, South Africa wishes to emphasize that the adoption of the Arms Trade Treaty (ATT) arose from the growing global need, desire and resolve to deal with and curb inadequate controls on the global conventional arms trade. As stated in the objectives of the Treaty, the ATT aims to establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms, as well as to prevent and eradicate the illicit trade in conventional arms and prevent their diversion.

The ATT may be perceived by some States, including some represented at this table, to have certain shortcomings, but there is no clear reason why this should be an obstacle to any State Member of the United Nations becoming a State party to the Treaty. The ATT is a global instrument that is unique in nature, and there is currently simply no alternative to it as far as arms trade is concerned in terms of furthering respect for the United Nations Charter, particularly its Article 2.

In conclusion, in the spirit of the theme of today's open debate, South Africa calls on all States Members of the United Nations committed to the responsible regulation of export controls of conventional weapons to ratify and accede to the Arms Trade Treaty without further delay. This will ensure that our words are strengthened by our concrete commitment to multilateral outcomes.

The President (*spoke in Russian*): I now give the floor to the representative of Mexico.

Mr. De la Fuente Ramírez (Mexico) (*spoke in Spanish*): We appreciate the convening of today's open debate. For Mexico, it is especially important that the Security Council continue to seriously analyse the negative consequences of arms trafficking and diversion, especially when they are the result of direct violations of embargoes and binding agreements.

The reports of the Secretary-General and of the different panels of experts established by the Security

Council itself show, in fact, that arms embargoes are constantly violated. One need only consult those concerning Libya or the Central African Republic, to mention but two. On many occasions, the United Nations Office on Drugs and Crime and organizations such as the Stockholm International Peace Research Institute, as well as the Small Arms Survey, have also documented illicit transfers of a wide range of weapons in various regions.

Mexico therefore believes that it is necessary to strengthen measures to effectively implement Security Council resolutions. At the end of 2021, my country sponsored resolution 2616 (2021) as a contribution to strengthening the tools at the Council's disposal. We therefore welcome the fact that the concept note (see S/2023/243) for this open debate raises questions that, in our view, can be fully answered through the strict implementation of that resolution.

Resolution 2616 (2021) particularly emphasizes respect for arms embargoes imposed by the Council. Violating those embargoes means that more weapons become available in various situations and, as a result, the suffering of civilian populations increases. It contains provisions on the need for capacity-building and the provision of assistance, but it also promotes more collaborative action among States, including regional land, maritime and air cooperation. It supports and strengthens common frameworks such as the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and other regional initiatives, strategies and action plans.

All States parties to the Arms Trade Treaty (ATT) must comply with its provisions, particularly regarding the denial of transfers that would be in violation of the Treaty, as well as carrying out the rigorous risk analysis that it stipulates. We call on States that are not yet party to the ATT to commit to responsibly complying with strict precautionary standards in their transfers on the basis of objective criteria beyond their geostrategic interests or those of private companies, which sometimes engage in negligent practices with the acquiescence of States.

We therefore reiterate that it is the responsibility of all States, particularly producer States, to strengthen the existing international frameworks to ensure effective control throughout the life cycle of arms and ammunition.

The President (*spoke in Russian*): I now give the floor to the representative of India.

Mrs. Kamboj (India): Let me begin by thanking the delegation of the Russian Federation for organizing today's open debate. I also thank Under-Secretary-General Nakamitsu for her briefing.

The illicit transfer and illegal diversion of arms, including conventional arms and ammunition, small arms and light weapons, as well as weapons of mass destruction, their delivery systems and related materials, equipment and technology, to non-State actors, including armed and terrorist groups, pose serious threats to international peace and security. The unravelling of the global disarmament architecture and landmark arms control agreements raise deep concerns about the edifice built up over several decades and the uncertainties that lie on the road ahead.

The export of weapons and military equipment in violation of international law, exacerbating geopolitical tensions, cannot be ignored. All signatories and parties to, and members of, international instruments, treaties and organizations on disarmament, arms control and the non-proliferation of weapons of mass destruction, their delivery systems and related materials, equipment and technology must strive to fulfil their obligations in a transparent manner.

The quantum of those threats multiplies when certain States with dubious proliferation credentials, in view of their masked proliferation networks and deceptive procurement practices of sensitive goods and technologies, collude with terrorists and other non-State actors. For example, the increase in the volume and quantity of small arms acquired by terrorist organizations time and again reminds us that they cannot exist without the sponsorship or support of States.

In our context, we face the serious challenge of the cross-border supply of illicit weapons using drones, which cannot be possible without active support from the authorities in control of those territories. The international community should condemn such behaviour and hold such States accountable for their misdeeds.

For its part, India has accorded a high importance to the work of the Committee established pursuant to resolution 1540 (2004), on non-proliferation. We have been consistent in stressing the importance of addressing the rapid evolution of proliferation risks due

to new and emerging technologies, particularly access to weapons of mass destruction, their means of delivery and related materials, equipment and technology by terrorist groups and other non-State actors.

