
Arms Trade Treaty
Eleventh Conference of States Parties
Geneva, 25 – 29 August 2025

**ATT WORKING GROUP ON EFFECTIVE TREATY IMPLEMENTATION
CHAIR'S REPORT TO CSP11**

INTRODUCTION

1. This Report to the Eleventh Conference of States Parties (CSP11) is presented by the Chair of the Working Group on Effective Treaty Implementation (WGETI) to reflect the work conducted by the WGETI since CSP10 and to put forward recommendations for consideration by CSP11.

BACKGROUND

2. The CSP3 decided to establish a standing Working Group on Effective Treaty Implementation to operate under the Terms of Reference contained in Annex A of the Co-chairs' report to CSP3 ([ATT/CSP3.WGETI/2017/CHAIR/158/Conf.Rep](#)), including a mandate to serve as an ATT continuous platform to:

- a. exchange information and challenges on the practical implementation of the Treaty at the national level;
- b. address, in detail, specific issues set by CSP as priority areas (topics) to take Treaty implementation forward; and
- c. identify Treaty implementation priority areas for endorsement by CSP to be used in Treaty implementation support decisions e.g. ATT Voluntary Trust Fund.

3. Following a review of the ATT programme of work and a shift in focus of the Working Groups from theoretical discussions to practical Treaty implementation issues, the CSP9 adopted a proposal on the WGETI configuration and substance ([ATT/CSP9.WGETI/2023/CHAIR/767/Conf.Rep](#); Annex D) and the CSP10 welcomed a multi-year workplan for structured discussions about concrete practical Treaty implementation, including topics to be discussed, as well as general guidance and lists of specific questions to be addressed during the discussions ([ATT/CSP10.WGETI/2024/CHAIR/799/Conf.Rep](#); Annex B).

4. These decisions entail that the WGETI conducts three types of discussions:

- structured discussions about practical Treaty implementation on the basis of the above-mentioned multi-year workplan;
- more in-depth discussions and/or the elaboration of voluntary guidance documents or other tools to assist national implementation on issues that were identified for such discussions during the structured discussions or as part of Conference decisions and/or recommendations; and
- ad hoc discussions on the current or emerging Treaty implementation issues which States Parties or other ATT stakeholders have proposed for discussion upon invitation of the WGETI Chair.

5. To organize the work of the Working Group in a manageable and transparent manner, these discussions are held in the following Sub-working Groups that reflect the anticipated approach and working arrangements:

- The Sub-working Group on Exchange of National Implementation Practices (for the first type of discussions); and
- The Sub-working Group on Current and Emerging Implementation Issues (for the second and third type of discussions).

6. On 03 February 2025, the CSP11 President appointed Ambassador Markus V. LACANILAO of the Philippines as Chair of the WGETI for the period between CSP10 and CSP11. The Sub-working Groups mentioned above were led by facilitators as listed below:

- Exchange of national implementation practices facilitated by Mr. Edward KAWA and Ms. Essate WELDEMICHAEL of Sierra Leone.
- Current and emerging implementation issues facilitated by Mr. Jason ROBINSON of Ireland.

25-27 FEBRUARY 2025 WGETI MEETING

7. The WGETI Sub-working Groups held their only meetings of the CSP11 preparatory process on 25 - 27 February 2025. A letter of the WGETI Chair and documentation for the respective Sub-working Group meetings was circulated on 03 February 2025 ([ATT/CSP11.WGETI/2025/CHAIR/808/LetterSubDocs](https://att.csp11.org/WGETI/2025/CHAIR/808/LetterSubDocs)). To facilitate preparation for the meetings, the documentation provided several concrete questions for delegations to consider and contained the relevant lists of guiding questions for the structured discussions about practical Treaty implementation.

Sub-working Group on Exchange of National Implementation Practices

Structured discussions about practical Treaty implementation

8. As this was the first meeting of the Sub-working Group under its multi-year workplan, the Facilitator provided a summary of the workplan, its Annex with practical implementation questions, as well as the working arrangements for the structured discussions.

National control system relating to import

9. Under this first topic, the Sub-working Group addressed States Parties' measures undertaken to regulate arms imports under their jurisdiction. This included looking at relevant legislation, administrative regulations and administrative measures and procedures (including the integration of the prohibitions and possible risk assessment criteria in those), as well as the competent authorities and inter-agency mechanisms that States Parties have established.

