

CHAPTER 1 – PARTS AND COMPONENTS UNDER THE ATT: TREATY REQUIREMENTS, NATIONAL PRACTICES AND IMPLEMENTATION CHALLENGES

INTRODUCTION

Article 4 of the Arms Trade Treaty (ATT) requires that States Parties establish and maintain a national control system to regulate the export of parts and components.¹ There are two main issues concerning the implementation of Article 4 by States Parties that warrant additional clarity. The first concerns the provision's scope, and the different types of transfers of parts and components that States should capture through their national arms transfer controls. In this regard, the way Article 4 is formulated does not provide a lot of detail, leaving the text open to various interpretations. The second issue concerns prohibitions and risk assessments, and how States should determine whether a particular export or transfer of parts and components should be approved or denied.

Both issues have been the subject of debate in recent years. First, the processes through which States control exports of parts and components for integration into a complete military

system for subsequent re-export have come under increasing scrutiny. A 2025 report from the UN Human Rights Council noted concerns regarding the potential conflict between the use of open licences and the handing over of responsibility for exports of complete systems to the State where the integration takes place and the risk assessment obligations contained in the ATT.² Second, parts and components manufactured in the civilian sector, and which fall outside the scope of arms and dual-use export controls, are being incorporated into the production of military equipment used in ongoing armed conflicts. This has led several States to utilize sanctions and require companies to adopt due diligence measures to prevent such transfers.

These debates warrant an examination of (i) what the ATT requires from States Parties in terms of the scope of their controls on exports of parts and components and the implementation of their risk assessment and risk mitigation measures when assessing transfers; (ii) how these provisions are being applied at the national level by ATT States Parties; and (iii) what role the ATT and its associated forums could play in enabling exchanges of national practices and promoting the adoption of strengthened controls that 'establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms' and '[p]revent and eradicate the illicit trade in conventional arms and prevent their diversion'.³



**PEACEKEEPERS ASSISTING
WITH DISARMAMENT,
DEMOBILIZATION, AND
REINTEGRATION (DDR) IN
THE DEMOCRATIC REPUBLIC
OF THE CONGO IN 2006.**

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1 Arms Trade Treaty, Article 4 (adopted 2 April 2013, entered into force 24 December 2014). <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>.

2 UN Human Rights Council (2025). 'Impact of arms transfers on human rights. Report of the Office of the United Nations High Commissioner for Human Rights'. A/HRC/58/41. 9 January 2025. paras 16 and 18. <https://docs.un.org/en/A/HRC/58/41>.

3 Arms Trade Treaty, Article 1 (adopted 2 April 2013, entered into force 24 December 2014). <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>.

This chapter aims to contribute to these debates. It first provides an overview of the requirements that States Parties have under Article 4 of the ATT and how they have reported applying this provision. The chapter then discusses two case studies exemplifying challenges related to the implementation of export controls on parts and components. The first case examines the regulation of transfers of parts and components that take place during the joint development, production and procurement of military systems. The second case focuses on how parts and components that fall beyond the scope of arms and dual-use export controls have been integrated into weapon systems used in ongoing armed conflicts and how States have responded. The chapter concludes with recommendations on how ATT States Parties could carry forward exchanges on how they have interpreted and implemented Article 4 and address some of the challenges created by the global trade in parts and components.

THE CONTENT AND APPLICATION OF CONTROLS ON PARTS AND COMPONENTS UNDER THE ATT

Under Article 4 of the ATT States Parties are required to 'establish and maintain a national control system to regulate the export of parts and components where the export is in a form that provides the capability to assemble the conventional arms covered in Article 2(1).'⁴ Article 5 of the ATT strengthens this provision, adding that a national control system regulating the transfers of items covered by the Treaty, thus also parts and components, should be 'effective and transparent'.⁵ Article 4 adds that prohibitions (Article 6) and export and export assessment obligations (Article 7) also apply to exports of parts and components. Article 6 obliges ATT States Parties to

prohibit certain transfers (defined by the ATT in Article 2(2) as including export, import, transit, trans-shipment and brokering⁶) of parts and components, and Article 7 requires States Parties to assess the risk posed by, and in some circumstances deny authorization for, non-prohibited exports.

The rationale behind the original framing of Article 4 was an attempt to prevent the circumvention of the Treaty's obligations by exporters disassembling weapons into separate parts and components for reassembly in a recipient country.⁷ This approach takes into account the reality that weapons are rarely produced as a whole by single suppliers. However, the specific risk of circumvention that Article 4 is seeking to address is, in practice, more relevant for transfers of small arms and light weapons (SALW) rather than the categories of major arms covered by the ATT.⁸ Finally, many states parties regulate a much wider range of transfers of parts of components than would be required to meet the intentions of this original framing.

Several ATT States Parties were either European Union (EU) Member States or Wassenaar Arrangement (WA) Participating States when the ATT was negotiated.⁹ The WA is a multilateral export control regime that establishes common standards on arms and dual-use export controls among its 42 participating states to prevent their 'destabilising accumulations' and 'the acquisition of these items by terrorists'.¹⁰ EU Member States and WA Participating States are required to apply controls on all items on the EU Common Military List or the WA Munitions List through their national arms export control systems.¹¹ These lists, which are functionally identical, go beyond the conventional arms outlined in Article 2(1) and

4 Arms Trade Treaty, Article 4 (adopted 2 April 2013, entered into force 24 December 2014). <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>.

5 Arms Trade Treaty, Article 5 and 5(5) (adopted 2 April 2013, entered into force 24 December 2014). <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>.

6 Arms Trade Treaty, Article 2.2 (adopted 2 April 2013, entered into force 24 December 2014). <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>.

7 See Casey-Maslen, S. et al. (2016). 'Parts and Components'. In Clapham A. et al. (eds) 'The Arms Trade Treaty: A Commentary'. Oxford: Oxford University Press.

