

## Seventh Conference of States Parties to the Arms Trade Treaty (ATT)

02 September 2021

Geneva, Switzerland

Thursday's plenary session opened with the announcement that agenda item number 9 was completed. The **CSP7 President, Ambassador Gberie, noted that Agenda Item 10 on matters pertaining to the Eighth Conference of States Parties (CSP8) would be discussed.** Before starting, the floor was given to participants to continue the previous day's discussion.

**Turkey took the floor concerning Agenda Item 8 on transparency and reporting.** It stated that State Parties have the legitimate right to keep national security information private when reporting. Turkey emphasized the importance of collaboration between states and explained that their presence in Syria is necessary to fight against terrorism and secure the voluntary returns of the Syrian refugees being hosted on its territory.

Then the **President returned to Agenda Item 10.** It was decided that CSP8 would take place from 22 to 26 August 2022 in Geneva.

Ambassador Thomas Göbel was nominated as President of the CSP8. Mexico, Latvia, Japan, and South Africa were elected as Vice Presidents for CSP8. South Africa, the Republic of Korea, the Czech Republic, the UK, and Costa Rica were elected as Management Committee members.

**Control Arms** proposed that time be set aside to review the progress on the annual thematic topics and that in order to promote engagement, the next CSP should be scheduled at a time that avoids overlapping with other meetings.

The **President moved to agenda item 11: Consideration and Adoption of the Report.** The introduction and paragraphs 10 to 25 were adopted. South Africa spoke on paragraph 26, expressing concerns regarding the burden of reporting and requested that their objections be recorded in the final report. The President announced that South Africa's comments would be noted in the records and asked for the endorsement of the paragraph. Paragraphs 26 to 40 were adopted, and the report was adopted as a whole.

**The UK** confirmed its participation in the Management Committee. **Mexico** requested that in the lead up to CSP8, the Presidency focus on the Diversion Information Exchange Forum and SALWs. **Costa Rica** expressed their appreciation to those states supporting the VTF and to the EU and the Arias Foundation for their support in implementing the ATT, and encouraged synergies between the ATT and other instruments such as the Palermo Convention. **China, South Africa, Argentina, and the Republic of Korea** thanked the CSP7 presidency and voiced their commitment to the ATT and its universalization. Finally, the President asked for a break before closing his presidency and welcomed Germany as the next president.

### Closure of the CSP7 Presidency and Handover to Germany

Ambassador Thomas Göbel voiced his commitment to working on ATT universalization, its implementation despite the ongoing challenges of COVID-19 and working on post-shipment controls. For CSP8, **Germany** announced that the focus will be on post-shipment controls to develop

confidence-building between exporting and importing states. Germany will also work towards Treaty universalization, citing important arms producers that have yet joined the ATT and will seek to take stock of achievements, successes, existing shortcomings over the past seven years in the ATT process.

The Head of the ATT Secretariat, Mr Dumisani Dladla, announced that the [final report](#) would be circulated to all delegations on the 6th of September and posted on the ATT website.

In addition, the video recordings of the plenary sessions are available [here](#) for viewing.

**Side events**  
**02 - 03 September 2021**

**The ATT Implementation Support Project: Launch of the ATT Secretariat Project funded by the EU**  
**Organizers: ATT Secretariat and the European Union**

Dumisani Dlada, Head of the ATT Secretariat opened the event with a brief overview of the ATT Implementation Project supported by the European Union. Recalling the minimal structure and limited capacity of the ATT Secretariat, Dladla noted that they are not in a position to support the Treaty's implementation in a comprehensive manner. Ambassador Marjolijn Van Deelen, Special Envoy for Disarmament and Non-Proliferation of the EU explained that the goal of this project is to strengthen the capacity of the ATT Secretariat in order to ultimately support the State Parties to strengthen arms export control systems. Eran Nagan, Chair of COARM, Disarmament, Non-proliferation and Arms Export Control, European External Action Service (EEAS) highlighted the linkage between the EU project and other ATT initiatives. He reiterated that the overall goal is to support State Parties in their efforts to strengthen the arms transfer control system and going forward, to also provide support to non-State Parties and signatory states in preparing for the ratification or accession to the ATT.

