



Liberia National Commission on Arms (LiNCA)



Government of Liberia efforts

National Control System: Brokering

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ATT - Working Group meetings

Geneva, Switzerland

March 15, 2026

Overview

- Background
- Legal Frameworks
- Brokering defined under national laws
- Measures taken by Liberia
- Conclusion

Background

- Liberia became a state party to the Arms Trade Treaty in 2013; and the Treaty was formally ratified in 2015.
- In 2022, Liberia began one of the first countries in Africa to domesticate the ATT by integrating its provisions into national laws. This was achieved through amendments to the Liberia Firearms and Ammunition Control Act of 2015 which incorporate key ATT requirements related to trade and transfer of conventional arms.
- The amended Firearms Act introduced the National control system including:
 - The National control list
 - The National competent/Licensing authority
- In addition, the Act establishing the Liberia National Commission on Small Arms (LiNCA) was repealed and replaced with the Act creating the Liberia National Commission on Arms as the national competent authority responsible for ATT implementation.
- The general mandate of LiNCA is to regulate and supervise the import, export, transfer, storage and use of all conventional arms, ammunition, explosives and related materials in possession of state security agencies and civilians' population.
- LiNCA mandate expanded beyond Small Arms and Light Weapons to all conventional arms strengthening Liberia's institutional framework for treaty compliance.

Legal Frameworks

Arms Trade Treaty
ECOWAS
Convention/Exemption
Procedure

Act establishing the
Arms Commission
Firearms Control Law

Public Procurement Law
*Acts of relevant
government agencies
and Ministries*

Regulations & Standard
Operating Procedures

Brokering Activities defined under National Laws

- “Broker” refers to brokering activities that takes place in Liberia, regardless of whether the broker is a Liberian or a foreign national acting as an intermediary that brings together relevant parties and arranges or facilitates a potential transaction involving arms and related materials
- “Brokering” means work carried out as an intermediary between any manufacturer, supplier or distributor and any buyer or user, this includes the provision of financial support and the transportation of conventional arms as specified in the national control list.

Measures taken by Liberia under national Regulatory Frameworks

Liberia has undertaken several measures through national laws and regulatory frameworks to govern brokering activities within its jurisdiction, including:

- Adoption of a National control list for conventional arms
- Designation of a Licensing Authority: The Liberia National Commission on Arms
- Establishment of a Vetting Committee, comprising relevant government agencies as provided for in national law
- Approval authority is at the highest level of government, vested in the Office of the President of the Republic of Liberia through the National Security Advisor
- Maintenance of a National Registry for arms-related records and transactions
- Legal guidelines for the issuance, denial and revocation of licenses, clearly outlined in national law
- Regulation governing brokering activities, including measures to control and monitor arms brokering activities as mandated by national law

Measures taken by Liberia under national Regulatory Frameworks Cont.

Liberia applies case-by-case measures to regulate and control arms brokering transactions in line with national laws and the obligation of the Arms Trade Treaty.

- Brokering activities are licensed by the Liberia National Commission on Arms
- The Commission maintains a registry containing relevant information on brokering including:
 - Contact details of person or firm applying to engage in brokering activities
 - Expiration date of broker's registration, where applicable
 - Conditions attached to the broker's registration defined by applicable regulations
 - Details of license issued
- The information contained in the Registry shall be made publicly available upon request, subject to applicable regulations

Measures taken by Liberia under national Regulatory Frameworks Cont.

- Registration of broker is valid for a period of one year and may be renewed annually, unless cancelled earlier

License shall be cancelled:

- If any condition contained in the applicable regulations was breached
- Any verified criminal record
- Any other matters that the Commission consider appropriate
- If false or misleading information has been supplied in order to obtain the registration

Measures taken by Liberia under national Regulatory Frameworks Cont.

- Applications for Brokering licenses shall be refused if the proposed brokering transactions violate prohibitions set out in Article 6.
- Liberia's international obligations under measures adopted by the UN Security Council acting under Chapter VII of the Charter of the United Nations, in particular arms embargoes.
- Assessment similar to that conducted for export authorizations shall be undertaken to mitigate risks within the authorization system for specific brokering transactions, in compliance with the ATT.
- On the basis of assessment conducted, if it is determined that there is substantial risk that cannot be mitigated, the Commission shall refuse the application for broker's license.

Conclusion

Liberia remains committed to providing updates on national efforts to promote the effective implementation of the Arms Trade Treaty.

While significant developments in brokering controls are still forthcoming, we are actively undertaking meaningful measures and believe that some of our emerging best practices may offer valuable insights to other States Parties.

At the same time, we are eager to learn from the experiences and established practices of others to further strengthen our brokering control system.