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ATT WORKING GROUP ON EFFECTIVE TREATY IMPLEMENTATION CHAIR'S REPORT TO CSP12

INTRODUCTION

1. This Report to the Twelfth Conference of States Parties (CSP12) is presented by the Chair of the Working Group on Effective Treaty Implementation (WGETI) to reflect the work conducted by the WGETI since CSP11 and to put forward recommendations for consideration by CSP12.
2. The report includes the following Annexes:
 - [Annex 1](#): *Proposed additional guidance on the implementation of Article 7 (4) of the Treaty for integration in the Voluntary Guide on Implementing Articles 6 & 7 of the ATT (4 pages)*
 - [Annex 2](#): *Proposed amendments to the sections of the Voluntary Guide to Implementing Articles 6 & 7 of the ATT which address the implementation of Article 7 (4) (1 page)*
 - [Annex 3](#): *Possible steps and questions for developing or strengthening inter-agency cooperation (3 pages)*

BACKGROUND

3. The CSP3 decided to establish a standing Working Group on Effective Treaty Implementation to operate under the Terms of Reference contained in Annex A of the Co-chairs' report to CSP3 ([ATT/CSP3.WGETI/2017/CHAIR/158/Conf.Rep](#)), including a mandate to serve as an ATT continuous platform to:
 - a. exchange information and challenges on the practical implementation of the Treaty at the national level;
 - b. address, in detail, specific issues set by CSP as priority areas (topics) to take Treaty implementation forward; and
 - c. identify Treaty implementation priority areas for endorsement by CSP to be used in Treaty implementation support decisions e.g. ATT Voluntary Trust Fund.
4. Following a review of the ATT programme of work and a shift in focus of the Working Groups from theoretical discussions to practical Treaty implementation issues, the CSP9 adopted a proposal on the WGETI configuration and substance ([ATT/CSP9.WGETI/2023/CHAIR/767/Conf.Rep](#); Annex D) and the CSP10 welcomed a multi-year workplan for structured discussions about concrete practical Treaty implementation, including topics to be discussed, as well as general guidance and lists of specific questions to be addressed during the discussions ([ATT/CSP10.WGETI/2024/CHAIR/799/Conf.Rep](#); Annex B).
5. These decisions entail that the WGETI conducts three types of discussions:
 - structured discussions about practical Treaty implementation on the basis of the multi-year workplan welcomed by CSP10 and its list of topics and specific questions to be addressed;

- in-depth discussions and/or the elaboration of voluntary guidance documents or other tools to assist national implementation on issues identified as part of Conference decisions and/or recommendations; and
- ad hoc discussions on current or emerging Treaty implementation issues raised by States Parties or other ATT stakeholders upon invitation of the WGETI Chair.

6. To ensure an efficient and manageable organization of work, the discussions in the WGETI are held in two Sub-working Groups:

- The Sub-working Group on Exchange of National Implementation Practices; and
- The Sub-working Group on Current and Emerging Implementation Issues.

7. On 27 January 2026, the CSP12 President appointed Colonel Philippe LEJEUNE of France as Chair of the WGETI for the period between CSP11 and CSP12. While discussions in the Sub-working Group on Current and Emerging Implementation Issues were facilitated by the Chair, the structured discussions in the Sub-working Group on Exchange of National Implementation Practices were facilitated by Ms. Essate WELDEMICHAEL and Mr. Edward KAWA of Sierra Leone.

16-18 MARCH 2026 WGETI MEETING

8. The WGETI Sub-working Groups held their only meetings of the CSP12 preparatory process on 16 - 18 March 2026. A letter of the WGETI Chair and documentation for the respective Sub-working Group meetings was circulated on 18 February 2026 ([ATT/CSP12.WGETI/2026/CHAIR/835/LetterSubDocs/Rev](#)). To facilitate preparation for the meetings, the documentation provided several concrete questions for delegations to consider and contained the relevant lists of guiding questions for the structured discussions about practical Treaty implementation.

Sub-working Group on Exchange of National Implementation Practices

Structured discussions about practical Treaty implementation

9. The Sub-working Group considered topics 3 and 4 of its multi-year workplan, respectively “National control system relating to brokering” and “Risk assessment (covering Articles 6 & 7)”.

National control system relating to brokering

10. Under this topic, the Sub-working Group addressed States Parties’ measures undertaken to regulate arms brokering under their jurisdiction. This included legislation, administrative regulations, measures and procedures (including the integration prohibitions and possible risk assessment criteria), as well as the competent authorities and inter-agency mechanisms established by States Parties.

11. To start the discussion, an introductory [presentation](#) was provided by Mr. Robert HUNTER-PERKINS, Head of Research at Conflict Armament Research (CAR), who co-authored the ATT issue brief on “*Regulating Brokering to Reduce the Risk of Diversion*”. Drawing on this brief, he highlighted definitional challenges surrounding arms brokering, noting the absence of a universally agreed definition within the treaty, while referring to established international understandings of brokers as intermediaries who facilitate or arrange potential arms transactions for benefit. He emphasized that brokering includes both core activities, such as connecting parties and initiating negotiations, and, sometimes, closely associated services like financing or transport, while stressing that the former are essential to qualify as brokering. Analysis of ATT initial reports revealed that while many States Parties

have adopted national definitions, these are often narrow, and regulatory approaches differ significantly, particularly regarding jurisdiction. Some states limit controls to activities within their territory, while others also apply measures on their citizens abroad, creating both regulatory gaps and overlapping authorities in cross-border scenarios. He underscored the close relationship between brokering and arms diversion, highlighting patterns such as the use of shell companies, complex routing through weak oversight jurisdictions, and falsified documentation. Most States Parties use a combination of broker registration and licensing systems, though practices vary widely, including regarding exemptions, record-keeping, and institutional set-up, often involving multiple authorities. He identified several areas for further consideration, including a shared understanding of core brokering activities, examination of licensing practices, and the implications of differing jurisdictional approaches. He also emphasized the importance of enhanced information-sharing among States Parties, particularly regarding on brokers and diversion cases, and the need to address capacity gaps through targeted international cooperation and assistance.

12. Following the presentation, Canada and Liberia outlined their national practices on brokering, taking into account the guiding questions in the multi-year workplan. [Canada](#)'s brokering controls are closely aligned with its export controls, using similar licence systems, assessment criteria, administrative processes and enforcement measures. Brokering is defined as arranging or negotiating transactions between foreign countries, with a focus on the "directing mind" of transactions while excluding low-risk or ancillary activities. It applies both domestically and extraterritorially. [Liberia](#) is in the process of domesticating the Treaty, taking into account ECOWAS standards. It applies a territorial approach, with the limited level of brokering activities within its national jurisdiction regulated through a licensing system, including risk assessment and decision-making at the highest executive level. Both highlighted ongoing challenges, particularly in enforcing extraterritorial controls, and underscored the value of inter-agency coordination and international cooperation including information-sharing.

13. The Q&A session focused on the notion of the "directing mind". It was noted that that regulatory scope should extend beyond a single top decision-maker to include any actor substantively involved in negotiating or arranging transactions, while excluding purely administrative or logistical roles.

14. In the subsequent discussion, several States Parties highlighted key aspects of their brokering controls: registration requirements, transaction licensing, risk assessment, extraterritorial application to nationals abroad, record-keeping and inter-agency enforcement approaches. Many delegations agreed that inadequately regulated brokering is a key vulnerability in arms transfer chains, especially in conflict contexts. Common challenges included diversion risks, definitional gaps, difficult detection of illicit brokers and the need for stronger international cooperation, including information-sharing, legal assistance and capacity-building. Delegations also addressed the role of "ancillary" actors such as logistical providers, cautioning against rigid categorizations and emphasizing the need for conduct-based assessment of roles to avoid loopholes. Finally, delegations highlighted emerging issues, such as the role of private military and security companies and evolving supply chain dynamics.