Sarah Parker, Senior Policy Officer, Arms Trade Treaty Secretariat then provided an overview of the three-part project. The first phase, she noted, will be focused on activities and deliverables for national points of contact including preparation of guidance documents, the creation of a dedicated NPC web page, and the establishment of an NPC outreach mechanism to support the engagement of NPCs in the ATT process. The second phase of the project will build the capacity of national expertise in order to avoid reliance on international experts. This is being done by designing a "train the trainers" approach which will include the development of training materials to facilitate the workshops, outreach to potential trainees, and holding six of workshops in different regions.

Juan Pablo Rosso, the National Point of Contact for Chile then spoke about his role in the project. As the NPC in Chile, he explained that he was responsible for ensuring that his government is implementing the Treaty. For countries who have not yet developed an arms transfer control system, the point of contact will encounter additional challenges as he/she is responsible for overseeing and coordinating the implementation of the ATT and the establishment of a control system from the ground up. This may involve garnering political support, develop agreements for inter-agency cooperation. He also recommended that the training program for NPCs should focus on those officials with a direct line of responsibility in drafting the export control legislation, including expert export control officials, customs, national intelligence agencies or legal advisors at Ministries of Foreign Affairs.

The event concluded with remarks from Dumisani Dalda who explained that the EU has approved a 1.4 million EUR budget for this project and it will be implemented over a two year period. He also spoke about the need for diverse participation in the project, and urged all interested stakeholders to engage in phase two of the project.

## **Interactive Panel of Experts on the potential of parliamentary processes to advance the universalization of the ATT**

**Organizers: Inter-Parliamentary Union**

Ambassador Lansana Gberie of Sierra Leone and CSP7 President, opened the event by reminding participants that progress towards the Treaty universalization cannot be achieved only through the efforts of the Working group on Treaty universalization. Rather it requires active support from state leaders, especially in countries not yet party to the ATT.

Saber Chowdhury, a member of the Parliament in Bangladesh explained that a key challenge to connecting the dots between different economic and social issues is the lack of capacity among stakeholders in the global south. He stressed the need to re-frame global finances and security to prioritize collective human security. Ravinder Singh, a member of the Parliament in India, explained that governments who are unwilling to join ATT, often base their decisions on arguments unrelated to the issue of human security. He stressed the need to develop a typology of objections to the ATT which would enable stakeholders to address them when conducting outreach to non-state parties. He also highlighted the importance of regional dialogue in overcoming some of these challenges.

Canadian Senator Salma Atallahjan, who moderated the event, asked the panel how they define domestic jurisdiction and if they believe the ATT would benefit from eliminating this principle. Ravinder Singh noted that there is international pressure to create reforms related to the international security sector, however authoritarian states, where these reforms would be most meaningful, are unlikely to accept accountability. Philipp Fluri, the Deputy Director, Centre for the Democratic Control of Armed Forces-Geneva (DCAF) stressed that the ATT's primary goal is making the world a safer place by reducing the illicit and irresponsible arms transfers. But he cautioned that there are a lot of technical issues that require attention. Chowdhury noted that we must think globally, but act nationally. He went on to discuss the importance of parliamentary oversight over financial decisions including arms transfer decisions.

## **The Impact of Irresponsible Arms Transfers on Current Conflicts: How the ATT Can Make a Difference**

**Organizer: Control Arms**

This side event, moderated by Control Arms Co-Director Cindy Ebbs, discussed challenges and solutions to ongoing conflicts in the Tigray Region of Ethiopia, the Sahel, Libya, and Yemen. Ebbs noted that today's armed conflicts are complex, involving multiple warring parties and their supporters within and across borders for extended periods of time. "All too often, these conflicts are marked by flagrant violations of international humanitarian law and international human rights law. While irresponsible arms transfers challenge these norms and can prolong and intensify conflict, the Arms Trade Treaty can make a difference - but only when States Parties apply its provisions with care and consistency."