8 Wood, A. (2021). 'Parts and Components'. In da Silva, C. and Wood, B. (eds) 'The Arms Trade Treaty: Weapons and International Law'. Cambridge: Intersentia, p. 79.

9 All 28 States that were EU Member States in 2013 are ATT States Parties. The United Kingdom of Great Britain and Northern Ireland subsequently left the EU in 2020. Except for the Russian Federation, Türkiye, Ukraine and the United States, all 41 States that were WA Participating States in 2013 are ATT States Parties. India subsequently joined the Wassenaar Arrangement in 2017.

10 See the Wassenaar Arrangement website: <https://www.wassenaar.org>.

11 All EU Member States are ATT States Parties. Argentina, Australia, Canada, Japan, Mexico, New Zealand, Norway, Republic of Korea, South Africa, Switzerland and the United Kingdom of Great Britain and Northern Ireland are WA Participating States and ATT States Parties. All EU Member States except Cyprus are WA Participating States. For additional information on the control lists see: Council of the European Union (2025). 'Outcome of Proceedings: Common Military List of the European Union' (equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment) (updating and replacing the Common Military List of the European Union adopted by the Council on 19 February 2024). No. Doc. 5414/25, Brussels, 25 February 2025. <https://data.consilium.europa.eu/doc/document/ST-5414-2025-INIT/en/pdf>; and Wassenaar Arrangement Secretariat (2024). 'List of Dual-Use Goods and Technologies and Munitions List'. Doc. WA-LIST (24) 1. Vienna, 5 December 2024. <https://www.wassenaar.org/app/uploads/2024/12/List-of-Dual-Use-Goods-and-Technologies-and-ML-2024.pdf>.

include extensive controls on parts and components that are 'specially designed for military use'.¹² However, the option of using the EU Common Military List or the WA Munitions List as the basis for the scope of the ATT was resisted by negotiating States that were not WA Participating States or part of the EU.¹³

The text of Article 4 puts emphasis on the form of the export and the capability it may provide to assemble the arms categories listed in Article 2(1) without clarifying which parts and components are subject to control. This formulation leaves room for different interpretations of what falls under the scope of this provision. A narrow reading of Article 4 would imply that it only covers exports where 'all the parts and components necessary to assemble' a listed weapon are present 'in one consignment' or where these items 'are all listed or identified in a single licence application'.¹⁴ Conversely, a broad reading of Article 4, which informs many ATT States Parties' interpretations of how to apply it at the national level, would imply that 'all important parts and components which are needed for the functions of the system as a whole should be covered', regardless of the form of the transfer.¹⁵

Regardless of whether one applies a narrow or broad reading, Article 4, by focusing on the capability of the exported items to assemble weapons listed in Article 2(1), does not encompass parts and components that are not used to assemble weapons but might be used for maintenance and repair.¹⁶ However, in line with Article 5(3), national interpretation of Article 4 can always go beyond what is prescribed by the Treaty.¹⁷



- 12 See European Union (2025). 'EU Key Messages, Working Group on Effective Treaty Implementation. Arms Trade Treaty. Geneva, 27 February 2025. <https://thearmstradetreaty.org/statements-csp11WGmeets>. Wood, A. (2021). 'Parts and Components'. In da Silva, C. and Wood, B. (eds) 'The Arms Trade Treaty: Weapons and International Law'. Cambridge: Intersentia, p. 83. For additional information, see Council of the European Union (2025). 'Outcome of Proceedings: Common Military List of the European Union' (equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment) (updating and replacing the Common Military List of the European Union adopted by the Council on 19 February 2024). No. Doc. 5414/25. Brussels, 25 February 2025. <https://data.consilium.europa.eu/doc/document/ST-5414-2025-INIT/en/pdf>; and Wassenaar Arrangement Secretariat (2024). 'List of Dual-Use Goods and Technologies and Munitions List'. Doc. WA-LIST (24) 1. Vienna, 5 December 2024. <https://www.wassenaar.org/app/uploads/2024/12/List-of-Dual-Use-Goods-and-Technologies-and-ML-2024.pdf>.
- 13 Wood, A. (2021). 'Parts and Components'. In da Silva, C. and Wood, B. (eds) 'The Arms Trade Treaty: Weapons and International Law'. Cambridge: Intersentia, pp. 77-78; Holtom, P. and Bromley, M. (2013). 'Arms trade treaty negotiations'. In SIPRI 'Yearbook 2013: Armaments, Disarmament and International Security'. Oxford University Press. <https://www.sipri.org/sites/default/files/SIPRIYB13c10sl.pdf>, pp. 428-429; Depauw, S. (2012). 'The European Union's Involvement in Negotiating an Arms Trade Treaty'. EU Non-Proliferation Consortium. Non-Proliferation Paper No. 23. December 2012. https://www.sipri.org/sites/default/files/EUNPC_no-23.pdf, p. 12.
- 14 Casey-Maslen, S. et al. (2016). 'Parts and Components'. In Clapham A. et al. (eds) 'The Arms Trade Treaty: A Commentary'. Oxford: Oxford University Press, p. 159.
- 15 German Federal Foreign Office (2014). 'Memorandum of the Federal Government on the Arms Trade Treaty'. 1 March 2014. p. 7.
- 16 Wood, A. (2021). 'Parts and Components'. In da Silva, C. and Wood, B. (eds) 'The Arms Trade Treaty: Weapons and International Law'. Cambridge: Intersentia, p. 81.
- 17 See Casey-Maslen, S. et al. (2016). 'Parts and Components'. In Clapham A. et al. (eds) 'The Arms Trade Treaty: A Commentary'. Oxford: Oxford University Press, p. 160, and Wood, A. (2021). 'Parts and Components'. In da Silva, C. and Wood, B. (eds) 'The Arms Trade Treaty: Weapons and International Law'. Cambridge: Intersentia, p. 80.