Risk assessment (covering Articles 6 & 7)

15. On this topic, the Sub-working Group addressed States Parties' substantive approach to risk assessment under Article 7, as well as national practices on the combined application of prohibitions and export assessment criteria in Articles 6 & 7, monitoring of authorized exports and reassessing

authorizations in light of new information, and the extent to which similar risk assessments are applied to brokering and transit and trans-shipment.

16. The introductory [presentation](#) on this topic was delivered by Mr. Michal KARCZMARZ of the European External Action Service, Chair of the European Union's Working Group on Conventional Arms Export (COARM). He was invited given the comparable risk assessment required by the European Union's legally binding [Common Position 2008/944/CFSP on Arms Exports](#) and the accompanying [User's Guide](#), both revised last year. He explained that the Common Position establishes eight criteria guiding Member States' case-by-case licensing decisions, while aligning broadly with ATT obligations, particularly Articles 6 & 7. While Member States have licensing authority, coherence is ensured through shared standards, converging interpretations and best practices set out in the non-binding User's Guide. The EU applies a "clear risk" threshold for denial, whilst the ATT's standard is one of "overriding risk", applied through a forward-looking, evidence-based analysis of the recipient and recipient State, including past conduct, current conditions, and foreseeable developments. Assessments are supported by cooperation and information-sharing among Member States, including consultations on denials, a confidential database, regular exchanges within the COARM Working Group, as well as best practices for ex-post controls (authentication of certificates, documentary and post-shipment verifications). The EU also promotes international standards through capacity-building and outreach initiatives.

17. Chile's approach centres on early-stage risk assessment and inter-agency coordination through a national advisory commission bringing together defence, foreign policy, legal, and industry perspectives. Authorities assess risks from the initial commercial phase, using diverse sources, including company documentation, diplomatic channels, international reports, and open-source intelligence, with a focus on end-user legitimacy, traceability, and country context. Risk indicators include inconsistencies in company profiles, weak stockpile management and instability in recipient States. While post-shipment controls are limited, mitigation relies on diplomatic engagement and end-user assurances. Challenges include information-sharing, and analytical capacity. South Africa's approach is grounded in its constitutional commitment to human rights, with risk assessment conducted through an intergovernmental multi-level structure and decision-making at the political level. The system relies on diverse information sources, including diplomatic missions, multilateral institutions, and open-source data, and incorporates safeguards such as end-user certificates and verification mechanisms. To conclude, South Africa expressed willingness to engage in peer-to-peer exchanges and capacity-building initiatives in this domain.

18. Several States Parties shared national experiences, focusing on their regulatory framework inter-agency arrangements and information sources. Delegations noted the significance of a collective assessment by relevant State entities, access to detailed information and consideration of all relevant factors, including the nature of the equipment and the recipient and other actors involved, as well as their track record. Sources cited included documentation from international and non-governmental organisations alongside own governmental materials. Some delegations indicated that transit, trans-shipment and/or brokering are subject to the same assessment as export. Delegations underscored that there is no standardized approach and that a State's control system should reflect its characteristics and capacity.

19. A number of delegations also addressed monitoring of licences and post-transfer use of arms, as well as possible actions in cases of changed circumstances or non-compliance, including reassessment, suspension and revocation. Others mentioned the possibility of judicial review of granted licences. Noted challenges include the interlinkages between Articles 6, 7, and 11 (on diversion), the role of intermediaries and transport routes, assessing risks relating to transnational

organized crime, transfers to non-state actors and the place of political considerations. Many stressed the need for stronger international cooperation, among the States involved in arms transfers, including enhanced information-sharing to identify problematic patterns that may not be evident from a single State's perspective. Regarding possible support in the context of the ATT process, delegations mentioned experience-sharing and peer-learning. Mention was also made of the guidance tools already available. Some called for more transparency in States' decision-making. Others made the link with the ongoing development of a five-year strategy for the ATT, proposing the development of measurable indicators to track implementation, including incorporation of Treaty provisions into national law, establishment of risk assessment systems, documentation of decision-making processes, and identification of high-risk transfers requiring enhanced scrutiny.

Sub-working Group on Current and Emerging Implementation Issues

20. In accordance with the relevant CSP11 decisions, the Sub-working Group started in-depth discussions on challenges related to the scope of the Treaty and the establishment and maintenance of a national control list and continued its discussions on the role of industry in responsible international arms transfers, the risk of conventional arms being used for gender-based violence (GBV) and violence against women and children (VAWC) and developing or strengthening inter-agency cooperation. The Sub-working Group also considered the issues raised for an ad hoc discussions as described in the meeting working document.

Challenges related to the scope of the Treaty and the establishment and maintenance of a national control list

21. This item was added to the agenda following last year's structured discussion on scope and national control lists, which identified several issues requiring further in-depth consideration. The most pressing issue was the establishment and maintenance of national control lists, noting that many States Parties have yet to adopt a (comprehensive) national control list. Other operational and scope-related challenges included the handling of parts and components, enforcement constraints such as the identification of controlled items and the relationship between the ATT's scope and other instruments, as well as the implications of new technologies.

Challenges and potential good practices related to national control lists (including the regulation and handling of parts and components)

22. Under this sub-item, the Sub-working Group first received presentations from El Salvador, Côte d'Ivoire, Togo and Saferworld, who shared experiences to deepen understanding of related challenges and potential good practices. All three States Parties are in the process of establishing consolidated control list as part of a gradual process of normative alignment. Relevant steps mentioned include establishing a technical interinstitutional committee, organizing national workshops and developing a structured roadmap. Operational measures included adopting a flexible legal instrument to facilitate regular updates and training border officials. In this context, it was noted that the absence of a consolidated control list does not imply a lack of regulation, as existing laws on firearms, ammunition, explosives and counter-terrorism laws provide a legal basis for relevant controls. The three States agreed on the challenge of aligning national categories with those outlined in Article 2 (1) of the Treaty, noting the importance of technical expertise on classification and pragmatic State-specific approaches. They also valued the role of assistance providers and especially regional exchanges as key enablers of progress.

23. As an assistance provider, working inter alia with [the Gambia](#), Saferworld identified as recurring challenges limited awareness of legal gaps, competing legislative priorities, and sensitivities related to national security. It also experienced that existing legislation, predominantly focused on small arms and light weapons, often inadequately covers ATT implementation needs and that States

sometimes underestimate their relevance to the ATT by viewing themselves exclusively as importers, overlooking roles in transit, brokering, or emerging production. To address gaps, Saferworld underscores the significance of multi-stakeholder engagement and practical approaches, based on controlling items that should not move freely across borders. It recommends adopting established international control lists to ensure comprehensive, up-to-date controls across all types of transfers.

24. In the subsequent discussion, several States Parties described their approaches, many emphasizing the importance of a flexible instrument that can be updated efficiently. Substantively, delegations highlighted the significance of including parts and components to avoid implementation gaps. They also explained the implications of relevant multilateral frameworks in which they participate, including regional arrangements and informal regimes like the Wassenaar Arrangement. Several delegations underscored the value of common control lists, especially on the regional level, in facilitating cooperation and building confidence. Some delegations with comprehensive lists shared that they include specific sections covering ATT categories. Others, still developing their lists, welcomed the helpful exchanges and echoed challenges related to the alignment with ATT categories and the need for sustained technical expertise and interinstitutional cooperation.

Identification of controlled items in practice (and other enforcement constraints)

25. Unlike other sub-items, this topic was not yet substantively discussed as such and was only considered in the context of possible future work (see paragraphs 29-30 below).

