

# Post-Shipment-Controls Workshop

## Post-Shipment-Controls and the Arms Trade Treaty Framework

UN Institute for Disarmament Research (UNIDIR)

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## Why might we consider post-delivery cooperation?

- The exporting State **does not conduct a robust risk assessment** before authorizing an arms transfer
- The importing State **lacks adequate import oversight and control procedures**
- Assurances on re-export and end use are **ignored** by the importing State; adherence to assurances is **not monitored** by the exporting State
- **No response** to reports of diversion or violations of assurances
- ... To **strengthen cooperation & build confidence** between importing & exporting States

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## Post-delivery cooperation in the ATT

- No explicit mention but ...
- Confidence-building measures or jointly developed and agreed programmes between exporting and importing states to mitigate risks mentioned in **Articles 7(2) and 11(2)**
- **Article 11.4** on appropriate measures to be taken when a diversion of transferred conventional arms has been detected
- **Article 14** on appropriate measures to enforce national laws & regulations (Art. 14)
  - Calls for cooperation to effectively implement the treaty
  - Encourage sharing experience and lessons learned

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## Post-delivery cooperation in the ATT framework

**1. Sharing information on post-shipment cooperation measures in the context of efforts to tackle diversion**

**2. WGETI document on “Possible measures to prevent and address diversion” (ATT CSP4)**

Exporting States could conduct post-delivery checks in cooperation with importing States to verify compliance with end use conditions

- On-site visits
- Post-shipment physical check
- Investigate suspected violations of end use and re-transfer conditions

**3. Considering post-shipment cooperation in relation to end use and end user documentation (i.e. assurances)**

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## UNIDIR research findings: Considerations & benefits

### Some considerations

1. **Sovereignty** & control
  2. “**Deliver & forget**” culture
  3. Reluctance to share information on **diversion incidents**
- ... still valid considerations?

### Selected benefits

1. Importing State **record-keeping, awareness of, & compliance** with assurances
2. **Information sharing** within the importing State
3. **Build confidence** between importing & exporting State
4. Facilitate **international assistance & cooperation** to prevent diversion

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