10. To start the discussion, an introductory presentation was provided by Ms. Simonetta GRASSI, the Chief of the Global Firearms Programme of the UN Office on Drugs and Crime (UNODC), the programme within UNODC that assists Member States in the effective implementation of the UN Firearms Protocol. Ms. GRASSI was invited to outline the core import control provisions of the Firearms Protocol and their relevance to ATT Article 8(2) and to discuss synergies between the ATT and other international agreements, as well as practical challenges and constraints. In her presentation, Ms. GRASSI highlighted the obligations of the UN Firearms Protocol about licensing, marking, record-keeping, and international cooperation, which align with the objectives of the ATT. She emphasized that ATT importing States have a responsibility to assess and regulate arms transfers to prevent illicit trafficking and misuse. Ms. GRASSI noted that while many States have national control measures in place, challenges remain in implementation and enforcement. She stressed the importance of international cooperation, including information sharing and technical assistance, to strengthen import controls. Furthermore, she underscored the need for capacity-

building initiatives to help States meet their commitments under both instruments. Ms. GRASSI encouraged ATT States Parties to leverage synergies between the ATT and the UN Firearms Protocol to enhance global arms control efforts.

11. After this introductory presentations, [Australia](#), Germany, Mexico and Romania all delivered presentations explaining their national practices on import, taking into account the guiding questions in the above-mentioned multi-year workplan. The four States Parties explained their import regulations, focusing mostly on firearms (small arms and light weapons). These included rules regarding the actual import and other activities such as handling, transport, included in different laws.¹ They also described the different agencies involved, which are often different for military goods and (civilian) firearms. They emphasized the need for efficient inter-agency cooperation and information-sharing (systems) between, in particular, licensing and customs/police authorities, with the latter playing a key role in monitoring imports at the border. The presentations demonstrated that geography and State structures have an impact on how control systems are set up. All presenters also highlighted the importance of imports controls to combat diversion and illicit trafficking that fuels organized crime. This also requires effective international cooperation, inter alia, with the exporting and transit States.

12. During the subsequent exchanges, other States Parties described elements of their import control systems. Delegations explained, for example, the authorities involved, their domestic controls and import criteria such as compliance with relevant arms embargoes (in line with Article 6 of the Treaty). Some delegations indicated that their imports are handled exclusively through a governmental agency and /or inter-agency committees, under stringent oversight. Others clarified that while different import procedures apply to the armed forces and private actors, such imports are held to the same standard. Delegations also addressed challenges regarding import, licensing, and the identification of parts and components (mainly of small arms and light weapons), noting that the import provisions of the Treaty do not apply to such items.

Scope / National control list

13. Under this topic, the Sub-working Group addressed States Parties' procedures to establish and maintain a national control list, the legal status of their national control list, its application to the different types of transfers (export, import, transit, trans-shipment and brokering), as well as its range in terms of conventional arms (including ammunition/munitions and parts and components).

14. The introductory [presentation](#) on this topic was delivered by dr. Paul HOLTOM, the Head of the Conventional Arms and Ammunition Programme at the UN Institute for Disarmament Research (UNIDIR). Upon request, dr. HOLTOM provided a comprehensive overview of: i) the provisions on scope and national control lists in Articles 2 (1) and 5 (2-4) of the Treaty; ii) the UN Register of Conventional Arms (UNROCA) and its link to the ATT; iii) the special status of ammunition/munitions and parts and components in Articles 3 and 4 of the Treaty; and iv) States Parties' national control lists. Dr. HOLTOM explained how the categories of major conventional arms in Article 2 (1) were taken from the UNROCA, with reference to their UNROCA definitions at the time of the entry into force of the Treaty as their minimum coverage (cf. Article 5 (3)).² The Treaty does not provide further substantive guidance, which sustains ambiguity and leaves room for

¹ Note that some elements that we were raised fall beyond of the scope of the Treaty in terms of activities, which only concerns the "transfers" set out in Article 2 (2), of which imports are one type. Regulation and control of conventional arms exclusively within a State Party's territory and the related activities such as possession do not fall within the scope of the ATT.