The relationship between the ATT's scope and other instruments

26. Under this sub-item, the Sub-working Group responded to the calls from last year's meeting to remain informed of scope-related developments in other relevant forums dealing with conventional arms, and to consider the implications of new technologies.

27. For this meeting, focus was put on two instruments: i) the United Nations Register of Conventional Arms (UNROCA), in light of the [recent report of the Group of Governmental Experts \(GGE\)](#),; and ii) the Global Framework for Through-Life Conventional Ammunition Management (GFA), as a relatively new initiative with relevance for the regulation of ammunition transfers. To hear different perspectives, updates were provided by the United Kingdom, a UNROCA GGE member, and UNIDIR, which supports both processes. On UNROCA, the UK reported that the GGE examined four key areas. On unmanned systems, it reaffirmed that both manned and unmanned systems meeting category definitions should be included. On warships, evolving technologies were identified as a priority, as particularly smaller and unmanned maritime systems with advanced capabilities challenge thresholds and are currently not captured. On force projection and multiplier capabilities and ammunition, longstanding divisions remain, respectively on including enabling systems (e.g. refuelling and mine-laying platforms) and thresholds and exemptions for ground-to-air missiles. While no concrete outcomes were produced, continued monitoring remains important for coherence and relevance. UNIDIR presented the GFA as complementary to the ATT, addressing the full lifecycle management of ammunition and potentially strengthening ATT implementation, particularly as Article 11 of the ATT does not explicitly cover ammunition diversion. While the GFA does not define ammunition, existing technical guidelines support implementation. Ongoing work on voluntary guidance for ammunition supply chain security, including marking, tracing, and feedback loops from diversion cases into risk assessments, may also support ATT implementation. Finally, the GFA also includes a reporting requirement similar to the ATT initial report.

28. Delegations mostly focused on the complementarity among several existing international instruments on conventional arms and the importance of streamlining implementation and strengthening coordination to reduce duplication of efforts. Delegations highlighted regional frameworks, such as the [Nairobi Protocol on Small Arms and Light Weapons](#), currently under review, *inter alia* to better align with other international frameworks such as the ATT. Some delegations also

addressed emerging technologies, noting the growing relevance of dual-use technologies, the blurring of civilian and military applications and challenges posed by artificial intelligence. Others cautioned against overfocusing on emerging technologies, stressing that traditional challenges, in particular small arms and light weapons, as well as parts and components, remain priorities for many States.

Further work on scope and national control lists

29. Under this sub-item, delegations were invited to consider how the ATT process and international assistance could further support States Parties in addressing the identified issues. The Chair recalled the concrete suggestions in the meeting working document: i) further work on existing guidance in ATT guidance documents; ii) prioritizing the discussion on “enforcement arrangements” in the Sub-working Group on Exchange of National Implementation Practices, which could include addressing practical challenges such as identifying controlled items in practice, and re-engagement with actors such as the World Customs Organisation (WCO).and iii) drawing on the suggestion from last year’s introductory presentation to establish an informal group to consider these issues further.

30. Delegations addressed these suggestions under various sub-items. Many engaged with the possibility of further voluntary guidance on control lists, including practical examples, model lists and standardized templates. Others called for technical guidance for customs authorities and supported strengthened dialogue with the WCO as a practical avenue for enhancing controls. More generally, delegations called for continuing in-depth exchanges on the different issues. In relation to this, several expressed support for the creation of an informal group to advance technical discussions, while some indicated that more detailed information would be needed to assess its potential value and ensure it does not duplicate the work of the Working Group or exceeds its mandate.

The role of industry in responsible international arms transfers

31. The concrete topics on the role of industry under discussion are: i) human rights and IHL due diligence (“HRDD”) responsibilities of industry actors and ATT implementation; and ii) the integration of compliance with arms transfers control regulations in existing industry guidance.

Human rights and IHL due diligence responsibilities of industry actors and ATT implementation

32. The Facilitator recalled the discussions on this topic during the CSP10 and CSP11 cycles, as well as the request to continue discussing a list of reference materials for industry actors and possible draft elements, and their scope, for a voluntary guidance document. In this context, the Facilitator introduced his non-exhaustive outline of questions on aspects that could be addressed in possible voluntary guidance, contained in Appendix 1 of the meeting working document.

33. Following encouragement from CSP11, the ATT Secretariat reported on its continued outreach to industry actors and engagement with relevant international fora, noting sustained contacts through ATT-related meetings and broader disarmament discussions, and ongoing outreach efforts to encourage participation within its mandate and capacity. It highlighted persistent challenges in securing active industry involvement, particularly on exchanging corporate practices, and stressed the importance of diversifying interlocutors. It also recalled the role of States Parties in facilitating engagement with industry actors. The Secretariat further noted challenges in preparation for this meeting, including speaker cancellations and limited responses from potential contributors, including from related sectors such as communications and surveillance technologies. While regretting this, the Secretariat emphasized the importance of direct industry input on the topic under discussion. It reaffirmed its cooperation with relevant processes, particularly within the UN human rights system, and its commitment to continued engagement with other fora to support the Working Group’s objectives.

34. In line with the request to involve relevant international fora in the discussion on this topic, the Office of the UN High Commissioner for Human Rights (OHCHR) [presented](#) ongoing work within the UN system related to arms transfers and HRDD. Following an introduction to the UN human rights system, OHCHR outlined the [UN Guiding Principles on Business and Human Rights](#), structured around three pillars: the state duty to protect, the corporate responsibility to respect, and access to remedy. OHCHR stressed their applicability to the arms sector, noting that HRDD is an ongoing process, requiring assessment, mitigation, and communication of risks across the entire value chain, and that compliance with national law or export licensing does not replace the corporate responsibility to respect human rights. OHCHR further described the UN human rights system's engagement on arms transfers, including guidance by the [Working Group on Business and Human Rights](#) on "[Responsible business conduct in the arms sector](#)", [OHCHR tools for businesses and investors operating in conflict-affected contexts](#) and ongoing [Human Rights Council processes](#) addressing state regulation of industry actors, including transnational corporations and private military and security companies, and prevention of unlawful transfers. OHCHR emphasized complementarity between the ATT and the UN framework, noting that sector-specific guidance should be grounded in the Guiding Principles to ensure coherence. It concluded by reaffirming OHCHR's readiness to engage with ATT State Parties and the ATT Secretariat to support responsible arms transfers through collaboration between mandates and institutions to ensure that arms transfers and related private sector activities respect human rights.

35. In the Q&A session, delegations focused on the complementarity between the ongoing ATT and UN processes, how to ensure coherence, and on the potential for further informal and technical exchanges. In response, OHCHR reiterated that it is essential to draw any guidance on the Guiding Principles and that coherence can be ensured through continued consultation and cooperation.

36. In the subsequent discussion, delegations addressed the Chair's outline of questions, as well as HRDD responsibilities of industry actors more generally. Many reiterated that States have the primary responsibility to regulate arms transfers, while HRDD is as an autonomous responsibility of industry actors, in addition to their parallel obligation to comply with arms transfer laws and regulations.¹ Delegations also emphasized the critical role of industry actors in identifying compliance risks across transactions and the role of national legal frameworks for oversight and enforcement. Several reiterated support for strengthening industry's awareness and capacity on HRDD and for a "living" voluntary guidance document covering both State and industry measures. At the same time, certain reservations were expressed about the balance between State obligations and industry responsibilities and maintaining the alignment with existing international frameworks such as the UN Guiding Principles on Business and Human Rights and the [OECD Guidelines for Multinational Enterprises on Responsible Business Conduct](#) and the [OECD Due Diligence Guidance for Responsible Business Conduct](#). In this respect, any voluntary guidance should avoid duplication and not lower existing international standards. Some delegations also addressed aspects of the Chair's outline, speaking in favour of addressing the integration of HRDD in internal compliance programmes, risk identification, transaction monitoring, and information-sharing between governments and industry. Certain delegations further suggested to integrate gender perspectives.