HOW DO ATT STATES PARTIES IMPLEMENT CONTROLS ON TRANSFERS AND EXPORTS OF PARTS AND COMPONENTS?

States Parties' initial reports provide useful information on how they have implemented Article 4. As of February 2025, 70 ATT States Parties have submitted a publicly available initial report.¹⁸ Of these:

- Fifty-three States Parties indicated they have a national control list and their national control system covers parts and components. Thirty-five of these states are EU Member States, WA Participating States or both and are therefore required to use either the WA Munitions List or the EU Common Military List as the basis for their national control lists.¹⁹ Of the remaining 18 ATT States Parties that are neither EU Member States, nor WA Participating States:
 - Nine mentioned the EU Common Military List or the EU Council Common Position on arms exports which requires States to apply the EU Common Military List (Albania, Bosnia and Herzegovina, Georgia, Iceland, Montenegro, Philippines and Serbia), the WA Munitions List (Liechtenstein) or both (the Republic of North Macedonia).
 - Nine did not mention the WA Munitions List nor the EU Common Military List (Brazil, Côte d'Ivoire, Dominican Republic, Monaco, Niger, Republic of Moldova, Samoa, Sierra Leone and Togo). Côte d'Ivoire and Togo reported being in the process of reviewing or developing their national controls.
- Four States Parties (Barbados, Palau, Paraguay and Uruguay) indicated they include parts and components in the coverage of their national controls but they did not have a control list or were in the process of developing one. This may be explained by the fact that in some of these states controls on parts and components are exercised through legislation on firearms ownership, SALW regulation or customs controls.
- Two States Parties (Costa Rica and Trinidad and Tobago) indicated they had a national control list but it did not yet cover parts and components or only applied to certain weapons (for example, SALW).
- Eleven States Parties (Antigua and Barbuda, Belize, El Salvador, Jamaica, Lesotho, Liberia, Namibia, Panama, Peru, Suriname and Zambia) indicated they do not have a national control list and do not include parts and components in the coverage of their national controls.²⁰ Peru reported that it does not have a national control list, and did not respond if parts and components are included in its national controls. However, it noted that they were in the process of approving a national control list inclusive of parts and components as stipulated in Article 2(1).²¹

The available initial reports discussed above indicate that most States Parties that have adopted a national control list have included parts and components in its coverage. Some States Parties that have not reported adopting a national control list have regulated the transfer of certain parts and components covered by the ATT using other instruments. Many of the initial reports used for this overview were submitted nearly a decade ago, meaning some information may now be outdated, as additional States Parties have since adopted or implemented legislation to comply with Article 4 of the ATT.

HOW DO STATES PARTIES APPLY ARTICLES 6 AND 7 ON TRANSFERS AND EXPORTS OF PARTS AND COMPONENTS?

The question of whether States Parties apply Articles 6 and 7 to transfers of parts and components is more difficult to assess. Part of the reason is that the 53 States considered above—that is States that have reported having a national control list and that their national control system covers parts and components—have used multiple initial reporting templates (different versions of the ATT endorsed reporting template, their own templates or the ATT Baseline Assessment Project template) thus limiting comparability:

18 ATT Secretariat. (2025). 'Initial Reports', <https://thearmstradetreaty.org/initial-reports.html?templateId=209839.209839>. These States are: Albania, Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Belgium, Belize, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Mexico, Monaco, Montenegro, Namibia, Netherlands, New Zealand, Niger, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Republic of North Macedonia, Romania, Samoa, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Togo, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, Uruguay and Zambia.

19 24 out of 27 EU Member States have informed in their public initial reports that they have a national control list which includes parts and components in its scope, and all of those 24 EU Member States are also WA Participating States: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden. Cyprus, Greece and Malta have indicated their report is private. Cyprus is not a WA Participating State, while Greece and Malta are. The 11 non-EU Member States that are WA Participating States are: Argentina, Australia, Canada, Japan, Mexico, New Zealand, Norway, Republic of Korea, South Africa, Switzerland and United Kingdom of Great Britain and Northern Ireland.

20 Mühlemann, L. and Nottage, S. (2025). 'Reference Table on States Parties' Initial Report Submissions: Informing Treaty Implementation Discussions'. Control Arms Secretariat. Geneva, February 2025. <https://attmonitor.org/en/factsheets/>.

21 Peru (2016). Initial Report. <https://thearmstradetreaty.org/download/ba34e1a9-4bee-3f3b-a5d3-g20c86f7db33>.

- Forty-four States Parties indicated they prohibit the authorization of transfer of items covered by Article 4 in the circumstances indicated in Article 6.²²
- Forty-one States Parties reported national export controls also apply to items covered by Article 4.²³ All of these States except one (Samoa) have also reported their national control systems include export assessment criteria and a risk assessment procedure as per Article 7.²⁴ Some States Parties have also clarified in their initial reports that they require a licence for all transfers, or certain types of transfers, of all items included in their control lists (for example, Albania, Austria, Italy, Latvia, among others).

The numbers above do not include States, including major arms exporters, that have not used the ATT endorsed reporting template but which have nonetheless adopted relevant measures.²⁵ For instance, France reported applying export and transfer controls on war materiel, that is 'any system, sub-assembly, equipment, or component specifically designed or modified for military use', including 'sub-assemblies and spare parts for these war materials'. France also reported that

transfers of war materiel are assessed, among others, against its obligations under international law and the EU Common Position on arms exports.²⁶ The United Kingdom of Great Britain and Northern Ireland (UK) reported including parts and components in its control list. Licence applications for the export of items in the UK strategic export control list are assessed on a case-by-case basis against the UK strategic export licensing criteria.²⁷

The current ATT Initial Reporting Template, introduced in 2021, reformulated questions on transfer controls and it now asks whether States have measures in place to prevent the import, transit, trans-shipment and brokering of items covered by Article 4 in violation of Article 6.²⁸ Of the 53 States mentioned above, four (Brazil, Niger, the Philippines and Romania) have answered positively to these questions. This information would provide a better understanding of whether States apply controls on transfers of parts and components beyond exports, and whether the application of Article 6 extends to all or some of these transfers. However, only a handful of States have either updated their initial report or used the current template.

