

Eighth Conference of States Parties to the Arms Trade Treaty

**Working Group on Effective Treaty Implementation
Sub-Working Group on Article 11**

27 April 2022

**Delivered by: Hine-Wai Loose
Policy and Government Liaison Officer, Control Arms**

Sessions 1 and 2: The role of importing States in preventing diversion and: Post-delivery cooperation

Thank you Madam Facilitator,

The following statement will address the issues outlined under Session 1 on “The role of importing States in preventing diversion and Session 2 on “Post-delivery cooperation”

Control Arms welcomes that attention is being paid to the role of importing states in preventing the diversion of conventional weapons. While the focus is often and understandably on the role of exporting states and the requirement to assess diversion risks, there is much that can be done by importing states to prevent diversion. However to be effective in preventing diversion, exporting, importing and transit states must work together to identify and mitigate diversion risks.

On import documentation, delivery notifications from the importing state and delivery verification certificates are not merely an administrative exercise, but an essential part of the process of ensuring that weapons have reached their intended, legitimate end-user. Such documentation must be issued without delay upon importation of an arms shipment. In addition to registering and maintaining records of imported conventional weapons, Control Arms urges states to mark all weapons, and in particular small arms and light weapons, entering their territory. Together these measures should assist the successful tracing of diverted weapons.

Concerning stockpile management, prior to the acquisition of new supplies of weapons, importing states must objectively assess whether they have the resources, personnel and facilities to ensure that weapons are safely and securely stored. Control Arms also strongly supports “new for old” programmes in which aged stockpiles of weapons are destroyed in parallel with the purchase of new weapons. Such programmes can assist in preventing the undesirable re-export of old weapons. The current situation in Ukraine raises concerns in this regard. With large quantities of arms and ammunition being transferred into the conflict, states authorizing these transfers should consider what will happen to these weapons when the

conflict has abated. Experience from past conflicts highlights the serious risk of diversion of weapons into neighbouring states, fueling instability and crime.

Control Arms welcomes the discussion on post-delivery cooperation. In this regard, post-delivery verification initiatives should be carried out with the full cooperation of the importing state and on the basis of a no re-export undertaking. The willingness of an importing state to cooperate on post-shipment verification should be established before an arms transfer is authorized.

**Delivered by: Ana-Yancy Espinosa,
Academic Director, Arias Foundation for Peace and Human Progress**

Session 3: The role of the private sector and civil society in mitigating diversion risk post-delivery

Thank you Madam Facilitator,

The private sector can play a significant role in preventing the diversion of weapons. A prerequisite for this is that governments take steps to ensure that private sector actors that are involved in the international arms trade are aware of the laws and regulations that they must adhere to. Arms manufacturing industry, freight forwarders, financial institutions and insurance companies should gather information on suspicious actors and activities of concern and share this with government authorities and among industry associations.

For their part, civil society organizations have taken on an array of roles in preventing diversion, including through building the capacity of states to implement international and regional arms control agreements; monitoring and reporting on the diversion of weapons; carrying out extensive research on all aspects of diversion; proposing measures to prevent diversion; and raising the alarm when weapons are actually being diverted.

For example, in 2021 the Italian Peace and Disarmament Network, the Permanent Observatory on Light Weapons and Security and Defence Policies and the association, Weapon Watch, investigated, reported on and sought clarity from the Government of Italy on the diversion of munitions to Senegal.

Control Arms Members in Latin America have reported on troubling trends in armed violence. For example, in 2022, Instituto Sou Da Paz in Brazil examined and reported on the connection between legal and illegal arms markets and its impact on diversion in Sao Paulo.

Civil society continues to explore how to improve the research and monitoring on the international arms trade and diversion of weapons. In moving forward, Control Arms urges states to draw on a broader range of inputs, including those which are directly critical of states.