² For clarity, for the minimum definitions of the mandatory category of "small arms and light weapons" in Article 2 (1)(h) of the Treaty, Article 5 (3) refers to "the descriptions used in relevant United Nations instruments at the time of entry into force of this Treaty".

diverging interpretations.³ Dr. HOLTOM also explained that while the scope of the UNROCA is periodically reviewed by a UN-appointed Group of Governmental Experts, the ATT does not include a specific review clause or a provision for alignment with UNROCA, which allows discrepancies with the latter. This also means that any update to the scope of the Treaty would imply amending the Treaty itself. On this subject, dr. HOLTOM also referred to the changes that were made to the UNROCA since the entry into force of the ATT, as well some proposals to that end. Regarding ammunition/munitions and parts and components, dr. HOLTOM highlighted the limited control and the ambiguity about what is effectively controlled. Concerning national control lists, he indicated that an analysis of initial reports shows that many States Parties have not yet established national control lists or that these do not cover the full mandatory scope of the Treaty. To conclude, dr. HOLTOM presented some food for thought, wondering whether the WGETI could receive regular updates on changes to relevant multilateral lists, such as the UNROCA, further unpack the scope of the ATT or consider reviewing it. He also encouraged paying attention to the apparent challenges States Parties face in establishing control lists.

15. Albania, Dominican Republic and Republic of Korea subsequently presented their national control systems and regulations and how their control lists fit in those (for example as part of administrative regulations). The presenting States explained the structure of their control lists (which sometimes include different levels of control for different categories of arms), who is involved in their development (entities such as the Ministries of Interior and Defence) and how their lists find their basis in multilateral instruments such as the Wassenaar Arrangement Munitions List or the Common EU Military List. Presenters also noted that their lists also include or are complemented with other goods than conventional arms (such as dual use items) and that they are regularly updated to be in line with relevant multilateral lists and/or to cover all relevant items. They also shared the benefits of having comprehensive multilateral lists, such as harmonized controls and covering all relevant items. Challenges include timely updates of lists, the lack of technical expertise to identify goods as controlled items as well as their classification in the customs nomenclature.

16. In the ensuing open discussion, delegations mostly shared their own national practices on control lists. Many delegations explained in that regard that also their national control lists go beyond the mandatory scope of the Treaty, and /or are also based on multilateral lists such as those mentioned above. Ammunition and parts and components are mostly also included in these lists. Concerning the issue of updates, one method mentioned concerned the inclusion of dynamic references in legislation to the multilateral lists that are the basis for national controls. While some delegations indicated that they apply the same control list to all types of transfers, others indicated that they have different control lists for import and brokering. Some delegations addressed the static nature of the scope of the Treaty, both in general as in relation to the UNROCA, reflecting on its inflexibility to reflect technological advancements or evolving security considerations.

Sub-working Group on Current and Emerging Implementation Issues

17. The Facilitator opened the meeting explaining that following the relevant CSP10 decisions, the Sub-working Group would continue discussing the role of industry in responsible international arms transfers, and the risk of conventional arms being used in violation of Articles 6 and 7 of the Treaty, with an emphasis on gender-based violence (GBV) and violence against women and children (VAWC). This would be followed with the *ad hoc* discussion that was described in the WGETI Chair's announcement of 18 February 2025.

³ Albeit some guidance is provided in the Voluntary Basic Guide to Establishing a National Control System (pages 5-9), as well as in the FAQ-document on ATT annual reporting (question 12 et seq) for the purpose of reporting. Both documents are available in the Tools and Guidelines section of the ATT website (<https://www.thearmstradetreaty.org/reporting.html>).

The role of industry in responsible international arms transfers

18. The two concrete issues regarding the role of industry that are under discussion in the Sub-working Group are: i) the application of human rights and IHL due diligence in the context of ATT implementation and States' national arms transfer control systems; and ii) the integration of compliance with arms transfers control regulations in existing industry guidance.

The application of human rights and IHL due diligence in the context of ATT implementation and States' national arms transfer control systems

19. On this first issue, the Facilitator recalled the takeaways from last year's discussions.⁴ The Facilitator explained the intention to take discussions in a more practical direction by listening to industry practices and determining whether it would be useful and feasible for the Sub-working Group to explore voluntary guidance linking human rights and IHL due diligence by industry actors with States Parties' obligations under the ATT.⁵ In line with this aim, the Facilitator prepared several practical questions for delegations to consider and invited the following speakers to engage with these questions: i) Dr. Hiruni ALWISHEWA of the University of Geneva; ii) Ms. Rosa ROSANELLI of Patria and the AeroSpace and Defence Industries Association of Europe (ASD); and iii) Mr. Spencer CHILVERS of Rolls-Royce and ASD.

