

TERMS OF REFERENCE FOR THE WORKING GROUP ON EFFECTIVE TREATY IMPLEMENTATION¹

1. During the last Working Group on Effective Treaty Implementation (WGETI) meeting of 29 May 2017 forming part of the final CSP3 informal preparatory meeting, the WGETI Co-chairs presented a discussion paper on the future work of the WGETI. On the understanding that Treaty implementation is a long term process, the paper presented suggestions on how Treaty implementation discussions could be carried forward in the period beyond the Third Conference of States Parties. The paper further put forward proposals on the formalisation of the mechanism to facilitate the Treaty implementation discussion.

2. Rule 42 (2) of the ATT Rules of Procedure provides that ‘the Conference shall determine the matters to be considered by each subsidiary body, including its mandate, officers, composition, size, duration and budgetary issues and may authorise the President to make appropriate adjustments in the allocation of work’. In line with these procedural requirements, the following terms of reference are proposed for the establishment of the standing Working Group on Effective Treaty Implementation.

Mandate

3. The Working Group shall 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. The Working Group shall undertake tasks set by the Conference of States Parties. The Group shall prepare materials and proposals for consideration by the Conference of States Parties, including direction on practical national Treaty implementation and recommendations on priorities for further work.

¹ Annex A of the Ad Hoc ATT Working Group on Effective Treaty Implementation Co-chairs’ Draft Report to CSP3 (ATT/CSP3.WGETI/2017/CHAIR/158/Conf.Rep).

Composition and Membership

5. The Chair(s) of the Working Group shall be appointed by the President of the CSP for a period until the conclusion of the following CSP.
6. Meetings of the Working Group shall be public.
7. At the request of one or more States Parties, on an exceptional basis, and in accordance with Rule 43, a particular session or part of a session of the Working Group may be limited to States Parties and Signatory States only. Experts may be invited to attend such a session or part of a session, pursuant to Rule 42.2 of the Rules of Procedure.

Working Method

8. The standing Working Group shall operate in accordance with the ATT Rules of Procedures with particular reference to Rule 42 and 43.
9. The Working Group shall as a rule hold its meetings in Geneva, where the meetings can be supported by the Secretariat of the Treaty. When possible, the Working Group shall hold its meetings back to back with other ATT meetings for cost saving purposes and to ensure maximum participation.
10. Consultation on any documentation submitted to or under consideration/development by the Working Group shall be conducted by its Chair(s) by posting it on the ATT website and circulation by email, in addition to any consultation held during the Group's meetings, to ensure maximum participation in the work of the Working Group. Material that is related to a topic that is treated by the Working Group in closed session should be posted to the website's restricted area and circulated among States Parties only.

Budgetary Implications

11. Direct meetings costs, such as for technical support, documentation, and any translation and/or interpretation services, shall be covered by the resources allocated for the conduct of meetings in the budget of the Conference of States Parties as well as any voluntary contributions that are made available for this purpose. Indirect meeting costs, such as travel and accommodation, shall be borne by participants except to the extent that sponsorship funding is available.