22 Question 2.A of the 2021 and 2015 ATT Initial Reporting Templates. See ATT Secretariat (2021). 'The Arms Trade Treaty Reporting Template. Initial report on measures undertaken to implement the Arms Trade Treaty, in accordance with Article 13(1)'. 16 July 2021. https://www.thearmstradetreaty.org/hyper-images/file/Initial_Reporting_Template_2021_English/Initial_Reporting_Template_2021_English.pdf?templateId=1577159 and ATT Secretariat (2015). 'The Arms Trade Treaty Provisional Template. Initial report on measures undertaken to implement the Arms Trade Treaty, in accordance with Article 13(1)'. 27 August 2015. <https://thearmstradetreaty.org/download/ac9bb66f-ae48-3be2-b692-d14b2ba43619>. These States are: Albania, Argentina, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Netherlands, New Zealand, Niger, Norway, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland and Togo.

23 Question 3.C of the 2021 ATT Initial Reporting Template. See ATT Secretariat (2021). 'The Arms Trade Treaty Reporting Template. Initial report on measures undertaken to implement the Arms Trade Treaty, in accordance with Article 13(1)'. 16 July 2021. https://www.thearmstradetreaty.org/hyper-images/file/Initial_Reporting_Template_2021_English/Initial_Reporting_Template_2021_English.pdf?templateId=1577159; and Question 3.B of the 2015 ATT Initial Reporting Template. See ATT Secretariat (2015). 'The Arms Trade Treaty Provisional Template. Initial report on measures undertaken to implement the Arms Trade Treaty, in accordance with Article 13(1)'. 27 August 2015. <https://thearmstradetreaty.org/download/ac9bb66f-ae48-3be2-b692-d14b2ba43619>. These States are: Albania, Argentina, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Netherlands, New Zealand, Niger, Norway, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, Slovakia, Slovenia, Spain, Sweden, Switzerland and Togo.

24 Question 3.A (ii) and 3.A (iii) of the 2021 ATT Initial Reporting Template. See ATT Secretariat (2021). 'The Arms Trade Treaty Reporting Template. Initial report on measures undertaken to implement the Arms Trade Treaty, in accordance with Article 13(1)'. 16 July 2021. https://www.thearmstradetreaty.org/hyper-images/file/Initial_Reporting_Template_2021_English/Initial_Reporting_Template_2021_English.pdf?templateId=1577159; and Question 3.A (iii) and 3.A (iv) of the 2015 ATT Initial Reporting Template (See ATT Secretariat (2015). 'The Arms Trade Treaty Provisional Template. Initial report on measures undertaken to implement the Arms Trade Treaty, in accordance with Article 13(1)'. 27 August 2015. <https://thearmstradetreaty.org/download/ac9bb66f-ae48-3be2-b692-d14b2ba43619>.

25 States Parties that have used own initial reporting templates or the ATT Baseline Assessment Project template are Australia, France, Japan, Monaco, Montenegro, Republic of North Macedonia, Serbia, South Africa and United Kingdom of Great Britain and Northern Ireland.

26 See France's ATT Initial Report, pp.6 and 9-12. <https://thearmstradetreaty.org/download/4a5af1d9-15cc-3dc0-998a-bd1boa4b3133> [translation from French original text].

27 See United Kingdom of Great Britain and Northern Ireland ATT Initial Report: <https://thearmstradetreaty.org/download/8b6fb808-d6ba-324f-b3e1-d7egd14b1c5a>; 'Trade Policy Update. Statement made on 8 December 2021'. UK Parliament. 8 December 2021. <https://questions-statements.parliament.uk/written-statements/detail/2021-12-08/HCWS449>.

28 Questions 4.A, 5.A, 5.B and 6.A of the 2021 ATT Initial Reporting Template. See ATT Secretariat (2021). 'The Arms Trade Treaty Reporting Template. Initial report on measures undertaken to implement the Arms Trade Treaty, in accordance with Article 13(1)'. 16 July 2021. https://www.thearmstradetreaty.org/hyper-images/file/Initial_Reporting_Template_2021_English/Initial_Reporting_Template_2021_English.pdf?templateId=1577159.

Case Study 1: Integration and Re-Export of Parts and Components

The joint development, production and procurement of military equipment is emphasized in many States' national defence strategies as a means of achieving economies of scale and enabling joint operations with allied States. For instance, the North Atlantic Treaty Organisation (NATO) has established several programmes aimed at enabling the joint development, production and procurement of military equipment.²⁹ The EU has also launched a series of policy initiatives and, more recently, established or repurposed several funding mechanisms to enable the joint development, production and procurement of military equipment by its Member States.³⁰

To support these efforts, NATO and EU Member States and other States have either created new measures, or utilized existing ones, to enable simplified export licensing procedures for transfers of parts and components associated with collaborative defence production efforts. The underlying logic is that processes of collaborative defence production require multiple cross-border movements of parts and components and subjecting all these transfers to individual export licensing procedures creates unnecessary impediments. At the national level, many States issue 'open' or 'general' licences that facilitate multiple shipments over an extended period. These licences can be used for a range of conventional arms transfers but are often employed to facilitate transfers of parts and components. In 2009, the EU adopted Directive 2009/43/EC on intra-EU transfers of defence-related products.³¹