20. Dr. ALWISHEWA presented her research and publications on human rights due diligence policies of selected large arms manufacturing and exporting companies in Europe and the United States. In her [presentation](#), she examined the transparency of these companies in relation to their compliance and human rights due diligence efforts and the available public information related to these. She also assessed, where available, their due diligence policies and measures. In terms of risk assessment, where publicly made available, these companies indicate that they consider the intended use of their products and end user risks and apply processes to identify, mitigate and monitor those risks. Concretely, measures mentioned included on-site visits, media searches, specialized databases for risk identification and contingency management. However, Dr. ALWISHEWA noted that transparency about such measures and processes, their application, as well as companies' more general human rights policies and statements remains limited. Dr. ALWISHEWA concluded that while there is a growing recognition of the industry's distinct responsibility, there is a need for State regulations that compel companies to adopt strict due diligence measures, and ensure transparency, reporting and accountability, including in reference to other sectors, such as conflict minerals and surveillance technology.

21. Ms. ROSANELLI subsequently made a [presentation](#) on how due diligence is conducted in Patria's business relationships, emphasizing that transaction screening is a normal part of conducting business and that a risk-based approach is central to an effective compliance strategy. She described several specific due diligence measures, including:

- An internal country risk matrix that informs decision-making, which considers factors such as restrictive measures, geopolitical risks, positions of relevant authorities, democracy and rule of law, labour rights violations, and potential diversion risks;
- An electronic due diligence tool that collects information on third-party ownership chains, sanctions, financial risks, negative media reports, politically exposed persons, and past enforcement cases.
- Questionnaires and publicly available information to ensure comprehensive risk assessments;

⁴ See the Working document for the meeting of the Sub-working Group on Current and Emerging Implementation Issues, paragraph 10 ([ATT/CSP11.WGETI/2025/CHAIR/808/LetterSubDocs](#); Annex B-2).

⁵ See the CSP10 Final Report, "Request the Sub-working group on Current and Emerging Implementation Issues to continue discussing the identified issues concerning the role of industry in responsible international arms transfers [and the risk of conventional arms being used in violation of Articles 6 and 7 of the Treaty, including for GBV or violence against women and children, with a view to obtain a deeper understanding of these topics and to establish the utility and the feasibility of developing voluntary guidance on these topics."

- Governance mechanisms, including a Due Diligence Committee that reviews routine due diligence cases, and a Business Partner Selection Committee that evaluates high-risk cases involving sales intermediaries, both consisting of direct participation from senior management; and
- Internal and external auditing.

In terms of challenges, Ms. ROSANELLI indicated that: i) smaller companies might lack a good understanding of their responsibilities, as well as the necessary resources to properly conduct due diligence; ii) access to relevant information is sometimes difficult; and iii) contractual obligations can pose a challenge for companies' ability to act.

22. During his presentation, Mr. CHILVERS shared his company's due diligence practices and compliance tools, but principally focused on raising several questions and challenges, noting that the complexity of human rights due diligence varies based on the operating context, the scale and nature of business activities, and the relationships with the parties involved. In that regard, he posed questions regarding due diligence responsibilities in complex supply chains and how to determine where accountability should rest, noting that many companies do not produce end use military products but rather parts and components for integration into larger systems. He also raised questions about the relationship between relevant authorities and companies, in terms of mutual exchanges and of unilateral actions by companies in situations where human rights concerns are identified after the transfer. He indicated that in such cases, companies discuss these with the component authorities, but would rather not take actions without the support of government, which has the ultimate authority on such matters.

23. In the follow-up discussion, many delegations acknowledged industry's independent responsibility to conduct due diligence in all their business activities while emphasizing that States have the primary responsibility to regulate arms transfers and implement the ATT. Some delegations mentioned the need for an open dialogue and the exchange of information, including on red flags that could support risk assessments of both competent authorities and companies as an essential component of their relationship. Many delegations underlined the importance of outreach and training programs for industry actors about their responsibilities, including regarding human rights and due diligence, and how to deal with those in practice. In that respect, delegations described their outreach and assistance efforts and indicated that existing guidance on conducting arms transfer risk assessments can be useful for companies as well. Some delegations also shared regulatory requirements which they put in place regarding companies' internal compliance programs. Considering voluntary guidance, many delegations emphasized the value of discussing to discuss this further, with some reiterating that the abovementioned responsibility of States is respected. Some delegations also addressed the role of the ATT process in this regard, in relation to other fora where this topic is addressed. In terms of substance of such guidance, possible elements that were mentioned included practical information regarding basic due diligence requirements, how to identify suspicious transfers, information exchanges between the government and companies to support risk assessments, and awareness-raising about GBV and VAWC.

