Diversion occurs from the legal to the illicit market, for unauthorized end-use, and to unauthorized end-users, and can happen across the four stages in the transfer chain—all of which provide different opportunities for states to take measures to address it. Article 11 of the ATT addresses the responsibilities of States Parties in taking steps and implementing measures to prevent and address diversion. Those provisions specific to information sharing and cooperation in identifying risks and responding to cases of diversion are key to the Treaty’s effectiveness in this area.

1. TRANSPARENCY

Transparency is central to the effective implementation of the ATT’s operative articles and can be seen as directly linked to a government’s willingness to commit to monitoring, oversight, and accountability. In the context of the ATT, States Parties have numerous opportunities to express commitments to transparency, including in reporting and information sharing more generally.

**Transparency Provisions in the ATT**

**ARTICLE 5: GENERAL IMPLEMENTATION**

5.6 Each State Party shall designate one or more national points of contact to exchange information on matters related to the implementation of this Treaty.

**ARTICLE 1: OBJECT AND PURPOSE**

Promoting cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties.
2. INFORMATION SHARING

In addition to Article 11, the ATT also has numerous requirements for information sharing and provisions for interaction among States Parties. Information sharing can take place among or between states, as well as more broadly, including with national legislatures and other relevant stakeholders. It can also involve information exchanges concerning good practices, lessons learned and ways to help encourage and promote effective Treaty implementation, all of which provide opportunities to address diversion.

Information sharing can be conducted privately or publicly, and only when made public can information sharing also support transparency.
3. COOPERATION AND MUTUAL ASSISTANCE

Mutual assistance between States Parties and other stakeholders ensures effective implementation of ATT commitments, including those relating to diversion. States Parties can seek assistance in the form of legal, institutional, technical, material or financial assistance and capacity building, and every State Party that is in a position to do so should provide assistance to others seeking to prevent or mitigate diversion. State Parties can also request assistance from other stakeholders.

CONCLUSION

ATT States Parties must cooperate and share information with all relevant stakeholders on the risks of diversion that exist at different stages of the transfer chain, as well as seek and receive mutual assistance in addressing diversion. This would enhance possibilities for identifying potential points of diversion as well as those actors involved, and to develop effective diversion-prevention measures.

"ATT STATES PARTIES MUST COOPERATE AND SHARE INFORMATION WITH ALL RELEVANT STAKEHOLDERS ON THE RISKS OF DIVERSION THAT EXIST AT DIFFERENT STAGES OF THE TRANSFER CHAIN, AS WELL AS SEEK AND RECEIVE MUTUAL ASSISTANCE IN ADDRESSING DIVERSION. THIS WOULD ENHANCE POSSIBILITIES FOR IDENTIFYING POTENTIAL POINTS OF DIVERSION AS WELL AS THOSE ACTORS INVOLVED, AND TO DEVELOP EFFECTIVE DIVERSION-PREVENTION MEASURES."