The integration of compliance with arms transfers control regulations in existing industry guidance

37. Introducing this second topic, the Chair recalled that while logistical actors play a key role in the arms transfer chain, it has proven difficult to incorporate this issue in the programme of work. Delegations' views were therefore sought on the viability of a virtual consultation or exploring this topic within the discussion on "General regulation of actors involved in arms transfers" in the other Sub-working Group.

¹ Note that this was already one of the key takeaways from the initial discussions and presentations on HRDD, as reflected in [ATT/CSP11.WGETI/2025/CHAIR/808/LetterSubDocs](#).

38. A limited number of delegations explicitly addressed this topic and were cautiously supportive of a virtual consultation, acknowledging the relevance of engaging logistical actors. It was noted that the objectives, scope, and possible outcomes of such a consultation would need to be clearly defined.

The risk of conventional arms being used for GBV or VAWC

39. In recognition of the [CSP11 decision on the establishment of ATT Gender Focal Points \(GFPs\)](#), developed in the WGETI, the Chair opened this item by giving the newly appointed GFPs (Mexico, Spain and Togo) the opportunity to present their initial workplan. In their [presentation](#), the GFPs emphasized their mandate to promote systematic integration of gender perspectives across ATT processes and their aim to coordinate without creating new structures while promoting human rights-based implementation. Proposed actions include establishing an information hub on gender and the ATT, adopting a code of conduct to prevent harassment and discrimination, strengthening gender-responsive criteria in funding mechanisms, systematically integrating gender into ATT processes, promoting Treaty universalization through engagement with parliamentarians and civil society, facilitate implementation via practical guidance and peer-to-peer exchanges, encouraging voluntary GBV-related reporting, and enhancing coordination across disarmament, human rights, youth and peace and security agendas. On all these actions, the GFPs invited delegations' feedback and collaboration.

40. In response, delegations welcomed the workplan and the practical and comprehensive approach to strengthening gender-responsive implementation, which could also be integrated in the anticipated five-year strategy for the ATT. Delegations also emphasized the importance of broader engagement beyond the implementation of Article 7(4), stronger regional linkages, and collaboration with women's networks and parliamentarians.

41. Following the GFP's presentation, the Chair introduced the proposed additional guidance on the implementation of Article 7 (4) of the Treaty (Appendices 2 and 3 of the meeting working document), developed upon request of CSP11 for possible integration in the Voluntary Guide on Implementing Articles 6 & 7. The proposed additional guidance is a slightly revised version of the flowchart outlining steps for applying Article 7 (4), that was presented in last year's meeting and deemed useful as a supplement to existing guidance. The revisions were made to ensure closer alignment with the Treaty text and the Voluntary Guide, and include amendments proposed by France to that end, submitted following circulation of WGETI documentation in February.

42. The proposal received broad support as a useful practical tool to operationalize GBV risk assessments in arms export decisions. Several delegations also welcomed the amendments suggested by France, with some suggesting further refinements. More generally, delegations highlighted the importance of integrating the GBV and VAWC risk assessment into the broader export risk assessment process and mentioned practical challenges, including access to reliable data (e.g. on linking arms transfers to GBV) and the operationalization of certain steps such as identifying adequate mitigating measures. In this respect, examples could be useful.

Developing or strengthening inter-agency cooperation

43. The Chair introduced this item as the priority theme of CSP10 and recalled the CSP11 request to discuss useful elements for integration in the Voluntary Basic Guide to Establishing a National Control System (NCS) and, where relevant, other voluntary guidance documents. The Chair sought delegations' views on his suggested approach to: i) consider possible guidance on inter-agency cooperation when key elements of a NCS are discussed in the Working Group, and ii) integrate a common set of possible steps and questions, contained in Appendix 4 of the meeting working document, into the Voluntary Basic Guide as a basic framework to support national efforts.

44. In response, delegations broadly supported the proposed approach, noting the practical value of the step-by-step framework as a reference tool and emphasizing that any further guidance should remain practical, flexible, and adaptable to national contexts. Future work should also draw on national experiences and remain coherent with the broader programme of work. In general, delegations reiterated the importance of coordination among authorities responsible for licensing, law enforcement, and regulatory oversight.

Ad hoc discussions

45. As described in the working document for the Sub-working Group's meeting, following the CSP12 President's invitation of 4 December 2025 to raise current and emerging implementation issues for an ad hoc discussion,² the following issues were raised:

- maritime security and the ATT, raised by Small Arms Survey;
- risk assessment of arms exports to Sudan, raised by Maat for Peace, Development, and Human Rights; and
- implementation of Article 7 (7) on the reassessment of granted authorizations, raised by Control Arms.

Maritime security and the ATT

46. Small Arms Survey, in collaboration with Panama and UNIDIR, raised maritime security as an under-addressed issue despite its relevance under Articles 6, 7, 9 and 11 of the Treaty. They [presented](#) challenges, including uncrewed maritime systems currently outside the ATT's scope, illicit conversion of non-lethal firearms shipped by sea, diversion during trans-shipment, floating armouries, and private maritime security actors. Possible questions for the Working Group include: i) maritime security-related threats in risk assessment; ii) good practices in identifying and mitigating diversion risks during transit and transshipment by sea; iii) relevant maritime actors for inter-agency cooperation; and iv) capacity-building, technical assistance and regional cooperation needs.

47. The debate acknowledged the link between maritime security and ATT implementation, focusing on the diversion risks through maritime channels, particularly by armed groups and transnational criminal organisations. Delegations highlighted the need for coordination among customs, port authorities, security forces, and intelligence services, as well as technology-driven inspections and raised capacity challenges, calling for more cooperation and information-sharing.

Risk assessment of arms exports to Sudan

48. Maat for Peace, Development, and Human Rights raised this issue to address the human rights violations and severe humanitarian crisis in Sudan (and its region), exacerbated by the flow of arms to the parties to the conflict, particularly armed groups. Maat called for stricter implementation of Articles 7 and 11 of the Treaty, stronger risk assessments, enhanced end-user verification, international cooperation, and civil society engagement to prevent weapons from reaching armed actors who commit atrocities against civilians.

49. Following this introduction, several delegations expressed concern over the severe humanitarian and regional security impact of the conflict in Sudan. Delegations called for compliance with the applicable UN arms embargo and responsible arms transfer policies, while some shared their practices related to investigating concerns about diversion of arms.

² See the relevant instruction in the CSP9 decision on the WGETI configuration and substance ([ATT/CSP9.WGETI/2023/CHAIR/767/Conf.Rep](#); Annex D). Also see paragraph 25 (j) of the CSP11 Final Report ([ATT/CSP11/2025/SEC/834/Conf.FinRep/Rev.](#)).

Implementation of Article 7 (7) on the reassessment of granted authorizations

50. Control Arms raised the issue of the practical application of the Treaty provision in Article 7 (7), encouraging States Parties to reassess granted export authorizations when they become aware of new relevant information (after consultations, if appropriate, with the importing State). It emphasized that Treaty obligations do not end once a transfer decision or contract is made. The provision was described as normative and legally significant, not optional, and to be applied in good faith alongside broader principles of IHL, human rights, and State responsibility for internationally wrongful acts, and as reflecting the Treaty's preventive purpose to ensure arms transfers do not contribute to human suffering or violations of international law. It was also put forward that the practice of open-ended authorizations is inconsistent with the relevant provision. Using the armed conflicts in Sudan as a case study, Control Arms further underscored the need for to reassess granted authorizations to prevent diversion to parties to the conflict.