Ms. Nazanine Moshiri, former member of the UN Security Council Panel of Experts for the 751 Somalia Sanctions Committee provided an account of the humanitarian crisis taking place in the Tigray region of Ethiopia which has left over 2 million people displaced; 400,000 people living in famine-like conditions; and millions more in need of aid. She explained how the proliferation of arms among the combating parties have made it more difficult to ameliorate the humanitarian situation and to prevent war crimes

including sexual violence and violence against women and children. She then went on to explain that while Ethiopia and Eritrea are not parties to the ATT, there are many options for ATT states parties to help the situation. She recalled for instance the 2009 UNSC arms embargo against Eritrea and more recently, France's decision to suspend military cooperation with Ethiopia due to concerns related to the conflict in Tigray. This latter action is a model which could be adopted by ATT States parties to prevent arms flows to the conflicting parties.

Dr. Ousmane Diallo, Amnesty International researcher, presented recent findings related to the spread of insurgent groups in the Sahel region. He explained that the presence of armed groups affiliated with Al-Qaeda, coupled with the illicit proliferation of arms, has exacerbated national security challenges in countries like Mali, Burkina Faso, and Niger. Amnesty International's analysis, which was based on open source data on all the armed groups operating in the region, concluded that since 2015 most of the arms used by these non-state actors came directly from the national stocks of neighboring governments. While the majority of the weapons were found to be Soviet era models, there is recent evidence of use of modern era arms and munitions that were not in circulation in the region prior to 2014, most commonly being the Serbian Zastava machine guns. He went on to explain that while the Islamic State has obtained its arms through attacks of national garrisons, other groups obtain them through corrupt officials in the national security or defence forces. For instance, the Zastava machine guns were transferred legally to Burkina Faso before they were diverted to other armed groups in the SAHEL. As a result, Dr. Diallo stressed the need for rigorous risk assessments before arms are transferred to this region. He urged exporting states to consider not only the risks of human rights violations carried out by national defence forces in the recipient countries, but also the risk that the arms could be diverted to armed groups, emphasising that this poses an immediate danger to civilian lives.

Dr. Moncef Kartas, Affiliate Researcher at the Centre of Conflict, Development, and Peacebuilding and former member of the UN Security Council Panel of Experts for the 1973 Libya Sanctions Committee provided an overview of the situation in Libya and the impact of arms transfers on the current crisis. He noted that the evolution and escalation of the Libyan crisis was made possible by continued arms transfer in violation of or poor application of the UNSC arms embargo. This is due to the fact that the sudden availability of weapons following the fall of the Gaddafi regime, coupled with an economy of predation facilitated the mushrooming of armed groups. More importantly, Dr. Kartas noted that arms transfers have continued in recent years, contributing to human rights violations, including arbitrary detention, sexual abuse and exploitation of refugees, torture, and killing of Libyan civilians and migrants. Recurring violations in international humanitarian law (IHL) documented in Libya, include attacks on migrant detention center such as the mass murder which occurred at the Mizdeh center by Haftar forces, attacks on medical facilities and schools such as the 2020 Haftar attack at the Khadra General Hospital in Tripoli, indiscriminate shelling of civilians and airstrikes.

Laura Duarte, legal advisor at ECCHR introduced an [interactive cartographic platform](#) which used information obtained from extensive field research, open-source investigation, and legal analysis to cross-tag events which occurred in Yemen, with found remnants of European-made weapons, and a timeline of arms exports from European countries to the Saudi Arabian/UAE coalition. The platform, developed by ECCHR, Forensic Architecture, FORENSIS, Bellingcat, and Yemeni Archive, demonstrates for the first time the direct impact of European arms exports on the continuous targeting of civilians and civilian spaces on the ground and links European arms manufacturers with human rights violations against Yemeni civilians. This platform supports accountability for war crimes, by facilitating legal challenges and is designed to address the complexities of operatives in both private companies and national institutions. Duarte then went on to discuss the communication submitted by ECCHR and its partners in which it asked the International Criminal Court to investigate the role of licensing officials and

arms manufacturers in Italy, the UK, France, Germany and Spain in indiscriminate attacks against civilians in Yemen.

