

Statement on the Report of the Working Group on Effective Treaty Implementation to the 12th ATT Conference of States Parties, Agenda Item 5 - Treaty Implementation

Delivered by Kelsey Gallagher on Tuesday, 25 August 2026

Thanks to Philippe Lejeune of France for chairing this year's deliberations under the WGETI.

During discussions on National Implementation Practices on brokering, thoughtful presentations were made, especially by Canada and Liberia. We support the recommendation on brokering, which calls on States Parties to implement Article 10 - an obligation under the Treaty. Article 10 is critical in addressing potential regulatory loopholes and reducing the risk of the illicit diversion of conventional arms.

We welcome that the flowchart on Article 7(4) implementation, presented by Control Arms at last year's Working Groups, will now form part of the practical guidance tools available to ATT States Parties and stakeholders. This year, as part of a Latvian VTF project, Control Arms organised online consultations on the ATT and gender for Africa, Asia-Pacific and Latin America. These consultations made clear that more work is needed to demonstrate that the Treaty's obligations, particularly those of Article 7(4), have an impact at the national and community levels. For example, exporting States Parties need to actively engage end-users and ask for information on GBV facilitated by arms at these levels, while importers should collect and share such information.

On the issue of scope: Control Arms has repeatedly raised concerns about the treatment of parts and components, particularly regarding joint military production. It remains deeply concerning that some States Parties contribute components to the US-led F-35 programme with significantly weaker oversight than that required under the Treaty. Such carve-outs suggest the perceived security interests of individual States Parties and their partners take precedence over obligations under the ATT. Collective security instead requires the Treaty to be applied rigorously and universally, including reassessing and, where necessary, halting contributions to joint programmes where there is a clear risk that transfers could be used in serious violation of international law, including by F-35 operators in Gaza, Lebanon, Iran and elsewhere in the Middle East.

Ongoing US brinkmanship in the Middle East raises questions, including on regional security, for States Parties contributing to the F-35 programme and all States supplying arms to the US. We are unaware of any focused WGETI discussions of Article 7 (1)(a) concerning transfers that "would contribute to or undermine peace and security". As conflicts and civilian casualties increase globally, **this issue warrants greater attention** rather than the proposed focus on Article 7(1) (iv) as in the recommendations.

Thank you.

