



**Eighth Conference of States Parties to the Arms Trade Treaty**

**STATEMENT ON POST-SHIPMENT CONTROLS & COOPERATION**

**22 August 2022**

**Delivered by: Charlie Linney**

Mr President,

For the purpose of this intervention, Control Arms will focus on your paper, titled *Post-shipment controls and coordination: effective export verification and good-faith cooperation between exporters and importers*.

Our understanding is that it is not your intention, Mr President, to have this paper adopted or endorsed as it stands during this CSP, but rather this is the start of a process which will continue into the CSP9 cycle. We support this approach.

We consider there is much in the paper that deserves strong support.

This includes, for example:

- Setting out a wide range of possible forms of post-shipment controls or checks that can be adopted to mitigate diversion risks
- The focus on developing 'effective practice recommendations'
- The strong commitment to developing cooperative approaches between importer and exporter to post-shipment controls
- The careful consideration of a wide range of modalities that will need to be considered when preparing for on-site inspections

There are however some aspects of the paper that would benefit from further elaboration. For example:

- It could be helpful to explore the relationship between on-site inspections – with which the paper is predominantly concerned – and the other possible post-shipment control measures which are mentioned but not explored
- We believe more could be done to link the described post-export measures to cooperative mitigation measures that might be available in the pre-export phase.
- The paper focuses almost exclusively on questions of the end user, with little to say on end use. Although diversion is not *defined* in the Treaty, it was made clear in the negotiations that the diversion provisions in the ATT apply to both end user and end use, as is explicitly reflected in the Treaty's preamble (quoted in the President's paper). Therefore we suggest the paper take into account how post-shipment controls can address end use.
- In addition, we are uncertain exactly what is meant by taking a "strategic approach" to on-site verification selection. And the possible relationship between following a strategic approach and conducting ad hoc verifications is also unclear.

We trust these comments are useful to you, Mr President, and look forward to working with you and other stakeholders to refine and strengthen the paper over the coming months.

Thank you, Mr President.