

## **Oral intervention on Thematic discussion on Post Shipment Controls under the Arms Trade Treaty**

Thank you, Mr. President, for allowing the Maat for Peace, Development and Human Rights to participate in this important discussion on the fourth item on Thematic discussion on Post Shipment Controls, and we would like to inform you that this intervention is in partnership with the Alliance for Peace and Development - Geneva and The Global Coalition for Limitation of Armaments (GCLA)

Post-shipment controls are intended to prevent the diversion of conventional weapons, munitions and their component parts and their use in crimes against humanity or war crimes, which is an explicit violation of international humanitarian law and international human rights law, as well as undermining efforts to combat the illegal arms trade and thwarting attempts to regulate the international trade of these weapons For purposes consistent with international law and relevant international standards and agreements.

Post-shipment controls are represented in preventing the diversion of weapons in accordance with Article 11 of the Treaty and in accordance with the obligations established in the text of Articles 6, 7 and 9 related to arms export and transit controls, as these articles obligated the non-authorization of the transfer of conventional weapons while knowing in advance that they were used in human rights violations The state shall not authorize any transfers of conventional arms provided for in the treaty if the transfer would violate the obligations of states under the measures taken by the UN Security Council acting in accordance with Chapter VII of the UN Charter, in particular the arms embargo measures.

However, in violation of the obligations imposed under the treaty, we find, for example, that Israel, which is the main supplier of arms to Azerbaijan, violated by exporting arms to Azerbaijan what was stipulated in the treaty, as these weapons contributed to many

violations that occurred against the background of the conflict between the two countries over the Nagorno-Karabakh region. According to international reports, Israel is the first foreign arms supplier to Azerbaijan over the five years between 2017 and 2019, with sales exceeding \$740 million.

Although the Israeli Ministry of Defense is reluctant to publish details about its arms sales and the names of its clients. However, Azerbaijan announced in 2016 that it had purchased defense equipment from Israel worth \$4.85 billion. Also, in violation of the regulations for not issuing permission to transfer weapons when there is knowledge of the risk of their use in serious violations of international human law, in other words, not allowing the export of weapons if the exporting country is certain that these weapons will be used in human rights violations, despite that many countries exported weapons To Israel, and then many human rights organizations demanded to stop exporting arms to Israel following its aggression against the Palestinians, whether in 2014 or 2021, as these weapons were used in bombing civilians and media headquarters, and preventing the supply of high-precision ammunition to Israel and joint direct attack munitions.

This is to prevent further violations of international humanitarian law. Many countries have also violated the arms embargo imposed on armed groups imposed in accordance with the treaty or UN Security Council resolutions, as the United Nations confirmed in November 2021 that many countries had not committed not to transfer and supply arms and ammunition to the Somali youth movement in violation of the arms embargo imposed by the United Nations. The recent period witnessed a development in the military capabilities of the Al-Shabab movement, as well as the ease of obtaining weapons and ammunition.

A report by the United Nations Panel of Experts on Libya also confirmed that a number of countries continued to export weapons and foreign fighters to Libya, especially between October 25, 2019 to January 24, 2021, despite the ceasefire decision and the arms embargo. A report issued by the European military operation IRINI to monitor the arms

embargo imposed on Libya monitored 36 suspicious flights in September 2021, in addition to inspecting 25 airports and 16 ports. Since its launch in April 2020, IRINI has inspected 20 suspicious ships, one of which was transferred to a European port, where its cargo was unloaded, and detected 26 violations of the arms embargo.

Hence, asserts that the treaty does not change the laws of each country on the purchase and bearing of arms, but it applies to the activities of international trade in conventional arms that include export and import operations, transit through the territory of a third country, transshipment and brokerage referred to as transport. As well as the need to abide by the prevention of diversion of transport operations. Commitment to risk assessment and mitigation and prevention measures. In addition to the obligation to disclose, investigate and enforce the measures, the obligation to share appropriate information and to cooperate in taking effective measures.

and also stresses to the countries participating in the Eighth Conference of the Convention on Conventional Weapons that the insufficiency and effectiveness of legal mechanisms controlling arms trade calls for

Establish a strong national licensing and control system for international transfers of -  
conventional arms and adopt effective stockpile management and border control  
.procedures

Exerting more efforts to expand the implementation of the obligations established by states  
.under the Arms Trade Treaty

Work must be done to include the provisions of the treaty to protect peoples living under foreign occupation by including a reference to foreign occupation and the inalienable right of peoples under foreign occupation to self-determination, such as the Israeli occupation of Arab lands.

It should include an explicit clause referring to the absolute ban on the supply of arms to terrorist armed elements and groups and with the need for specific monitoring of arms deliveries to insurgents or criteria for assessing the threat other than unauthorized states.