The Directive encourages EU Member States to use general licences to regulate certain transfers of military equipment to other EU Member States, including transfers of parts and components to defence companies 'in the context of industrial cooperation'.³² In 2024, the UK government issued 'Open General Licence (Global Combat Air Programme)' to facilitate exports of military and dual-use items connected the Global Combat Air Programme (GCAP) that is being jointly developed by Italy, Japan and the UK.³³

EU Member States have also outlined policies to inform situations where decisions about exports of any complete military system are taken by the State where the final integration takes place. The goal is to prevent disagreements between States over whether exports of complete military systems can take place, since these could hamper defence cooperation efforts. These policies emphasize the need to apply export licensing risk assessment criteria to all transfers. However, they also indicate that in certain cases EU Member States may hand over responsibility for deciding on exports of complete systems to the State where the final integration takes place and that this might lead to different policy outcomes than would occur if they retained control. The User's Guide that accompanies the EU Council Common Position³⁴ states that in situations of integration and re-export, EU Member States 'shall fully apply the Common Position' which includes a commitment to apply the Arms Trade Treaty and other 'international obligations and commitments of Member States'.³⁵ However, the User's Guide also notes that States may also consider a range of other factors, including 'the importance of their defence and security relationship' with the country where the integration is taking place.³⁶

29 North Atlantic Treaty Organization (2024). 'NATO's role in defense industry production'. 15 July 2024. https://www.nato.int/cps/in/natohq/topics_222589.htm.

30 European Commission. (n.d). 'Stronger European defence'. https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age/stronger-european-defence_en.

31 European Union. (2012). 'Directive 2009/43/EC of the European Union and the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community (Text with EEA relevance)'. 13 April 2012. EUR-Lex. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CONSLEG:2009L0043:20120413>.

32 European Commission. (n.d). 'EU transfers of defence-related products'. https://defence-industry-space.ec.europa.eu/eu-transfers-defence-related-products_en.

33 United Kingdom Government. (2024). 'Open General Licence (Global Combat Air Programme)'. Department for Business & Trade. 14 August 2024. <https://www.gov.uk/government/publications/open-general-licence-global-combat-air-programme>.

34 Council of the European Union. (2008). 'Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment'. Official Journal of the European Union. L 335/99. 13 December 2008. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02008E0944-20250415>. The Common Position was amended in April 2025. See Council of the European Union 'Council Decision (CFSP) 2025/779 of 14 April 2025 amending Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment'. 14 April 2025 <https://eur-lex.europa.eu/eli/dec/2025/779/oj/eng>.

35 Council of the European Union. (2025). 'User's Guide to Council Common Position 2008/944/CFSP (as amended by Council Decision (CFSP) 2025/779) defining common rules governing the control of exports of military technology and equipment'. No. Doc. 6881/25. Brussels, 14 April 2025. <https://data.consilium.europa.eu/doc/document/ST-6881-2025-INIT/en/pdf>, p. 10 and p. 17.

36 Ibid, p. 10.

States that are participating in large scale collaborative defence production projects have also created procedures that combine elements of both the approaches outlined above. The 'Lockheed Martin F-35 Joint Strike Fighter program' was established in 2001, and involves the production of parts and components 'by a consortium of eight F-35 partner nations (Australia, Canada, Denmark, Italy, Netherlands, Norway, the UK and the United States)'.³⁷ Transfers of parts and components associated with the programme are managed through general licences and final decisions concerning the approval of any exports of complete F-35 combat aircrafts are taken by the United States, where the final assembly of most of the aircraft takes place.³⁸

States have also established agreements that are designed to apply across multiple collaborative projects. For example, the 'Agreement relating to export controls in defence matters', which was signed by France and Germany in 2019, and which Spain joined in 2021, outlines agreed rules and procedures for controls on exports of military equipment that are connected to joint production projects.³⁹ Parties to the Agreement commit to regulating exports of parts and components associated with joint production projects using simplified licensing procedures and to not oppose exports of jointly produced military equipment 'unless the transfer or export contravenes the state party's direct interests or national security'.⁴⁰

These procedures and agreements have generated questions about if and how States are applying Articles 6 and 7 of the ATT on transfers of parts and components. In its January 2025 report on the 'Impact of arms transfers on human rights' the Office of the United Nations High Commissioner for Human Rights noted that the use of open licences that remain valid for

several years 'could result in a situation in which the licence remains valid even when a change of circumstances would mean that exports under the licence would be unlawful under international law'.⁴¹ It also noted that arrangements in which decisions about exports of any complete system are handed over to the State where the final integration is taking place can create 'a principle of least restrictive export standards, limiting the ability of States contributing to the production of the weapon from challenging the export of the final product'.⁴²

The specific case of the joint production of F-35 combat aircraft is currently or has been the focus of legal proceedings in both the Netherlands and the UK. The Dutch case initially focused on the role of the Woensdrecht Air Base as a distribution point for the F-35 Global Spares Pool but was later expanded to include the supply of parts and components for integration and re-export.⁴³ In both cases, the plaintiffs have alleged that the governments' failure to halt exports of parts and components that are being integrated into F-35 combat aircrafts that the United States is supplying to Israel, constitute a breach of both national export licensing criteria and ATT obligations.⁴⁴ According to independent sources, F-35 combat aircrafts have been used in airstrikes conducted by the Israeli armed forces in Gaza.⁴⁵ Both governments contested these claims. Among other things, the UK government has argued that it is 'not currently possible to suspend licensing of F-35 components for use by Israel without prejudicing the entire global F-35 programme'.⁴⁶ In June 2025 the High Court ruled that the UK government's decision to allow the export of F-35 components for use by Israel was lawful. The court substantially accepted the government's argument that a 'positive contribution to wider peace and security had to be balanced against a clear risk of the arms being used to commit

37 Gallagher, K. (2025). 'Global Production of the Israeli F-35 Joint Strike Fighter'. Ploughshares, 30 January 2025. <https://aoav.org.uk/wp-content/uploads/2025/01/Global-Production-of-the-Israeli-F-35-Joint-Strike-Fighter-Project-Ploughshares.pdf>, p. 13.