The integration of compliance with arms transfers control regulations in existing industry guidance

24. The Facilitator recalled the origins of the discussion on this topic in the CSP9 cycle as a response to a prevailing lack of awareness among logistical actors of the basic requirements of arms transfer controls and the absence any guidance on this. Given it had not been possible to get all the desired speakers on this topic for the meeting, the Facilitator indicated that the discussion on this would be deferred to a later point, that the ATT Secretariat would continue to reach out to relevant actors in this domain and that the result of such outreach would be included as part of the Working Group Chair's update at the Informal Preparatory meeting in May.

The risk of conventional arms being used for gender-based violence (GBV) or violence against women and children (VAWC)

25. The Facilitator reminded delegations that this concerns a longstanding topic of discussion, which was addressed again in the CSP10 Final Report.⁶ To take discussions on this topic forward, the Facilitator proposed to focus on two elements: i) proposals for more voluntary guidance and/or a good practices guide for GBV risk assessments; and ii) a proposal for the appointment of gender focal points regarding the work in the ATT working groups.

26. For the first element, the Facilitator asked some of the most recent advocates of developing a guidance document to prepare a proposal to complement the current guidance on Article 7 (4) in the Voluntary Guide to Implementing Articles 6 & 7. Of these, Control Arms agreed to present some suggestions during the meeting. In terms of specific guidance, the [presentation](#) included a flowchart “*incorporating GBV into conventional arms export risk assessment*”, which outlined steps for States to undertake in applying Article 7 (4), as well as guidance on each step. These steps included: i) identifying the prevalent types of GBV and VAWC in the importing State; ii) determining whether prevalent violations are deemed “serious”; iii) determining whether the importing State is taking effective preventive action; iv) determining whether there is an “overriding risk” that the arms or items to be exported could be used to commit or facilitate the identified types of GBV and VAWC; and v) identifying whether mitigating measures or other approaches satisfactorily and significantly reduce the identified risks.⁷ In addition, the presentation emphasized the importance of well-trained licensing officers with a clear understanding of GBV issues, suggesting that the involvement of women and consulting GBV specialists in relevant contexts could strengthen risk assessment processes. Finally, the presentation underscored the importance of using diverse information sources and provided some examples.

27. For the element of gender focal points, Mexico presented a proposal as author of the working paper submitted to CSP10.⁸ The proposal entailed that gender focal points would be appointed by States Parties and interested signatory States to support the implementation of relevant CSP recommendations on gender and to promote the integration of the gender perspective in the ATT Working Groups. The proposal also included some possible specific tasks for these focal points in relation to the work of the WGETI, as well as the Working Group on Transparency and Reporting (WGTR) and the Working Group on Treaty Universalization (WGTU). Additionally, the proposal suggested the development of an information hub on the ATT website to include resources on the link between arms transfers and GBV. In terms of process, the proposal provided an initial role for the ATT Secretariat in consulting with interested stakeholders and a subsequent role in appointing and coordinating with the focal points.

28. In the subsequent discussion, many delegations addressed the issue of GBV and GBV risk assessments more generally. Delegations shared their national risk assessment experiences (including referencing relevant criteria, information sources and the need for disaggregated datasets); challenges in determining GBV violations; and the need for awareness-raising and discussions in and possible synergies with other instruments, such as the Women, Peace and Security (WPS) Agenda. Concerning the proposal of additional voluntary guidance, some delegations intervened and welcomed the practical approach of the proposal, supported further discussion and recalled the need to focus on elements pertinent for the ATT to avoid duplication. In relation to the proposal of gender focal points, most delegations were supportive, although some also raised questions about the practical implementation and warned about adding extra office holders and creating additional workload for States and the ATT Secretariat. In that respect, Mexico

⁶ See paragraph 28(f)-(h) of the CSP10 Final Report ([ATT/CSP10/2024/SEC/807/Conf.FinRep](#)).

⁷ Note that in the export assessment in Article 7 (1)-(3) of the Treaty, the determination of an “overriding risk” of any of the negative consequences in Article 7 (1) is to be conducted *after* the consideration of possible mitigating measures, not before (steps 5 in this flowchart would thus precede step 4).