51. There were no further interventions on this issue.

CONCLUSIONS AND WAY FORWARD AFTER 16-18 MARCH 2026 WGETI MEETING

52. Concerning the **structured discussions on brokering and risk assessment**, the Chair considers that both the presentations and discussions demonstrated the value of sharing national practices, challenges and cooperation opportunities for cooperation, including identifying areas for further discussion and/or assistance. With regard to brokering, it is clear that illicit brokering is a significant issue while regulation and enforcement remain complex. Calls were made for continued dialogue as the discussion illustrated diverse national approaches to implementation. In that respect, delegations could consider whether to pursue further work on this topic, taking into account the already extensive WGETI agenda. In this context, it is noted that certain relevant aspects will be addressed in the anticipated discussions on "enforcement arrangements" and "general regulation of actors involved in arms transfers" (see paragraphs 37 and 56). With regard to risk assessment, there appears to be broad agreement that the application of Articles 6 & 7 is at the core of Treaty implementation and could therefore be subject of regular discussions.

53. Concerning **challenges related to the scope of the Treaty and national control lists**, the Chair firstly recognizes notable interest in further examining challenges and issues related to national control lists and possible additional guidance on the topic. Furthermore, discussions demonstrated that such challenges are closely linked to broader challenges related to the Treaty's scope, where the ATT process could contribute to providing clarification. In this context, several delegations acknowledged that the suggested informal group could be relevant. At the same time, the Chair is aware that there are some open questions about the role of such group. In order to allow sufficient time for an in-depth discussion on its potential mandate and working methods, the Chair considers it appropriate to defer this matter to the next WGETI meeting. A draft recommendation to this end is set out below, including this element alongside the general request for the WGETI to continue its discussions on the identified issues relating to scope and national control lists.

54. On the identification of controlled items and enforcement constraints more broadly, the Chair particularly notes significant support for re-engagement with the WCO, which could happen as part of the structured discussion on "enforcement arrangements", as suggested. On the relationship with other instruments and new technologies, the Chair noted appreciation for the updates on work within UNROCA and GFA and considers it sensible to continue monitoring the work regarding these and other relevant instruments. While the Chair recognizes some interventions on the importance of dual-use technologies in this context, it should be recalled that the ATT applies to conventional arms.

55. Concerning the **role of industry in responsible international arms transfers**, the Chair notes that, while a clear majority supports advancing voluntary guidance regarding HRDD, consensus has

not yet been fully reached. Some reservations remain concerning the principle, scope and methodology. In response to certain concerns expressed, it should nevertheless be clear that the coherence or alignment of possible guidance with relevant international standards, as well as the involvement of all relevant actors, have been key premises of this discussion from the outset. Notwithstanding this, the Chair believes that the objective of the discussion to demarcate the scope of possible elements has not yet been fully reached and that further input from States Parties and other stakeholders is needed before potentially progressing to effectively developing guidance. In this regard, the Chair shares the concerns about the limited participation of industry actors in the debate. It is therefore proposed to recommend further consultations, aimed at ensuring a balanced and operational approach. These could be coordinated by the ATT Secretariat, involving engaged States Parties and relevant stakeholders, with the objective of preparing a concrete framework for discussion in the next cycle. These consultations could be further informed by a call for inputs taking forward the existing outline of questions.

56. Regarding the potential virtual consultation with logistical actors and relevant organisations, the Chair recognizes the few interventions on this topic and considers that the original intent requires clarification, as this was distinct from the discussion on HRDD. The focus here is on logistical actors' general awareness of arms transfers control regulations and how this topic is addressed in awareness-raising and training programs/documentation³ of relevant industry trade and international organisations regarding actors such as carriers, freight forwarders, shipping agents and customs service providers. This issue was included in response to a signalled lack of awareness and absence of targeted guidance. In light of the recommendation to discuss the topic "general regulation of actors involved in arms transfers" in the next session, it is suggested that the CSP13 WGETI Chair and the ATT Secretariat explore how a virtual consultation could potentially supplement that discussion.

57. Concerning the **risk of conventional arms being used for GBV or VAWC**, the Chair observed general consensus on the principle and text of the proposed additional guidance to the Voluntary Guide to Implementing Articles 6 & 7, as well as on the suggested amendments, while acknowledging proposals for further improvement. Where appropriate, proposals have been incorporated in the texts, which are submitted for delegations' consideration as Annexes 1 and 2 to this draft report.⁴ It is further noted that where proposals pertain to guidance already included in the Voluntary Guide, reference is made to the relevant paragraphs. In addition, upon integration of the additional guidance the ATT Secretariat will include, as applicable, hyperlinks to the corresponding sections of the Voluntary Guide. The Chair also recalls that, following this process, the ATT Secretariat will compile all the sections of the Voluntary Guide identified for integration into the GBV fact sheet, as requested for issuance by CSP11.

58. Regarding the way forward on this topic, the Chair recalls that the Working Group specifically focused on GBV and VAWC risks over the past cycles under the broader item on Articles 6 & 7 due to the discussions on possible additional guidance. Following its endorsement, the focus under this item could broaden again to other issues, also considering gender should be a cross-cutting consideration in all discussions. In that respect, States Parties could express their priorities, while noting that discussions in both Sub-working Groups identified possible issues for further reflection, including the risk of arms being used for transnational organized crime, which was mentioned as underexplored.

³ These are the instruments which in the guiding questions for the meeting were confusingly referred to as into "international security instruments", due to the fact that such programs/documentation often deal with international security issues. This was thus not meant as a reference to international agreements relating to international security.

⁴ It is noted that, following the conclusion of the Sub-Working Group's meeting, no further amendments were submitted.

59. Concerning **developing or strengthening inter-agency cooperation**, the Chair concluded from the limited interventions that delegations agree with the proposed approach to integrate the proposed set of possible steps and questions in the Voluntary Basic Guide and to consider possible guidance on inter-agency cooperation when key elements of a NCS are discussed in the Working Group. The proposed guidance is submitted as [Annex 3](#) for delegations' consideration without amendment. Going forward, it appears appropriate to consider IAC within a broader item that allows examination of the identified key elements of establishing a NCS and regulating the different transfers within the Treaty's scope.

60. Concerning **ad hoc discussions**, the Chair welcomes the concrete and practical issues raised as well as the engagement on certain issues, particularly on maritime security. Given this interest, delegations may consider a recommendation encouraging the Sub-working Group to address maritime security-related aspects of the topics under discussion. More generally, while noting some recurring concerns about non-States Parties raising issues under this mechanism, the Chair considers it important to continue adhering to the instruction to the WGETI Chair in the relevant CSP9 decision to invite States Parties and other stakeholders to raise current and emerging implementation issues for an ad hoc discussion, particularly practical issues that provide a challenge on the national level.

WGETI BRIEFING DURING 27-28 MAY 2026 CSP12 INFORMAL PREPARATORY MEETING

61. During the CSP12 Informal Preparatory meeting, on 27 May 2026, the Chair presented the draft report and recommendations. In response, delegations welcomed the draft report and generally viewed the recommendations as a positive reflection of the Working Group's discussions, while identifying some areas requiring clarification and prioritization.

62. Concerning the **structured discussions on brokering**, delegations noted that illicit brokering remains a significant challenge and supported further examination of regulatory frameworks, enforcement arrangements, and the role of intermediary actors involved in arms transfers. In response to indications that a significant number of States Parties have not yet done so, it was also suggested for the Conference to explicitly call on States Parties to implement brokering controls as part of their national control system.

63. Concerning **scope and national control lists**, interventions confirmed broad support for continuing discussions on the issues currently under consideration. Delegations particularly recognized the relevance of technical exchanges on national control lists, as well as on parts and components, and the potential benefits of exploring voluntary guidance and convergence, taking into account existing regional and multilateral practices. Several delegations also supported engagement and coordination with relevant international organizations, including the World Customs Organization, in order to benefit from existing expertise and promote greater consistency in implementation and enforcement efforts. In this context, there was also a call for greater participation by technical experts to ensure discussions remain practical and implementation-oriented.