38 Ibid., p. 12.

39 France. (2021). 'Décret n° 2022-1103 du 1er août 2022 portant publication de l'accord relatif au contrôle des exportations en matière de défense (ensemble trois annexes), signé à Paris le 17 septembre 2021 (1) [Decree n° 2022-1103 of 1 August 2022 publishing the agreement relating to export control in defence matters (three annexes together), signed in Paris on 17 September 2021]'. 17 September 2021. <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000046131452> [translation from French original text].

40 Ibid. [translation from French original text].

41 UN Human Rights Council. (2025). 'Impact of arms transfers on human rights. Report of the Office of the United Nations High Commissioner for Human Rights'. 9 January 2025. A/HRC/58/41. <https://docs.un.org/en/A/HRC/58/41>, p. 9.

42 Ibid., p. 8.

43 See Arms Trade Litigation Monitor. (n.d). 'Dutch Arms and Palestine'. <https://armstradelitigationmonitor.org/overview/dutch-arms-and-the-occupied-palestinian-territories/>.

44 See PAX. (2024). 'Rechtszaak tegen Nederlandse staat: stop levering voor F-35's [Lawsuit against Dutch state: stop delivery of F-35s]'. 29 November 2024. <https://paxvoorrrede.nl/acties/rechtszaak-tegen-nederlandse-staat-stop-levering-voor-f-35s/>; and Global Legal Action Network. (n.d). 'UK Weapons Sales to Israel'. <https://www.glanlaw.org/israel-weapons-sales>.

45 Gjerding, S. and Andersen, L. S. (2024). 'Danskudstyrede kampfly deltog i angreb i Gaza med store civile tab [Danish-equipped fighter jets participated in attacks in Gaza with heavy civilian casualties]'. Information. 1 September 2024. https://www.information.dk/indland/2024/09/danskudstyrede-kampfly-deltog-angreb-gaza-store-civile-tab?check_logged_in=1&upon=eyJpYXQiOiE3MjUyNTUwMjE5InN1YiI6IjQ3Mjg3NjQ4MjM1NzYifQ.7k2QM_MAdcaUS-pePhgxtQ.

46 'Statement from the Secretary of State for Business and Trade'. UK Parliament. 2 September 2024. <https://questions-statements.parliament.uk/written-statements/detail/2024-09-02/hcws64>.

serious violations of IHL/IHRL [international humanitarian law/international human rights law].⁴⁷ Among other things, the Netherlands' government has argued that the issue concerns matters of foreign policy and it falls within the responsibility of the government to make final decisions in these areas.⁴⁸ The legal proceeding in the Netherlands is ongoing at the time of writing. The authorization of licences for exports of F-35 components by Australia, Canada, Italy, and Norway has also been criticized by Civil Society Organizations (CSOs) and, in the case of Denmark, also been the subject of legal proceedings.⁴⁹

Case Study 2: Civilian Parts and Components in Military Equipment

A key challenge that many States are confronting is the use of parts and components that have been produced by companies in the civilian sector for commercial use in the production of military equipment. These include items that are not considered 'parts and components' of military equipment nor dual-use items and are therefore not captured by national export controls. This trend has been exemplified in the Russian Federation's invasion of Ukraine, where parts and components produced by companies in the civilian sector have been integrated in the production of unmanned aerial vehicles and missiles produced by the Russian Federation, Iran and North Korea and which have been used by Russian forces in Ukraine.

A series of investigations during 2022 revealed that military equipment the Russian Federation was using in Ukraine included large numbers of parts and components manufactured abroad, including in States that had imposed or expanded their trade-related sanctions measures on the Russian Federation in 2014. An investigation by Conflict Armament Research in 2022 identified over 650 'unique component models', produced by 144 non-Russian manufacturers, in Russian military equipment deployed in Ukraine.⁵⁰ Examples included circuit boards, used in the satellite navigation systems and on-board computers of cruise missiles and attack helicopters. These manufacturers included 'Asian, European and US companies'.⁵¹

The Russian Federation has been using Iranian-made military equipment in Ukraine since 2022 and North Korean-made military equipment since 2023.⁵² Reports indicate that these weapon systems have also utilized parts and components produced by companies in the civilian sector. Iran is the subject of restrictions on exports of arms and dual-use goods imposed by the United States, the EU and other western states, while North Korea has been the subject of a UN arms embargo since 2006.⁵³ However, research by the Institute for Science and International Security has indicated that Iranian-made drones used by the Russian Federation in Ukraine contain parts and components produced in States that restrict exports of arms and dual-use goods to Iran.⁵⁴ Similarly, Conflict Armament Research documentation of a North Korean-produced ballistic missile used by the Russian Federation in Ukraine identified 'more than 290 components, comprising 50 unique models' as well as 26 companies headquartered outside North Korea, 'that are linked to the production of these components'.⁵⁵

47 Wintour, P. (2024). 'UK's sale of F-35 fighter jet parts to Israel is lawful, high court rules'. The Guardian, 30 June 2024. <https://www.theguardian.com/uk-news/2025/jun/30/uk-sale-f-35-fighter-jet-parts-israel-lawful-high-court>.

48 Government of the Netherlands. (2024). 'State lodges appeal in cassation against judgment on distribution of F-35 parts to Israel'. 12 February 2024. <https://www.government.nl/latest/news/2024/02/12/state-lodges-appeal-in-cassation-against-judgment-on-distribution-of-f-35-parts-to-israel>.