As a responsible member of the international community and a significant importer and exporter of arms, India is a party to major international instruments, such as the Chemical Weapons Convention, the Biological and Toxin Weapons Convention and the Convention on Certain Conventional Weapons, among others. India also supports the Programme of Action on Small Arms, as well as the United Nations Register of Conventional Arms and the United Nations Report on Military Expenditures. Furthermore, India is a member of three of the multilateral export control regimes on the non-proliferation of weapons of mass destruction and their delivery systems, related materials, equipment and technologies, including the Wassenaar Arrangement, which deals with export controls for conventional arms and dual-use goods and technologies.

India has strong and effective national export controls governing the transfer of conventional weapons, which conform to the highest international standards, and we remain committed to preventing the illegal transfer of conventional weapons. India has undertaken robust national efforts through the appropriate legal and regulatory frameworks to address conventional ammunition management from the point of manufacture to its disposal or use. With our long-standing commitment to global non-proliferation, we have established a strong legal and regulatory system in India to implement the provisions of resolution 1540 (2004) and our other international obligations.

The pursuit of the prevention of the unregulated trade in conventional weapons and related dual-use goods and technologies cannot restrict, and should not prejudice, the legitimate right of States to engage in the arms trade for self-defence and in pursuit of their foreign policy and national security interests. It is therefore important to strike a balance between the obligations of exporters and importers without unduly hampering the legitimate trade in conventional arms.

The President (*spoke in Russian*): I now give the floor to the representative of the Islamic Republic of Iran.

Mr. Ahmadi (Islamic Republic of Iran): I thank you, Mr. President, for convening this open debate. I also thank Mrs. Nakamitsu for her insightful briefing.

I congratulate Russia on its presidency of the Security Council for this month and commend Mozambique on the successful completion of its March presidency.

My delegation had not initially intended to speak regarding the issue under the agenda item for today's meeting. However, to our dismay, the United States and certain members of the Security Council once again abused the Council's forum, as is their standard practice, to further their own political agendas and level baseless charges against my country. That compelled my delegation to ask for the floor and make a statement in unambiguous denial of those baseless assertions.

First of all, the export of weapons and military equipment is a highly sensitive issue that requires Member States to uphold their commitments if they are to prevent them from falling into the hands of terrorist and criminal groups. Failure in that area can have serious consequences for international and regional peace and security. And exporting weapons and military equipment to countries affected by conflict can help to intensify the violence and prolong the conflicts. That in turn leads to increased casualties, civilian displacement and humanitarian crises. Furthermore, violations of obligations can fuel arms races and create power imbalances, exacerbating conflicts and undermining efforts for their peaceful resolution.

As a victim of foreign-backed terrorist groups and organized crime dealing with the dire consequences of drug trafficking and the trade in illicit weapons, the Islamic Republic of Iran is deeply concerned about the illicit transfer of weapons and small arms to terrorist groups. We strongly condemn and categorically reject the baseless allegations that the United States and various Council members have made about my country at this meeting. Iran has always upheld its obligations under international law and has never transferred arms in violation of its obligations. Our position on the ongoing Ukraine crisis is clear and consistent. We have always advocated for resolving the conflict through peaceful means. We have repeatedly denied the completely unfounded claims that we have transferred weapons for use in the Ukraine conflict, including unmanned aerial vehicles, allegations that have nothing to do with resolution 2231 (2015). It is evident that the prime objective of such assertions and fabrications is to divert attention from the United States and the West's massive transfer of high-tech weapons to Ukraine with the aim of prolonging the conflict. We have advised the United States and other members to cease their

unprofessional and irresponsible behaviour and to fully comply in good faith with all their legal obligations under resolution 2231 (2015).

The President (*spoke in Russian*): I now give the floor to the representative of Pakistan.

Mr. Mohammad Khan (Pakistan): I thank you, Sir, for convening this timely and important debate. We wish you a successful presidency of the Security Council. I also acknowledge the presence of Mrs. Izumi Nakamitsu, Under-Secretary-General and High Representative for Disarmament Affairs, and thank her for her constructive briefing, which provided us with insightful input for today's debate.

The negative consequences resulting from the misuse of weapons, whether small or heavy, are well known and amply documented, as are other factors such as illicit trading, brokering, diversion, lax regulations and the weak management of weapon stockpiles. Innocent people, including women and children, fall victim every day to the murderous designs of terrorists, criminals and insurgents using such weapons. Peacekeepers, police and security forces bear the brunt of it in the line of duty. These lethal instruments of violence are widely available, inexpensive and easy to transport and conceal.

We concur that such weapons are major enablers of criminal violence and conflict. The nexus of organized crime, drug trafficking and the illegal arms trade adds a layer of complexity to a daunting challenge. The Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, the International Tracing Instrument and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition provide solid normative frameworks for addressing the use, regulation and impact of such weapons. All States should intensify their efforts to fully implement those mechanisms. For developing countries, particularly in Africa, the role of international assistance and cooperation is critical. It is the principal enabler of global, regional and national efforts to regulate and prevent their use. We therefore call for a stronger commitment from the international community to mobilizing resources to that end.

