

**Global Initiative to Galvanize Political Commitment to International Humanitarian Law
Third State Consultation on IHL and Peace
Statement by the Arms Trade Treaty Secretariat**

Thank you, Chair, for giving the [Arms Trade Treaty Secretariat](#) the opportunity to highlight the important role that the ATT can play as a concrete and practical framework aimed at ensuring that arms transfers do not contribute to serious IHL violations. At its core, the Treaty requires States Parties to maintain effective national control systems enabling implementation of the key obligations in Articles 6 and 7, namely not authorizing transfers in case of knowledge that the arms would be used for war crimes and, in the case of export, when there is an overriding risk that the arms could be used to commit or facilitate serious IHL violations.

One important instrument developed through the ATT process to strengthen States capacity on this, is the [Voluntary Guide to Implementing Articles 6 & 7](#), based on expert input and, crucially, on States' practices shared during a series of dedicated discussions.

The Guide illustrates that an effective risk assessment entails both assessing the recipient's general attitude toward IHL, as well as a focused assessment of the specific arms to be transferred, the specific recipient, and the anticipated use. Such assessments draw on past and present behaviour to anticipate future conduct and rely on comprehensive and reliable information, as well as input from multiple competent authorities, including those with IHL expertise.

In this context, we also underscore the importance of information-sharing among States, on specific transfers between those involved, but also more broadly on their assessment practices. This helps to identify shortcomings and strengthen controls.

The Treaty's prohibitions and risk assessment obligations apply with particular force in situations of tensions and armed conflict, regardless of States' alliances and the legitimacy of the use of force by the recipient. States cannot waive their responsibility to prevent arms transfers from contributing to IHL violations or from being diverted to illicit uses or users.

Cooperation among States involved in arms transfers to prevent or mitigate such risks is essential. This could include measures such as training on the correct use of weapons and on IHL implementation. Importing States bear important responsibilities, for example with respect to stockpile management. In this regard, ATT States Parties can draw on international cooperation and assistance, including through the [Voluntary Trust Fund](#).

All actors involved in arms transfers should also consider long-term risks related to the accumulation and diversion of weapons. Experience has shown, particularly in post-conflict settings, that failure to do so can contribute to renewed violence, regional spill-over, and organized crime.

With respect to sustained adherence to the Treaty's norms, we firstly recall that leaving the ATT would not confer a free pass to transfer arms in disregard of the international obligations that underpin the ATT, including those under IHL. At the same time, the Treaty does not prohibit arms transfers and explicitly recognizes States' legitimate political, security, economic and commercial interests. In that light, adherence to the Treaty is in States' own interest, as an indicator of being a responsible recipient and industrial partner.

States should nevertheless internalize the humanitarian purpose of the Treaty within their national control systems. This requires establishing a robust decision-making process, anchored in the primacy of international law.

Finally, anchoring transparency and accountability safeguards is crucial. While the ATT establishes export and import reporting as a confidence-building measure, broader domestic transparency can further strengthen compliance, supported by parliamentary oversight and review mechanisms that ensure appropriate checks and balances.

To conclude, we draw attention to the ongoing process to develop a long-term strategy for the ATT, including the recent [call for proposals issued by the Secretariat](#). The application of Articles 6 and 7 has been identified as a distinct thematic area, and we look forward to receiving concrete proposals on how to strengthen State practice and engagement, including with respect to relevant IHL obligations. In that context, we invite all interested stakeholders to participate in this process.

Thank you Chair.