The event concluded with a question-and answer section during which panelists explored challenges to ATT compliance and sanctions regimes and how legal challenges and “naming and shaming” strategies may impact efforts towards ATT universalisation.

A recording of this side event can be found [here](#).

**03 September 2021**

**Parliamentary action to enhance the universalization and implementation of the ATT, and for the eradication of the uncontrolled proliferation of Small Arms and Light Weapons**

**Organizer: Parliamentary Forum on Small Arms and Light Weapons**

This side event explored parliamentary actions which can support the universalisation and implementation of the ATT and efforts to eradicate the uncontrolled proliferation of small arms and light weapons (SALW).

Hon Daisy Tourné of Uruguay and President of PFSALW, opened the event by raising concerns regarding the impact of SALW circulating worldwide on sustainable development and good governance. He pointed to the recent crisis in Afghanistan and the impact that the uncontrolled proliferation of SALW can have on an entire population in just a few weeks. Hon Tourné further underscored the urgency of the situation and urged all relevant stakeholders to take effective steps to implement international instruments relevant to the prevention of illicit arms proliferation, including the ATT, the Women, Peace and Security Agenda and the Youth Peace and Agenda. She stressed the role of MPs in this work, including their oversight and awareness raising functions.

Yuriy Kryvonos, Director of UNRCPD then spoke about the importance of cooperation between all stakeholders including MPs, in efforts to support the universalization and implementation of the ATT. Recalling that the ATT does not have a system of international enforcement, monitoring or verification, Kryvonos noted that states are in charge of national implementation efforts. Kryvonos then explained that the decisions related to the ATT require engagement of MPs, government expertise, as well as taking into account the needs and opinion of national civil society. He also noted that further parliamentary involvement is needed to strengthen national arms transfer control systems, including through the development of relevant laws, policies and procedures. Mr Kryvonos concluded his remarks by speaking about the UNRCPD role in bringing together MPs and CSOs to work on gun violence and illicit small arms trafficking prevention efforts, with a focus on gender.

Speaking on behalf of the Control Arms Coalition, Ivan Marques discussed the fundamental role of parliamentarians in the universalization and implementation of the Treaty. He recalled the important role that parliamentarians played during the negotiations of the ATT and in the lead up to the Treaty's entry-into-force before sharing his experiences from Brazil, where he witnessed how lack of information, a complex national political agenda and pressure from the arms industry led to a 5-year delay in the ratification of the ATT in the parliament. Marques welcomed PFSALW's efforts to establish a multi-partisan network of congressional members in Brazil and other countries in the region which was instrumental in the Treaty's ratification. He went on to discuss the role of MPs in approving revisions to existing legislation and adopting new legislative measures and once implemented, to ensure the

consistent application of the legislation, and in this particular case, compliance with the ATT. Providing examples from the Netherlands, Sweden, Canada and Germany where government agencies must present annual reports on approval and denial of arms export licenses to their Parliament, Marques also noted the important role of parliamentarians in reviewing, suspending or revolving existing arms transfers that are found to be in violation of both domestic law and international law, including the ATT. Mr Marques concluded by highlighting the role of civil society in conducting outreach to MPs in support of the universalization and implementation of the ATT.