Arms regulations, including through enhanced controls and improved standards for their transfer, are essential, and it is vital to enforce the Security Council's arms embargoes. Effective marking and

increased cooperation in the tracing of weapons are necessary. Those mechanisms, however, primarily focus on regulating the supply side of such weapons. We urgently need to develop mechanisms and mobilize the political will required to address the demand side. That means dealing with unresolved disputes, the root causes of conflicts, the breeding grounds of terrorism and the factors behind the rise in organized crime. In most cases, peace and security are threatened by the ultra-nationalist and hegemonic policies of a few States, particularly those that are turbocharged by their extremist ideologies. They seek to build up their conventional and nuclear-weapon capabilities, including by acquiring weapons with which to threaten neighbours, impose their regional hegemony and promote great-Power aspirations. They also indulge in behaviour that seeks to oppress their minorities and crush their quest for self-determination. Such States are emboldened by a lack of global accountability and by the generous supply of advanced weapons, and technologies from multiple sources have also emboldened such regimes to follow that aggressive course.

It is even more important to address the causes of war than its instruments. In order to deal with the growing and unacceptable human cost that such weapons inflict, particularly in situations of foreign occupation and suppression of the right to self-determination, we need a comprehensive and integrated approach. It is perhaps time to initiate a new debate on the links between the excessive production, trade and use of such weapons and their impact on societies. We know from historical experience that instituting controls on trade and transfers cannot be separated from the motives behind arms production. Similarly, the acquisition of arms by States motivated by security needs cannot be de-linked from their production and sale, which is driven by profit and politics. It remains a grim irony that the weapons that propel and sustain conflicts come from areas or regions that enjoy peace. A mere four countries account for two thirds of all global arms exports, while the major importers are developing countries, mainly in the Middle East, Asia and Africa. We need to make the entire chain of the development, production, trade, transfer and impact of such weapons part of a new global debate. Pakistan has developed the necessary legislative, regulatory, enforcement and institutional mechanisms to regulate the sale, supply, import and transfer of such weapons. An internal ministerial group addresses those issues in an integrated manner. We have adopted policy guidelines for the export of

conventional arms and established mechanisms to regulate the trade, ownership and use of such weapons. We are also taking additional measures, including in the areas of enforcement, imports and licensing.

The President (*spoke in Russian*): I now give the floor to the representative of Lebanon.

Mr. Jardali (Lebanon): I would first like to congratulate you, Sir, on assuming the presidency of the Security Council for this month, and to thank you for organizing this important open debate.

Lebanon shares with many other countries a grave concern about the exacerbation of the problems linked to non-compliance with arms-transfer obligations, as well as the illicit trade in small arms and light weapons. Many of the conflicts in my region and neighbouring regions are linked to such transfers. Non-compliance with arms-transfer obligations escalates and prolongs local conflicts and further destabilizes regional stability. It intensifies violations of human rights by State and non-State actors, thereby worsening the lives of civilians. It is also an enabler of terrorist groups, since such illicit trades and transfers can result in weapons falling into the hands of terrorists or other non-State actors, increasing the risk of terrorism and other forms of violence. And it has a direct negative impact on the economic and social development of the countries affected.

The international community can play a crucial role in enhancing the efforts of all States to prevent violations of agreements and regulations concerning the transfer of conventional weapons and military equipment. Many treaties and agreements are in force to regulate arms exports and transfers, but clearly that is not enough and more needs to be done. Existing international treaties and agreements need to be strengthened. Providing technical assistance and training to Member

States in order to enhance their capacity to implement arms transfer regulations and ensure proper end-use monitoring is also required. All States, especially the main exporters of arms and weapons, need to be transparent about their arms exports and transfers and share information about the potential violations of arms transfer agreements and regulations. Sanctions and arms embargoes put in place by the Security Council need to be respected and implemented by all States. At the national level, updating and strengthening national legislation is needed regularly, including through measures such as stricter licensing requirements and mandatory end-use monitoring.

Enhancing border control is also a key element, which requires investing in technology and training so that customs officials can identify and intercept illegal arms shipments by land and sea. Bilateral and regional cooperation, assistance and capacity-building, in-kind provision of advanced equipment for border control and monitoring and sharing intelligence on illicit arms flows all play an important role in making border control efficient. The effective control of arms and weapons exports can play a significant role in limiting the length of local conflicts. By limiting the availability of weapons to warring parties, arms control measures can reduce the intensity and duration of conflicts, which can help to prevent the escalation of violence and promote conflict resolution through peaceful means.

Finally, the Security Council has a very important responsibility within its mandate to ensure that arms embargoes are respected and enforced. Unity among its members and their commitment to the full implementation of Security Council resolutions, as well as unity among the other States Members of the United Nations, are also key to the effective implementation of any measure taken by the Council.

The meeting rose at 12.30 p.m.