⁸ Joint working paper submitted by Mexico et al: Gender Mainstreaming and Addressing Gender-Based Violence (GBV) under the Arms Trade Treaty ([ATT/CSP10/2024/MEX/808/Conf.WP](#)).

and other intervening delegations agreed on the need for broad and diverse consultations about the most efficient way to involve gender focal points in the ATT process, including engagement with other disarmament mechanisms and processes that could share and inform good practices. Some delegations likewise shared good practices, such as gender focal points providing advice on gender mainstreaming in implementation, organizing workshops, issuing papers and statements and more generally contributing to the implementation of relevant recommendations. Finally, Mexico expressed its intention to start the necessary consultations in this cycle, to be facilitated by the ATT Secretariat.

29. Following these discussions, the Facilitator referred to the announcement of the WGETI Chair of 18 February 2025, in which he informed delegations that Israel had submitted a proposal in response to the opportunity provided in the draft annotated agenda and working document for the Sub-working Group's meeting to raise a current or emerging issue concerning the implementation of the Article 7 (4). Israel subsequently presented its [working paper](#) on the implications of diversion of weapons to terrorist groups on GBV and VAWC. After this working paper was addressed, no other issues concerning the implementation of Article 7 (4) were raised.

Ad hoc discussions

30. As described in the announcement of the WGETI Chair of 18 February 2025, following his invitation of 03 February 2025 to propose current and emerging implementation issues for an ad hoc discussion, the ATT Secretariat received two proposals, by Panama and Control Arms, including explanatory memoranda. Panama proposed an ad hoc discussion on the establishment of an early warning and compliance platform and Control Arms on the role of rulings of the International Court of Justice and findings of the Special Procedures of the Human Rights Council in the application Articles 6 and 7 of the Treaty. As Panama subsequently withdrew its proposal, the Sub-working Group only considered the issue proposed by Control Arms.

31. The Sub-working Group was requested to note that only States Parties could submit proposals in accordance with the ATT Rules of Procedure, the Terms of Reference of the WGETI and the relevant CSP9 decision.⁹ In response, the Facilitator provided background and clarification on the context of the instruction to the WGETI Chair to invite States Parties and other stakeholders to raise current and emerging implementation issues for an ad hoc discussion. The view that non-States Parties alone could raise issues for an ad hoc discussion received support, while concerns about its appropriateness were also expressed. Nonetheless, all delegations reaffirmed their commitment to the inclusive nature of ATT processes.

32. Following introductory presentations on the topic, delegations reiterated the importance of compliance with international law and of relevant international mechanisms and instruments, where applicable.

Discussion on the WGETI's work in the CSP12 cycle

33. For the CSP12 WGETI meeting, the Chair first enquired with delegations whether there were specific issues coming out of the practical exchanges about import controls and scope that could benefit from further discussions in the Sub-working Group on Current and Emerging Implementation Issues and whether the Sub-working Group on Exchange of National Implementation Practices could move on to the next topics in its multi-year workplan, which are brokering and risk assessment. In addition, the Chair referred to the encouragement of the CSP10 to develop a voluntary paper with useful elements for developing or strengthening inter-agency cooperation and enquired whether the WGETI should take this up in the CSP12 cycle. In response, a few delegations intervened to support the discussions on brokering and risk

⁹ See paragraph 24 (f) of the CSP9 Final Report ([ATT/CSP9/2023/SEC/773/Conf.FinRep.Rev2](#)) and Annex D of the WGETI Chair's Draft Report to CSP9 ([ATT/CSP9.WGETI/2023/CHAIR/767/Conf.Rep](#)).

assessment and to indicate that possible elements about inter-agency cooperation should be included in the Voluntary Basic Guide and, possibly, other existing guidelines.

CONCLUSIONS AND WAY FORWARD AFTER 25-27 FEBRUARY 2025 WGETI MEETING

34. Concerning the ***structured discussions on imports and scope/national control list***, the Chair welcomed the excellent and diverse presentations, as well as the subsequent rich exchanges. In terms of possible follow-up to these discussions, the Chair particularly noted the attention given by presenters and delegations in the session on scope/national control list to challenges related to the scope of the Treaty, its practical implementation, and the establishment and maintenance of a national control list. Related to this, in both sessions, presenters and delegations also mentioned the issues of handling parts and components. In that respect, while this was not specifically mentioned, it could be useful to have a more in-depth discussion on these elements in the WGETI. For that purpose, a draft recommendation on this has been included below for delegations to consider.