Hon Syed Naveed Qamar of Pakistan focused his presentation on key challenges to ATT universalization in Pakistan. These included apathy related to arms control and disarmament issues, competing agendas and lack of prioritization of the ATT, lack of information, misconceptions regarding the ATT including that it may prevent states from importing arms for self-defence as well as limited progress towards the Treaty's universalization in the region. He noted that in order to garner support for the ATT, stakeholders must link the Treaty's provisions to issues relevant for his country, including domestic violence, border disputes and the security situation in the region. Hon Syed Naveed Qamar explained that the parliamentary caucus on the ATT was successful in getting the commitment of the Senate Committee on Defence Production - the committee responsible for overseeing the production, import and export of arms in Pakistan - to not oppose the ATT bill. However, as the Executive Cabinet approves the signing of any foreign treaty, while the Cabinet approves the ratification, his efforts as an MP have focused on persuading the government to join the Treaty as a way of addressing the illicit flow of arms in the country.

**Side Event: Taking stock of the Arms Trade Treaty: the first six years and the way forward,  
Organizer: Stockholm International Peace Research Institute (SIPRI)**

This side event, which is a part of a larger project "The first six years: Taking stock of the Arms Trade Treaty" implemented by SIPRI, with financial support from Germany, introduced [five new reports](#) published by SIPRI. Each report focuses on one specific aspect of the ATT: its scope, risk-assessment, processes and forums, universalisation, and international assistance. Rainer Schmiedchen of the German Ministry for Foreign Affairs spoke about the importance of the Treaty's universalization. He noted that bilateral visits to non-state parties might be a useful approach to supporting the Treaty's accession/ratification.

Rachel Stohl of Stimson Center provided an overview of the current status of the ATT's universalization and noted that certain regions - in particular Asia, Oceania, and the Middle East - and certain types of states - major importers - remain underrepresented in the Treaty's membership. She noted that despite ongoing efforts, challenges related to lack of political will, knowledge and capacity, as well as procedural obstacles remain significant. She concluded by stressing the need to focus universalisation efforts on underrepresented states and explore synergies with other instruments.

Dr. Paul Holtom of the United Nations Disarmament Research Institute (UNIDIR) discussed the [scope](#) of the ATT and provided recommendations for how Article 2 of the ATT could be strengthened. Among challenges to the implementation of Article 2 of the ATT, Dr. Holtom noted that a number of states have yet to adopt a national control list. He also pointed to the lack of alignment between the ATT and the United Nations Register of Conventional Arms (UNROCA), inconsistency in definitions of small arms used by states in their reports; the lack of clear definitions of ammunitions, parts and components and lack of clarity on what items are covered by Article 2(1).

Holtom concluded that although there is always the option to amend the ATT to align its scope to UNROCA or other instruments, states parties should adopt their own systems to adjust the scope of the Treaty, including by reviewing and sharing national practices.

Ambassador Paul Beijer of Sweden provided insights into the application of Articles 6 and 7. In this regard he noted the importance of exploring ways to align national practices related to the application of these key provisions. As solutions, Amb. Beijer provided the adoption of additional protocols or the establishment of informal arrangements.

Dr. Roberto Dondish from the Stimson Center discussed the [processes and forums](#) of the ATT, including the conferences of states parties (CSPs). He stressed the need to resist the urge to renegotiate the Treaty while building on the steps that the CSPs have taken so far. Looking at how the ATT's processes and forums could assist states parties in overcoming key challenges, including lack of transparency or the development of risk assessment process, Dr. Dondish recommended among others the separation of technical processes from diplomatic ones in a "Subsidiary Body on Implementation and Transparency" and the establishment of a "Working Group on Clarification and Review".

Giovanna Maletta of SIPRI explored [international assistance](#), including main challenges that donors, implementing partners and beneficiary states have faced in the implementation of ATT assistance programmes. She stressed that in order to strengthen the role of international assistance in supporting implementation of the ATT, the VTF and ATT-related assistance programmes should enhance the sustainability and effectiveness of assistance efforts and further improve coordination. Maletta then discussed recent developments which may provide solutions to key weaknesses, and provided suggestions on how relevant stakeholders could enhance the effectiveness and sustainability of assistance and improve coordination efforts.