64. The element generating most debate concerned the possibility of creating an informal group on scope and national control lists operating under the authority of the WGETI. A number of delegations more broadly addressed the expanding programme of work of the Working Group and the need to take due account of the implications of new initiatives with regard to mandate, resources and volume of work. Referring to the development of the Treaty's five-year strategy, they emphasized the importance of prioritization, sequencing, and coherence across the ATT institutional framework. With regard to the informal group, these delegations underscored the need to carefully consider potential duplication of efforts and a possible loss of depth in participation. Other delegations expressed support for an informal group as originally presented, technical in nature, with tasks including

reviewing (publicly available) national control lists and developing general recommendations for the Working Group.

65. On this topic, the Chair acknowledged during the meeting that the Working Group's agenda includes a wide range of issues, stretching the limits of what can reasonably be covered in a single session. Strategic prioritisation and sequencing of issues are therefore essential. While the work of the Working Group will continue to be guided by the multi-year work plan and the tasks assigned by the Conference, States Parties need to take due account of which issues can realistically be advanced and how best to sequence the Working Group's work to ensure that its agenda remains manageable and aligned with the process' broader objectives. The draft recommendations sought to reflect that approach to the extent possible. With regard to the possible informal group on scope and national control lists, the Chair recognized the interventions expressing support and those calling for careful consideration of potential implications. In this regard, the Chair underscored that the draft report had intentionally adopted cautious language in order to accommodate differing views, preserving space for future consideration while taking due account of the concerns expressed by a number of States Parties. As no specific proposals were made to amend the related draft recommendation, the Chair considers that delegations may be in a position to agree to the deferral of this matter to the next meeting of the Working Group.

66. Concerning the **role of industry in responsible international arms transfers**, delegations highlighted the important role of industry in supporting responsible transfer practices and compliance efforts, while emphasizing States' primary responsibility for regulating arms transfers and implementing ATT obligations. With regard to possible voluntary guidance regarding HRDD, several delegations supported continued work, while a number of delegations called for greater clarity regarding the objectives and the scope. Some delegations also reiterated the importance of complementarity with existing international frameworks, particularly the UN Guiding Principles on Business and Human Rights, and continued cooperation with the Office of the High Commissioner for Human Rights, including with respect to awareness-raising. Separate from the topic of HRDD, delegations highlighted the importance of addressing the role of logistical and transport service providers, including maritime transport actors, welcoming the draft recommendation to that end.

67. In light of these inputs, the Chair considers that interventions confirm his interim conclusion that further consultations about possible voluntary guidance regarding HRDD are necessary to ensure a balanced and operational approach. Noting that no specific proposals were made to amend the relevant draft recommendation, the Chair considers that the current wording is sufficiently flexible and allows discussions to proceed without pre-empting their outcome, by focusing initially on a possible framework that will further clarify the scope of future work.

68. Regarding the **risk of conventional arms being used for GBV or VAWC**, interventions confirmed broad support for the proposed additional guidance to the Voluntary Guide to Implementing Articles 6 & 7, including the amendments incorporated following the Working Group meeting in March. Support was also expressed for the work of Gender Focal Points and for initiatives aimed at improving dissemination of guidance materials and strengthening understanding of GBV-related obligations. Delegations further supported continued work on the implementation of Articles 6 and 7 of the Treaty, including through exchanging national practices relating to risk assessment and decision-making. Some delegations also reiterated the reference to transnational organized crime in this context. In response, a reference to the relevant Treaty provision has been included in the related recommendation below.

69. Some delegations also confirmed support for the proposed possible elements for **developing or strengthening inter-agency cooperation** as a practical tool for enhancing national coordination, as well as for continued consideration of inter-agency cooperation as a cross-cutting issue.

70. Regarding ad hoc discussions and the resulting draft recommendation relating to **maritime security**, several delegations welcomed attention to this topic, noting its links with other issues, including diversion and transnational organized crime. A number of delegations questioned the objectives and scope of discussions in this area and emphasized the importance of ensuring that any future work remains closely linked to the Treaty's implementation objectives and provides clear practical value for States Parties.

71. In light of these inputs, and mindful of the broad range of topics already under discussion, the Chair notes that the relevant recommendation does not envisage maritime security as a stand-alone topic, but rather as a cross-cutting issue to be considered throughout discussions, “where applicable and appropriate”, wording that was added to further address the concerns expressed. In this regard, the Chair recognizes, for example, calls to include maritime transport actors in the anticipated discussions on “General regulation of actors involved in arms transfers” and “Enforcement arrangements” and has therefore included an explicit reference in the relevant recommendation.

WGETI DRAFT RECOMMENDATIONS FOR CSP12

72. Based on the above and considering the work undertaken by the WGETI to fulfil its mandate for the period between CSP11 and CSP12, the Working Group recommends that CSP12:

- a. *Recognizes the significant role that illicit brokering activities can play in facilitating the illicit trade in conventional arms, and calls on all States Parties to take effective measures to regulate brokering taking place under its jurisdiction, in accordance with Article 10 of the Treaty;*
- b. *Mandates the Sub-working Group on Exchange of National Implementation Practices to consider the topics of “General regulation of actors involved in arms transfers” and “Enforcement arrangements” in its CSP13 WGETI meeting and requests the Sub-working Group, as far as feasible, to involve relevant logistical actors, including maritime transport actors, and concerned organisations in these discussions;*
- c. *Requests the Sub-working group on Current and Emerging Implementation Issues to continue its discussions on the identified issues relating to scope and national control lists, as well as the potential utility of an informal group to advance these discussions, taking into account existing multilateral regimes and their control lists;*
- d. *Requests the Sub-working group, as part of its deliberations on the role of industry, to continue its consideration of a list of reference materials and possible voluntary guidance linking human rights and IHL due diligence by industry actors and ATT implementation and calls for consultations, to be coordinated by the ATT Secretariat, among engaged States Parties and relevant stakeholders, with the objective of preparing a framework of possible draft elements for discussion in the Sub-working group, taking into account relevant work undertaken in other relevant fora;*
- e. *Endorses the proposed additional guidance on the implementation of Article 7 (4) of the Treaty, as contained in Annexes 1 and 2 to the Chair’s report, to be integrated in the relevant sections of the Voluntary Guide on Implementing Articles 6 & 7 of the ATT;*

- f. Encourages the Sub-working Group to continue addressing issues concerning the application of Articles 6 & 7, including Article 7 (1)(iv), and invites States Parties to raise relevant issues in this regard;*
- g. Endorses the proposed possible elements for developing or strengthening inter-agency cooperation, as contained in [Annex 3](#) to the Chair's report, for integration into the Voluntary Basic Guide to Establishing a National Control System;*
- h. Requests the Sub-working group to give specific attention to inter-agency cooperation in its discussions on key elements of establishing a national control system and regulating the different transfers within the Treaty's scope;*
- i. Encourages consideration of maritime security-related aspects of the topics under discussion in the Sub-working Group, where applicable and appropriate.*
- j. Invites States Parties and other stakeholders to raise other issues providing challenges in the practical implementation of the Treaty at the national level for an ad hoc discussion in the WGETI in accordance with the relevant CSP9 decision.*

ANNEX 1

PROPOSED ADDITIONAL GUIDANCE ON THE IMPLEMENTATION OF ARTICLE 7 (4) OF THE TREATY FOR INTEGRATION IN THE VOLUNTARY GUIDE ON IMPLEMENTING ARTICLES 6 & 7 OF THE ATT