35. Concerning the ***role of industry in responsible international arms transfers***, the Chair noted the practice-oriented presentations, including thought-provoking questions, and the engaged discussions. He concluded that delegations appear open to discussing some voluntary guidance on this topic in the WGETI, provided that it is clear that the implementation of the Treaty is an exclusive responsibility of ATT States Parties. In that respect, the Chair recalls the suggestion in the working document for the Sub-working Group's meeting to develop a list of reference materials for industry actors and to reflect the takeaways mentioned earlier in a voluntary document that links human rights and IHL due diligence by industry actors with States Parties' obligations under the ATT and States Parties' own due diligence requirements. Since this was deemed important during the meeting, attention could also be given to the dialogue and information exchange between the competent authorities and industry actors. As a starting point, the Sub-working Group could discuss possible elements and their scope in its next meeting, and consider whether these could lead to a voluntary guidance document.

36. Concerning the ***risk of conventional arms being used for GBV or VAWC***, the Chair noted that the complementary proposals of Controls Arms and Mexico about additional voluntary guidance and gender focal points could provide potential deliverables for the CSP11 or CSP12. Regarding the former, the proposed guidance, in particular the above mentioned flowchart, could serve as the basis for including further guidance on this topic in the Voluntary Guide to Implementing Articles 6 & 7. Additionally, a simple measure to highlight the importance of assessing the risk of conventional arms being used for GBV or VAWC could also be to release the relevant sections of the Voluntary Guide as a separate fact sheet. In relation to Mexico's proposal about gender focal points, following the broad support expressed during the meeting, Mexico is developing a more detailed proposal, incorporating the comments of delegations, on which it is seeking further input through informal consultations.

37. Concerning ***ad hoc discussions***, the Chair emphasizes that in light of the WGETI's purpose of supporting practical Treaty implementation, it is important that delegations retain the possibility, granted in the relevant CSP9 decision, to raise current or emerging issues in the practical implementation of the Treaty that provide a challenge for an ad hoc discussion in the WGETI. It is therefore suggested that the CSP11 encourages such proposals in line with that decision. In terms of substance, examples of matters for discussion could be free trade zones, private military actors (incl. floating armouries), and the role of new technologies in preventing diversion, among others.

38. Concerning ***voluntary guidance on inter-agency cooperation***, while few delegations responded to the question whether to take this up in the CSP12 cycle, the Chair included a draft recommendation on this below to allow delegations to make a final determination on this ahead of the CSSP11.

WGETI BRIEFING DURING 20-21 MAY 2025 CSP11 INFORMAL PREPARATORY MEETING

39. During the CSP11 Informal Preparatory meeting, on 20 May 2025, the Chair presented the draft report and recommendations.

40. In response, delegations commended the **structured discussions on imports and scope/national control list**, recognizing their value in deepening mutual understanding of implementation practices. Several delegations also welcomed the recommendation to continue work on scope and national control lists, including on parts and components. Delegations noted that the regulation of parts and components remains an operational challenge for many States and that the relationship between the scope of the ATT and that of other instruments such as UNROCA merits further attention, particularly with regard to definitions and classifications of conventional arms. In this context, some delegations expressed interest in deepening knowledge about the implications of new technologies. A few delegations also indicated that some level of alignment of control list, for example on the regional level, could enhance cooperation and reduce implementation gaps. Regarding the relevant recommendation, one delegation proposed a minor amendment to clarify the reference to parts and components, which has been incorporated into the report.

41. Regarding the **role of industry in responsible international arms transfers**, delegations agreed that the topic merits further attention. While reaffirming that state responsibility remains paramount under the Treaty, delegations acknowledged again that industry actors have a distinct responsibility in ensuring responsible arms transfers. Many delegations expressed support for the recommendations to develop reference materials and voluntary guidance on human rights and IHL due diligence for industry actors involved in arms transfers and States Parties. This exercise should consider existing international frameworks and corporate practices in high-risk sectors and involve relevant actors. It could also clarify the linkage between these responsibilities and ATT implementation. One delegation expressed some reservations about its feasibility in terms of expertise. Nonetheless, no amendments to the draft report or the corresponding recommendation were proposed.

42. On the **risk of conventional arms being used for GBV or VAWC**, there was consistent support for enhancing the application of the key Article 7 (4), including through improved methodologies and risk assessment indicators. Numerous delegations supported the establishment of gender focal points, suggesting a voluntary and flexible mandate aligned with relevant precedents in other disarmament treaties. It was further suggested that such a role could help mainstream gender considerations across all implementation efforts. In light of the broad support expressed, Mexico prepared a draft proposal on the establishment of gender focal points following the Informal Preparatory Meeting. The proposal was subsequently discussed during informal consultations on 25 July 2025 and is now included as an annex to this report for consideration and adoption by the Conference.

