

Ninth Conference of States Parties to the Arms Trade Treaty

ATT Preparatory Conference Statement

Friday 17 February 2023

Delivered by: Cindy Ebbs

MANAGEMENT COMMITTEE PAPER RESPONSE

Thank you Madame President.

Control Arms wishes to begin by thanking the Management Committee for the paper titled, “Background Paper Draft Elements for Consideration: Review of the Arms Trade Treaty Programme of Work”. The questions set out in the paper are a good starting point and require us to reflect on what has been achieved in the first 8 years of the ATT and its institutional framework. We appreciate this opportunity given to all ATT States Parties, Signatories, Observer States and stakeholders to provide feedback.

Over the years, Control Arms has expressed concern at the lack of attention in the ATT process on the human costs of irresponsible transfers. States Parties have focused on creating numerous guidance tools, instead of addressing the state of compliance under the Treaty. Our impression is of a process that has, at times, become overly technical. In turn this has limited the ability of all delegations to engage fully in the discussions. Due in part to this lack of accessibility, the once broad level of participation by significant numbers of delegations has decreased in recent years.

With regard to the question, “Have the ATT priorities and objectives on Treaty universalization and implementation changed?” Certainly, in our view, the work on universalization has changed. The easier gains on universalization have now been achieved; bringing on board new States Parties will require tailored approaches and greater coordination between all ATT stakeholders. In this regard, we reiterate our support for the steps that were outlined in the paper presented yesterday to the Working Group on Treaty Universalization.

Considering whether or not the work on implementation has changed is a more difficult task. One of the main challenges is that a full stocktaking has yet to be undertaken by the Conference to assess what has been achieved to date. For example, how many States Parties have put in place legislation to implement the ATT's obligations? How many States have national control systems? How many States Parties have established risk assessment processes in accordance with Articles 6 and 7? Under the German Presidency of the 8th Conference of States Parties, important research and work was carried out by SIPRI, the Stimson Centre and the Control Arms ATT Monitor on taking stock of progress under the ATT. This work could provide a useful starting point for a State Party-led review. Evaluating the progress that has been made and identifying where the future challenges lie is essential to determining how best to move forward.

In terms of the overall structure of the Working Groups, we question whether the tackling of multiple topics every year is sustainable and if it would be more beneficial to focus on fewer topics each year. Notwithstanding the ongoing and positive work on the CSP8 President's theme of "post shipment controls", it has long been a concern of Control Arms that progress towards meeting the commitments agreed under successive Presidencies is rarely reviewed or evaluated.

As new States Parties join the Treaty and state practice develops, the sharing of experiences, challenges and lessons learned among States would be of benefit to all. Such exchanges could be facilitated by the Working Groups taking a more interactive approach through the use of breakout groups and other facilitation mechanisms.

The Management Committee's paper proposes a number of practical suggestions on future work such as online and regional meetings. If properly resourced, these types of alternative modalities may serve to increase engagement and provide further avenues for following up on issues concerning implementation and reporting. It is important that if new modalities are taken up that there is transparency in the process, for example, by ensuring these modalities and their outcomes are accessible to civil society and other

ATT stakeholders and by providing regular reports to the CSP on discussions held and outcomes agreed.

These and other steps would help to enhance the productivity and efficiency of the Working Groups. For example, the production and circulation of the relevant background papers at least four weeks in advance of the meetings would give all ATT stakeholders greater opportunity to adequately consider the issues raised and prepare interventions. States would be assisted by a summary of the key questions that they are being invited to respond to.

While states have said today that the treaty is 'well established', we see there is still much work to do. National controls, the key method in which this treaty is implemented, remain in many cases, underdeveloped or in need of review. While ATT process structures are indeed established on the international level, States Parties are clearly acknowledging the need to review our work methods to make them fit for purpose. As we have said before – it is the time to shift our focus from process to progress.

All ATT States Parties and stakeholders have a role to play in reinvigorating the process that is crucial to supporting a Treaty. Control Arms believes that it is not too late to chart a different course that would ensure that the time allotted to the ATT Working Groups more fully meets the aspirations and expectations of States and stakeholders. We look forward to continued engagement with the Management Committee in their efforts to reinvigorate the ATT Programme of Work.

I thank you.