Background notes

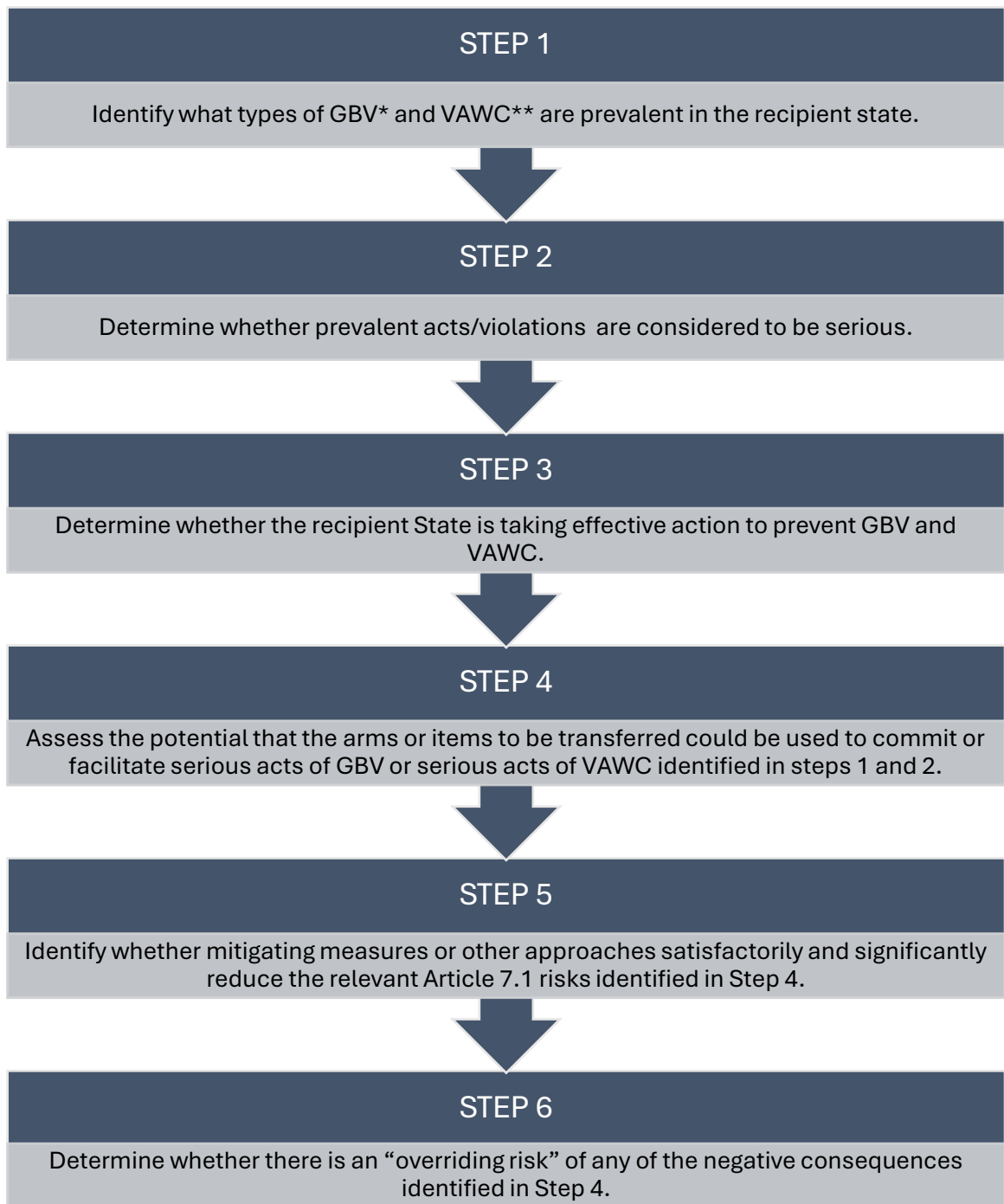
The flowchart below is a slightly revised version of that included in [Control Arms' presentation on "Guidance on the Implementation of ATT Article 7\(4\)"](#) during the meeting of the WGETI Sub-working Group on Current and Emerging Implementation Issues on 26 February 2025. Control Arms delivered this presentation on invitation of the WGETI Chair as one of the advocates for developing voluntary guidance and/or good practices guide for GBV risk assessments. Control Arms prepared a proposal to complement the current guidance on Article 7 (4) in the Voluntary Guide to Implementing Articles 6 & 7, which concerns the following sections:

- Paragraphs 26-35 and boxes 1 and 2 in Chapter 1 (Key Concepts), on the key concept of *"serious acts of gender-based violence (GBV) or serious acts of violence against women and children (VAWC)"*;
- Paragraphs 104-108 and box 3 in Chapter 3 (Export and Export Assessment), on how States Parties conduct the risk assessment under Article 7 substantively regarding GBV and VAWC; and
- Paragraphs 129-135 and box 7 in Chapter 3, on measures to mitigate the risk of GBV and VAWC.

The proposed integration of the flowchart into the relevant sections of the Voluntary Guide responds directly to the request made by CSP11.

Initial amendments to the flowchart reflected the comments in the WGETI Chair's Report to CSP11, noting that contrary to the steps in the original flowchart, Article 7 requires the determination of an "overriding risk" of any of the negative consequences in Article 7 (1) to be done *after* the consideration of possible mitigating measures, not before. To align the flowchart with the Treaty, in step four "determine whether there is an overriding risk" has been revised to "assess the potential" and a sixth step has been added to place the determination of an overriding risk in its correct sequence. Additionally, references to "violence against women (and girls)" were revised to "violence against women and children" and the term "serious acts" was standardized to reflect Treaty language. Further amendments were made following discussions about the flowchart during the Sub-working Group's meeting of 17-18 March 2026.

Regarding integration into the Voluntary Guide to Implementing Articles 6 & 7, it is noted that paragraph 108 of the Guide already refers to possible further discussions and the development of dedicated voluntary guidance. Accordingly, it is proposed to amend paragraph 108, as well as paragraph 135, to reflect the discussions and decisions on additional guidance, and to include the flowchart as an Annex B to the Guide. The proposed minor amendments to paragraphs 108 and 135 are included in [Annex 2](#) of this draft report.

Flowchart

* GBV = gender-based violence

** VAWC = violence against women and children

Step-by-step comments**STEP 1**

Identify what types of GBV and VAWC are prevalent in the recipient state.

- Δ Licensing officials must remain alert to changes in the nature of GBV and VAWC within countries.
 - GBV includes both sexual violence and acts committed due to sex and/or socially constructed gender roles.
- Δ WGETI Reports emphasize the broad scope of GBV and VAWC.

STEP 2

Determine whether prevalent acts/violations are considered to be serious.

- Δ Assess whether the violation is serious based on its gravity and the extent of harm to victims, through a careful, case-by-case and holistic assessment.
- Δ Some States Parties may consider violations serious if they are widespread and systematic.
 - Serious harm can also happen to a smaller number of victims.

STEP 3

Determine whether the recipient State is taking effective action to prevent GBV and VAWC.

- Δ ICRC recommends that exporting states consider whether the recipient State has complied with obligations under international law, and what steps has it taken to prevent, end or punish serious violations of GBV and VAWC.
Potential questions to consider:
 - Does the recipient have laws to address these violations?
 - Are violations adequately punished?
 - Have military, security, and police forces received training on preventing GBV and VAWC?

STEP 4

Assess the potential that the arms or items to be transferred could be used to commit or facilitate serious acts of GBV or serious acts of VAWC identified in steps 1 and 2.

- Δ The use of a weapon to “commit or facilitate” a human rights violation can encompass a wide range of acts, including actions taken by non-state actors
 - “facilitate” includes situations where arms may make human rights violations easier, even if the arms/items transferred are not directly involved.
 - Example: the mere presence of a weapon can intimidate vulnerable groups increasing the risk of violations.