43. Regarding **ad hoc discussions**, most intervening delegations expressed their continued support for the mechanism. While not many delegations shared substantive comments, one delegation welcomed the sample discussion topics, and others called for attention to topics such as diversion to terrorist groups and for further attention to Articles 6 & 7. One delegation requested to clarify the sample topic of “the role of new technologies in end-user / end use controls”, which was done. Delegations also had a further exchange of views on the appropriateness of allowing non-States Parties alone to raise issues for an ad hoc discussion (see paragraph 31).

44. Regarding the proposal to discuss **elements for developing or strengthening inter-agency cooperation**, several delegations supported the integration of practical recommendations into existing voluntary guidance tools, where appropriate. One delegation specifically recommended expanding the scope of this work to include both inter-agency and international cooperation aimed at preventing diversion more comprehensively.

45. Additionally, several delegations called for strengthening the implementation and application of **Articles 6 & 7**. This should include more robust risk assessments and greater transparency about export decision-making. Delegations also emphasized the importance of political will in ensuring compliance with Treaty obligations. One delegation raised the idea of periodic Treaty review conferences to evaluate implementation progress, adapt to emerging challenges, and set strategic priorities, while explicitly clarifying that this proposal would not entail amending the Treaty itself. A number of delegations indicated their support or openness to such a proposal.

WGETI RECOMMENDATIONS FOR CSP11

46. Based on the above and the Terms of Reference of the WGETI, and considering the work undertaken by the WGETI to fulfil its mandate for the period between CSP10 and CSP11, the Working Group recommends that CSP11:

- a. *Commends the first sessions of structured discussions on national implementation practices regarding “national control system relating to import” and “scope / national control list”, and encourages States Parties and other relevant ATT stakeholders to volunteer to give presentations in the CSP12 WGETI meeting on the topic of “national control system relating to brokering” or “risk assessment (covering Articles 6&7)”, taking into account the practical implementation questions for each topic in the multi-year workplan of the Sub-working Group on Exchange of National Implementation Practices;*
- b. *Requests the Sub-working group on Current and Emerging Implementation Issues to consider challenges related to the scope of the Treaty (categories of conventional arms) and the establishment and maintenance of a national control list, including the handling of parts and components (as per Article 4 of the Treaty);*
- c. *Requests the Sub-working group to continue its discussions on the role of industry, including discussions on a list of reference materials for industry actors and on possible draft elements, and their scope, for a voluntary guidance document linking the human rights and IHL due diligence responsibilities of industry actors with States Parties’ primary responsibility to regulate arms transfers and industry actors involved in those, as well as their obligations under the ATT and their own due diligence requirements;*
- d. *Encourages States Parties and the ATT Secretariat to continue engaging with relevant industry actors, including logistical actors, and involve these actors in ongoing discussions regarding their role in responsible arms transfers;*
- e. *Requests the Sub-working Group to discuss the integration of the proposed additional guidance on the implementation of Article 7 (4) of the Treaty in the relevant sections of the Voluntary Guide on Implementing Articles 6 & 7 of the ATT;*
- f. *Requests the ATT Secretariat to release the sections of the Voluntary Guide to Implementing Articles 6 & 7 of the ATT which address the implementation of Article 7 (4) as a separate fact sheet to highlight the importance of assessing the risk of conventional arms being used for GBV or violence against women and children;*
- g. *Request the Sub-working Group to discuss useful elements for developing or strengthening inter-agency cooperation to be integrated in the Voluntary Basic Guide to Establishing a National Control System and, where relevant, other voluntary guidance documents developed in the WGETI;*

- h. Adopts the draft decision on the establishment of gender focal points under the Arms Trade Treaty (Annex to the Chair's Report);*
- i. Encourages States Parties to volunteer for the role of gender focal points, with a view to promoting the systematic integration of gender perspectives across all ATT processes, in support of the Treaty's effective implementation and in line with commitments adopted at Conferences of States Parties (CSPs), notably CSP5, CSP9 and CSP10, as well as additional commitments adopted at futures CSPs.*
- j. Invites States Parties and other stakeholders to raise other issues that provide challenges in the practical implementation of the Treaty at the national level for an ad hoc discussion in the WGETI in accordance with the relevant CSP9 decision.*

ANNEX

DRAFT DECISION ON THE ESTABLISHMENT OF GENDER FOCAL POINTS (GFPS) UNDER THE ARMS TRADE TREATY

(see separate document)