49 See Campaign Against Arms Trade. (2025). 'Over 230 Global Organisations Demand Governments Producing F-35 Jets Stop Arming Israel', 18 Feb. 2025. <https://caat.org.uk/news/over-230-global-organisations-demand-governments-producing-f-35-jets-stop-arming-israel/>; and Amnesty International. (2025). 'Organisations will appeal court ruling denying admissibility of lawsuit on exporting weapons to Israel in Denmark', 14 Apr. 2025. <https://www.amnesty.org.au/organisations-will-appeal-court-ruling-denying-admissibility-of-lawsuit-on-exporting-weapons-to-israel-in-denmark/>.

50 Conflict Armament Research. (2022). 'Component commonalities in advanced Russian weapon systems'. Ukraine Field Dispatch, September 2022. <https://storymaps.arcgis.com/stories/239f756e2e6b49a5bec78f5c5248bf3d>.

51 Ibid.

52 See Albright, D., et al. (2022). 'Iranian Drones in Ukraine Contain Western Brand Components'. Institute for Science and International Security, 31 October 2022. https://isis-online.org/uploads/isis-reports/documents/Iranian_Drones_Contain_Western_Brand_Components_FINAL_2022.pdf; and Conflict Armament Research. (2024). 'North Korean missile relies on recent electronic components'. Ukraine Field Dispatch, February 2024. <https://storymaps.arcgis.com/stories/0814c6868bbd45a98b15693a31bd0e7f>.

53 Stockholm International Peace Research Institute (SIPRI). (2024). 'UN arms embargo on Iran'. Last updated 25 March 2024. https://www.sipri.org/databases/embargoes/un_arms_embargoes/iran; and Stockholm International Peace Research Institute (SIPRI). (2016). 'UN arms embargo on North Korea'. Last updated on 7 March 2016. https://www.sipri.org/databases/embargoes/un_arms_embargoes/north_korea.

54 Albright, D., et al. (2022). 'Iranian Drones in Ukraine Contain Western Brand Components'. Institute for Science and International Security, 31 October 2022. https://isis-online.org/uploads/isis-reports/documents/Iranian_Drones_Contain_Western_Brand_Components_FINAL_2022.pdf.

55 Conflict Armament Research (2024). 'North Korean missile relies on recent electronic components'. Ukraine Field Dispatch, February 2024. <https://storymaps.arcgis.com/stories/0814c6868bbd45a98b15693a31bd0e7f>.

In response, States in Europe, North America and other parts of the world have sought to prevent arms manufacturers in the Russian Federation, Iran and North Korea from acquiring parts and components manufactured by companies based on their territories. Thirty-eight States and one non-UN Member have joined the Global Export Control Coalition (GECC) and agreed to apply stringent controls on exports of arms and dual-use items to the Russian Federation and Belarus.⁵⁶ To support these efforts, the United States, EU, Japan, and the UK have developed the Common High Priority List (CHPL), consisting of '50 items identified by six-digit Harmonized System (HS) Codes that Russia seeks to procure for its weapons programs'.⁵⁷

Efforts by GECC members to regulate exports of these items and prevent them from reaching the Russian Federation, Iran and North Korea have faced substantial obstacles. Many of the items that GECC members are seeking to regulate and that are included in the CHPL are not included in the control lists established by the multilateral export control regimes and were therefore not subject to national export control measures prior to 2022.⁵⁸ After 2022 these items could continue to be exported to destinations that are not part of the GECC without prior approval. As a result, trading companies and distributors based in States that are not part of the GECC have been able to acquire these items from companies based in GECC members and ship them to the Russian Federation without violating domestic laws and regulations. This has reportedly been the case for

trading companies and distributors in States outside the GECC, including Kazakhstan, the People's Republic of China, Türkiye and the United Arab Emirates.⁵⁹

GECC members have sought to improve the effectiveness of their controls and close these loopholes by imposing restrictions on transfers of items to companies accused of knowingly acting as points of transit of transfers of controlled items to the Russian Federation. They have also tried to encourage companies operating in relevant sectors to adopt due diligence and know-your-customer procedures that would enable them to identify, investigate and address cases where intermediaries might re-export or have re-exported parts and components to the Russian Federation.⁶⁰ Within the EU, these recommendations have been supported by the imposition of legal obligations. Since June 2024 EU sanctions measures require EU-based exporters of high-risk items to adopt 'due diligence mechanisms' to detect and prevent cases of re-exportation to the Russian Federation.⁶¹ EU-based companies are also required to undertake 'their best efforts' to ensure that their subsidiaries based outside the EU 'do not take part in any activities resulting in an outcome that the sanctions seek to prevent'.⁶²

Despite these efforts, Ukraine has continued to find components manufactured by companies headquartered in GECC members in military equipment used by the Russian Federation.⁶³ This has included parts and components integrated into Russia's 'Oreshnik' missile, which was first used against Ukraine in November 2024.⁶⁴

56 Among the 39 members that have joined the GECC, 37 are ATT States Parties: 'Australia, Canada, the 27 Member States of the European Union, Iceland, Japan, Liechtenstein, New Zealand, Norway, the Republic of Korea, Switzerland [...] and the United Kingdom'. The remaining two members are the United States (ATT Signatory State, but no longer intends to become a party) and Taiwan (non-UN member). See: European Commission (2024). 'Preventing Russian export control and sanctions evasion: Updated guidance for industry'. Directorate-General for Financial Stability, Financial Services and Capital Markets Union. https://finance.ec.europa.eu/document/download/ae2e63e2-4c4d-4f77-9757-c408ddbcede1_en?filename=240924-preventing-russian-export-control-sanctions-evasion%20.pdf.

57 US Department of Commerce. (2024). 'Common High Priority List'. Bureau of Industry and Security. 23 February 2024. <https://www.bis.gov/licensing/country-guidance/common-high-priority-items-list-chpl>.

58 See Sidley Austin LLP. (2023). 'One Year of Russia Restrictions: Six Key Trends and Lessons for Trade Compliance'. Sidley Updates: Global Arbitration, Trade and Advocacy. 22 Feb. 2023. <https://www.sidley.com/en/insights/newsupdates/2023/02/one-year-of-russia-restrictions-six-key-trends-and-lessons-for-trade-compliance>.