STEP 5

Identify whether mitigating measures or other approaches satisfactorily and significantly reduce the relevant Article 7.1 risks identified in step 4.

- Δ GBV and VAWC and girls often represent long-term, entrenched issues, making short-term mitigation measures challenging.
- Δ For examples, see paragraphs 129-135 in Chapter 3 of the Voluntary Guide.

STEP 6

Determine whether there is an "overriding risk of any of the negative consequences identified in step 4.

- Δ If the exporting State party determines that there is an “overriding risk”, the exporting State party shall not authorize the export.

ANNEX 2

**PROPOSED AMENDMENTS TO THE SECTIONS OF THE VOLUNTARY GUIDE TO
IMPLEMENTING ARTICLES 6 & 7 OF THE ATT WHICH ADDRESS THE IMPLEMENTATION OF
ARTICLE 7 (4)**

Below are the proposed minor amendments to the sections of the Voluntary Guide to Implementing Articles 6 & 7 which directly address the implementation of Article 7 (4).¹

104. Going forward, CSP9 encouraged States Parties to keep the risk of conventional arms being used to commit or facilitate serious acts of GBV or serious acts of violence against women and children as an important topic of attention and to initiate the discussion and exchange of information and good practices on this topic in the CSP10 cycle. In that respect, the Conference also took note of the working papers presented on this topic by [Argentina](#) and by [Mexico, and Spain supported by Small Arms Survey](#). Based on further discussions in the CSP10 and CSP11 cycles, including [a presentation by Control Arms on “Guidance on the Implementation of ATT Article 7\(4\)”](#) during the CSP11 WGETI meeting, States Parties agreed to complement the existing guidance on Article 7 (4) in this Voluntary Guide with a flowchart applying the export assessment in Article 7 (1)-(3) to GBV and violence against women and children. The flowchart is included in Annex B of this Voluntary Guide and outlines steps for States to undertake in conducting the GBV export assessment as well as guidance on each step.

135. The [Argentina working paper](#), finally, is mentioned in this Chapter following its presentation in the session about mitigating measures, even though it does not contain national practices regarding mitigating measures itself. The working paper proposes a good practice guide that would provide States Parties with the necessary tools to carry out effective risk assessments of exports of small and light weapons ammunition and parts and components. Like the Small Arms Survey presentation, the proposal focuses on processes, policies and data-gathering in the recipient State and therefore includes a questionnaire about States Parties’ practices in that domain. In response to the proposal, reference was made to existing guidance of ATT stakeholders that could be taken into account in this process.² As explained in paragraph 108, further discussions in the CSP10 and CSP11 cycles led to the integration of the flowchart in Annex B.

¹ As noted, the sections directly addressing the implementation of Article 7 (4) concern paragraphs 26–35 and Boxes 1 and 2 of Chapter 1, addressing the key concept of “serious acts of gender-based violence or serious acts of violence against women and children”; as well as paragraphs 104–108 and 129–135, together with Boxes 3 and 7 of Chapter 3, which respectively address how States Parties conduct the risk assessment under Article 7 substantively regarding GBV and VAWC and with measures to mitigate the risk of GBV and VAWC.

² Concretely mention was made of: Control Arms, [“How to use the Arms Trade Treaty to address Gender-Based Violence: A Practical Guide for Risk Assessment”](#), 2022; Control Arms, [“ATT Gender Action Plan: Operationalizing CSP5 Decisions on Gender and Gender-based Violence”](#), 2022; Women’s International League for Peace and Freedom (WILPF), [“Preventing gender-based violence through arms control: tools and guidelines to implement the Arms Trade Treaty and UN Programme of Action”](#), 2016, and [“Preventing Gender-Based Violence through Effective Arms Trade Treaty Implementation”](#), 2017.

ANNEX 3**POSSIBLE STEPS AND QUESTIONS FOR WHEN DEVELOPING OR STRENGTHENING INTER-AGENCY COOPERATION (IAC)****STEP 1****Assessing IAC needs and establishing a process to develop and adopt IAC (including sensitization of political actors and other decision-makers)**

- Δ Which ministries, departments, agencies or other entities should be involved in the IAC development or strengthening process?
- Δ Which entity will lead the process and how will decision-making be organized?
- Δ Will a needs assessment be conducted?
- Δ Will stakeholder consultations be undertaken?
- Δ Will a roadmap with clear milestones and timelines be developed?
- Δ Is there political support from relevant political actors and other decision-makers for the IAC process?

STEP 2**Identifying relevant entities**

- Δ Which ministries, departments, agencies or other entities can contribute concrete and meaningful operational experience, expertise and / or information?
- Δ Can existing structures or coordination mechanisms be leveraged?
- Δ Will oversight bodies and / or external stakeholders have a role?

STEP 3**Defining mandates, roles, responsibilities and processes (and involvement ATT National Point(s) of Contact)**

- Δ How will clear mandates be developed?
Which entity will be responsible for which tasks or workstreams and which concrete outputs will be expected? How will decision-making be organized? Which entities will participate in which decisions and at what level? Will decision-making be consensus-based and how will disagreements be addressed?
- Δ Which tools and information sources will be made available to relevant entities?
- Δ Which standards, processes, templates and guidance will be developed to ensure the comprehensive, consistent and compliant fulfilment of assigned responsibilities?
- Δ How will an expertise- and competence-based allocation of tasks among staff be ensured?
- Δ How will the ATT National Point(s) of Contact be integrated into the workflow?

- Δ How will accountability of the relevant entities be ensured?

STEP 4

Designating or establishing a lead entity and/or committee

- Δ Which entity is best placed to coordinate the overall process?
- Δ Will coordination be led by single entity or a coordinating committee?
- Δ What will the role of the coordinator entail, including in decision-making?

STEP 5

Establishing arrangements / mechanisms for coordination, operational cooperation and information processing and exchange

- Δ How will coordination be conducted (systematic, ad hoc; formal, informal)?
- Δ How will contact points within the relevant entities be maintained kept up-to-date?
- Δ How will urgent coordination, joint operations, and decision-making needs be addressed?
- Δ What protocols will be applied to joint actions?
- Δ How will relevant information be collected and stored (e.g. shared databases)?
- Δ How will sensitive or classified information be handled?
- Δ Which communication channels will be used?

STEP 6

Allocating resources and providing contingency measures

- Δ What human, financial and technical resources will be required to implement steps 2 to 5, and are these resources available within the relevant entities?
- Δ What IT and back-up arrangements will need to be developed or improved?
- Δ Will contingency plans for crisis situations be developed? Are tools and expertise for responding to crisis situations available?
- Δ How will staff shortages, absences and turnover be managed? How will institutional memory be preserved and maintained?

STEP 7

Formalizing agreements in legislative and/or regulatory framework

- Δ Do any specific legislative or regulatory instruments need to be adopted or amended to carry out steps 2 to 6?

STEP 8

Elaborating agreements in Standard Operating Procedures (SOP) and/ or Memoranda Of Understanding (MoUs)

- Δ Which processes, joint actions and information exchanges will require MoUs between relevant entities?
- Δ Which processes, joint actions and information exchanges will benefit from SOPs, including workflows and timelines?
- Δ How will such MoUs or SOPs be developed and adopted? And by whom?

STEP 9

Training of relevant staff

- Δ Which staff members will require training and on which topics?
- Δ Which competencies will need to be developed or strengthened?

STEP 10

Regularly reviewing agreements

- Δ How will the implementation of steps 2-9 be assessed and reviewed?
- Δ Will processes and arrangements be subject to audit?
- Δ How will lessons learnt be captured and applied?
- Δ How will MoUs and SOPs be reviewed and updated?
