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Arms Trade Treaty  
7<sup>th</sup> Conference of States Parties  
Geneva, 31 August 2021  
**Agenda Point 6: Treaty Implementation**

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**General Remarks concerning Treaty  
Implementation and Argentina's paper on  
the role of transparency and exchange of  
information in the prevention of  
diversion**

Mr. President, Mr. Chair

Let me start with some comments to the Chair's report of the Working Group on Effective Treaty Implementation.

First of all I would like to express Switzerland's gratitude for your much appreciated work in light of the unfavourable circumstances related to the COVID-19 pandemic. It allowed us to make good progress in the working group. The helpful presentations and the distributed documents also supported this progress.

With regard to the Sub-Group on Articles 6 and 7, Switzerland welcomed the exchange of information on the concepts of "serious violations of international humanitarian law" and "serious violations of international human rights law".

A common understanding of these provisions is crucial for a correct and uniform implementation of the ATT. At the same time, it is important to continue to ensure that our work does not lead to a reinterpretation of existing international definitions, for instance those regarding international crimes.

With that in mind, Switzerland supports the further development of the voluntary guide also with regard to the concepts of "serious violations of international humanitarian law" and "serious violations of international human rights law". Having said this, the voluntary guide could refer to other instruments that already define these concepts.

Regarding the implementation of Article 9, we appreciate having had the opportunity to discuss the terms "Transit" and "trans-shipment" on the one hand and "under its jurisdiction" and "through its territory" on the other hand. In addition, the expert presentations on the interpretation of these terms under international law were very helpful. We welcome that the



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Facilitator of the Sub-working Group will begin preparations for a more in-depth look at the measures to regulate the transit and trans-shipment of arms by land.

Furthermore, Switzerland supports the draft paper outlining the elements of a process for assessing the risk of diversion put forward by the Facilitator of the Sub-working Group of Article 11. It is useful to have such a document available because it contains the most important elements for a careful and thorough examination of export applications in order to minimize the risk of an unauthorized arms transfer. Therefore, we welcome its posting on the ATT-Website and we are looking forward to continue this fruitful work next year, when we tackle the next topics within the multi year work plan. Switzerland will take a special interest in the discussion of the transfer chain's stage 3 about post-delivery cooperation.

Mr. President, Mr. Vice president

Let me now continue with some comments to the Working Paper presented by Argentina.

We thank Argentina for re-introducing this paper on the role of transparency and information exchange for the prevention of diversion.

Transparency and information exchange are key to prevent the diversion of arms. This can only be achieved with a close cooperation amongst the ATT stakeholders.

At this current time, States Parties are working to create the instruments necessary to make an efficient cooperation amongst ATT stakeholders possible. The Diversion Information Exchange Forum is one of these instruments. The list of national Point of Contacts is another mean for that purpose.

Lastly, different forms of post-delivery cooperation can become vital tools to preventing diversion. We therefore support the paper's encouragements that are recommended for approval by the CSP.

Thank you, Mr. President, Mr. Vice president and Mr. Chair.