

## Concept Note

### Panel Discussion

## Legal Responsibility of States Parties to ATT to Prevent Escalation of Conflicts in the Middle East

### Introduction

Article 9 of the Arms Trade Treaty (ATT) stipulates that each State Party must adopt appropriate measures to regulate the transit or transshipment of conventional weapons to prevent their use in the commission of genocide, crimes against humanity, serious violations of the 1949 Geneva Conventions, or directed attacks against civilian objects and persons, whether by land, air, or sea.

In light of developments in the Middle East since February 28, with the escalation of various military operations and the attendant risk of war crimes, crimes against humanity, and violations of international humanitarian law, particularly as threats and statements by all parties to the conflict have intensified, posing risks to regional peace and security, and as there is readiness to commit violations of international humanitarian law, alongside public threats to commit war crimes and crimes against humanity in a blatant disregard for civilian lives.

Thus, allowing the transit of military equipment through States Parties to ATT, destined for the conflict zone in the Middle East, constitutes an active form of participation in facilitating military escalation. It may also facilitate the commission of physical rights violations, and it contravenes the States' obligations under Articles Six and Nine of the Treaty.

In this regard, there are multiple good practices by States Parties, including Switzerland, Italy, Spain, France, and Poland, which have refused to allow the use of their territory or airspace for the transit of U.S. weapons that may be used in military operations in the Middle East, potentially contributing to violations of international humanitarian law and war crimes. Such positions reflect a clear commitment to ATT.

By contrast, some States Parties, particularly Ireland, the United Kingdom, Greece, Poland, and Germany, continue to allow the transfer of weapons to the Israeli occupying forces engaged in the conflict in the Middle East, and in addition commit physical violations of international humanitarian law and war crimes in Lebanon.


In this context, and on the sidelines of the Second Preparatory Meeting for the Twelfth Conference of ATT, scheduled for 27–28 May 2026, Maat will organize a panel discussion titled: **“Legal Responsibility of States Parties to ATT to Prevent the Escalation of**

Organization in special consultative status with the Economic and Social Council since 2016




**Headquarters:** 148 Misr Helwan El-Zyrae Road, El Matbaa Sq, Hadayek El Maadi, 4<sup>th</sup> Floor, No 41, Cairo, Egypt  
**Maat Training Center:** 380 Corniche El Nil St., Gawharet El Maadi Tower, 38<sup>th</sup> Floor, Tower B, Cairo, Egypt

490 El Maadi [www.maatpeace.org](http://www.maatpeace.org)

 [maat@maatpeace.org](mailto:maat@maatpeace.org)

00(20) (2) 25266026 00(20) (2) 25266019

 +201226521170

**Conflicts in the Middle East”** The panel will address the obligations of States Parties under ATT to refrain from using their territory to transit weapons that may be used to commit violations of international humanitarian law.

### Significance of the Panel Discussion

This panel discussion aims to:

- Highlight the obligations of States Parties under Articles 6 and 9 of ATT, particularly regarding the regulation of the transit and transshipment of conventional weapons to prevent their use in the commission of genocide, crimes against humanity, serious violations of the 1949 Geneva Conventions, or attacks against civilian targets.
- Discuss the risks arising from allowing weapons to pass into conflict areas in the Middle East amid the military escalation since February 28, and the role this may play in facilitating the commission of war crimes, crimes against humanity, and violations of international humanitarian law.
- Compare the positive practices of some European states (Switzerland, Italy, Spain, France, and Poland) that refused to use their territory or airspace for weapons transit, with the non-compliant practices of other states (Ireland, the United Kingdom, Greece, Poland, and Germany) that continue to allow weapons transit to Israeli forces.
- Prevent the escalation of conflicts in the Middle East and the potential serious violations that may result, including grave breaches of international humanitarian law, war crimes, and crimes against humanity, and threats to international peace and security, particularly in light of the continued closure of the Strait of Hormuz.

### Expected Outcomes of the Panel Discussion

- Draft practical recommendations for States Parties to strengthen oversight of transit operations and to prevent any facilitation of grave rights-related violations.
- Produce a working paper outlining the key practical challenges faced by States in implementing Article 9, along with suggestions on how to overcome them through effective proposals.
- Prepare a working paper containing proposals on how to “harmonize standards” among States Parties to prevent inconsistent interpretations of Article 9, while ensuring that weapons do not transit through, or are not facilitated through, the territory of any Arms Trade Treaty States Parties to parties that may use them to commit serious violations of international humanitarian law or grave rights violations.



**Organization in special consultative status with the Economic and Social Council since 2016**  
**Headquarters:** 148 Misr Helwan El-Zyrae Road, El Matbaa Sq, Hadayek El Maadi, 4<sup>th</sup> Floor, No 41, Cairo, Egypt  
**Maat Training Center:** 380 Corniche El Nil St., Gawharet El Maadi Tower, 38<sup>th</sup> Floor, Tower B, Cairo, Egypt  
490 El Maadi [WWW.maatpeace.org](http://WWW.maatpeace.org) [maat@maatpeace.org](mailto:maat@maatpeace.org)  
00(20) (2) 25266026 00(20) (2) 25266019 [+201226521170](tel:+201226521170)



## Panel Agenda

Topic	Time
<b>Opening Remarks</b>	5 minutes
Obligations of States Parties under Articles 6 and 9 of ATT	15 minutes
Military escalation in the Middle East since February 28, 2026, and the risks of arms transfer and transit	15 minutes
Gaps in national implementation of Article 9 and ways to harmonize standards among States Parties	15 minutes
Positive and negative practices by ATT States Parties regarding arms transit to the Middle East, and how to build on them in the future	15 minutes
<b>Recommendations</b>	10 minutes
<b>Closing Remarks</b>	5 minutes

## Panel Details

- Date: 28 May 2026 From 1:30 PM to 2:30 PM (Geneva Time)
- Location: Online via Zoom
- Zoom Meeting <https://us06web.zoom.us/j/85474345261?pwd=M4jcwU1iQMh6PYPajWFloWSGodILBz.1>

Meeting ID: 854 7434 5261

Passcode: 574741

- Event Coordinator: Mohamed Mokhtar, Director of Disarmament Unit, Maat
- Email: [mokhtar@maatpeace.org](mailto:mokhtar@maatpeace.org)
- Phone: +201014711600



**Organization in special consultative status with the Economic and Social Council since 2016**  
**Headquarters:** 148 Misr Helwan El-Zyrae Road, El Matbaa Sq, Hadayek El Maadi, 4<sup>th</sup> Floor, No 41, Cairo, Egypt  
**Maat Training Center:** 380 Corniche El Nil St., Gawharet El Maadi Tower, 38<sup>th</sup> Floor, Tower B, Cairo, Egypt

490 El Maadi

[www.maatpeace.org](http://www.maatpeace.org)



[maat@maatpeace.org](mailto:maat@maatpeace.org)

00(20) (2) 25266026

00(20) (2) 25266019

+201226521170