**ATT Working Group Meetings**

**25-27 February 2025**

**Australia – the Role of Industry**

* Facilitator,
* Thank you for taking on this important role and guiding our discussions today.
* We appreciate the opportunity to share Australia’s perspective.
* Australia supports the UN Guiding Principles on Business and Human Rights
  + Australia encourages businesses to apply the Guiding Principles in their operations, both in Australia and abroad – that includes arms industry actors.
* Industry plays a significant role in the responsible international transfer of conventional arms and Australia supports efforts to improve industry awareness.
* While ATT obligations rest with States Parties, industry actors are required to comply with national laws, regulations and procedures States put in place to comply with the ATT
  + there is much to be gained from structured information-sharing and outreach to industry to promote compliance with national control systems.
* As we noted this morning, Defence Export Controls (“DEC”), within Australia’s Department of Defence is the regulator of goods on the national control list, the Defence Strategic Goods List (DSGL)
* As a regulator, DEC is responsible for the four key functions of:
  + outreach
  + decision-making
  + compliance, and
  + enforcement
* It is by effectively fulfilling these functions that the Australian Government can help industry to comply with domestic law.
* One idea that has been successful in Australia is creating a “community of regulators”
  + this can help regulators understand the four aspects of their role and exchange best practice.
* Turning now to outreach, DEC undertakes outreach regularly.
  + - outreach is focused on educating industry and ensuring industry compliance with domestic regulation, including licensing requirements and procedures.
* Australia also has a robust assessment process in place for goods requiring an export permit
  + this includes consideration of human rights
  + applications for export permits are assessed on a case-by-case basis against 12 legislative criteria including
    - the risk that the DSGL technology or the goods may go to, or become available to, a country upon which the Security Council of the United Nations has imposed a sanction
    - the risk that the DSGL technology or the goods may go to, or become available to, a country where it may be used in a way contrary to Australia’s international obligations or commitments
    - whether the DSGL technology or the goods may be used for mercenary activities or a terrorist or other criminal activity.
* DEC recommends to the Minister for Defence the prohibition of export or supply of goods or technology where the end-use of those goods is military in nature and prejudicial to Australia’s security, defence or international relationships.
* Compliance activities are conducted to ensure permit and licence holders comply with the conditions and requirements of the export permits.
* I thank you.