59 Mackinnon, A. (2024). 'Russia's War Machine Runs on Western Parts'. Foreign Policy. 22 February 2024. <https://foreignpolicy.com/2024/02/22/russia-sanctions-weapons-ukraine-war-military-semiconductors/>.

60 US Department of Commerce, et al. (2023). 'Exporting Commercial Goods: Guidance for Industry and Academia'. Bureau of Industry and Security. 26 September 2023. <https://www.bis.doc.gov/index.php/documents/enforcement/3336-2023-09-26-export-enforcement-five-guidance-for-industry-and-academia-priority-hs-codes/file>.

61 Council of the European Union. (2024). 'Russia's war of aggression against Ukraine: comprehensive EU's 14th package of sanctions cracks down on circumvention and adopts energy measures'. 24 June 2024. <https://www.consilium.europa.eu/en/press/press-releases/2024/06/24/russia-s-war-of-aggression-against-ukraine-comprehensive-eu-s-14th-package-of-sanctions-cracks-down-on-circumvention-and-adopts-energy-measures/>.

62 Ibid.

63 See War Sanctions. (n.d). 'Components in the Aggressor's Weapons'. <https://war-sanctions.gur.gov.ua/en/components>.

64 Cook, C. (2024). 'Russian producers of Oreshnik supermissile used western tools'. Financial Times. 27 December 2024. <https://www.ft.com/content/g9obbc2f-6b6f-4990-b022-3bf4cd090686>.

The attempt to persuade or require companies in the civilian sector to ensure that the items they are exporting are not repurposed for integration into controlled weapon systems, comes at a time when CSOs and some States have been trying to ensure that companies in the defence sector are more pro-active in adopting human rights due diligence measures. The overarching framework for these efforts is the 2011 UN 'Guiding Principles on Business and Human Rights' which asserts that businesses should have in place a 'human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights'.⁶⁵

These efforts have led to discussions of these issues at both the ATT and the UN in 2023 and 2024.⁶⁶ The cases of Iran, North Korea and the Russian Federation indicate there might be scope to expand these discussions by focusing on, and conducting outreach towards, exporting companies that do not view themselves as being part of the defence sector. This includes companies who are not exporting items that are captured by arms and dual-use export control, but whose exported items risk being repurposed as tools of armed conflict or as their parts and components. This could involve an examination of the potential to expand arms export control measures to certain transfers of parts and components manufactured in the civilian sector through the use of 'catch-all' controls and the adoption of due-diligence measures by the companies themselves.

**US AIR FORCE PILOTS IN FIFTH-
GENERATION F-35A FIGHTER
AIRCRAFT HAVE PRACTISED
LANDING ON A HIGHWAY IN
EUROPE FOR THE VERY FIRST TIME.**

CREDIT: © NATO



65 United Nations Human Rights Office of the High Commissioner. (2011). 'Guiding Principles on Business and Human Rights'. https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf, p. 16.

66 See ATT Secretariat (2023). 'Ninth Conference of States Parties Final Report', 25 August 2023. ATT/CSPg/2023/SEC/773/Conf.FinRep.Rev2. <https://bit.ly/3RCiqYi>; and UN Human Rights Council (2025). 'Impact of arms transfers on human rights. Report of the Office of the United Nations High Commissioner for Human Rights', 9 January 2025. A/HRC/58/41. <https://docs.un.org/en/A/HRC/58/41>.

CONCLUSIONS AND RECOMMENDATIONS

The topic of controls on parts and components has occasionally been addressed within ATT subsidiary bodies. For instance, exchanges within the ATT Working Group on Effective Treaty Implementation (WGETI) have supported the development of the section on national control lists in the 'ATT Voluntary Basic Guide to Establishing a National Control System' that was presented during the Fifth Conference of States Parties to the ATT (CSP5) in August 2019.⁶⁷

The recent establishment of the WGETI sub-working group on 'Exchange of National Implementation Practices' provided an opportunity to conduct further exchanges. According to its workplan, the group addressed the topic of 'Scope / National control list' during the working group's meeting of the CSP11 preparatory process in February 2025.⁶⁸ Guiding questions that accompanied this discussion included, among others, whether States Parties have included parts and components in their national control list and if these lists apply to all types of transfers.⁶⁹ The session featured experts' and States' presentations followed by an open discussion where some States shared their national practices on control lists and related challenges.⁷⁰ Relevant issues were also discussed in the meeting of the WGETI sub-working group on 'Current and Emerging Implementation Issues' during a session focusing on 'the role of industry in responsible international arms transfers'. In this context, private sector representatives noted the challenges faced by companies that 'do not produce end-use military products but rather parts and components for integration into larger systems' in terms of upholding due diligence requirements.⁷¹

However, there has been no systematic review of which parts and components States include in their national control lists and, more generally, how they have implemented Article 4. Such a review and relevant ATT discussions should also include and be linked to national implementation practices on risk assessments, since the linkages between Articles 6 and 7, and Article 4, were not systematically addressed as part of the process that led to the development of the ATT Voluntary Basic Guide on the implementation of Articles 6 and 7.⁷²

The increased geo-political instability is leading States to raise military spending and engage more actively in joint defence production efforts. As a Treaty whose object is to 'establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms', the ATT can help globalize responsible standards in arms export controls and create assurances that all States Parties that are collaborating on a joint defence production project abide by similar standards when making decisions about exports of complete systems. The ATT could also provide a space for discussions between and among arms export, import and transit States about how to address the challenges generated by the growing use of parts and components produced in the civilian sector in the production of military equipment. In this context States Parties can compare national practices in the use of hard and soft law instruments to address these concerns and engage with companies on how to manage the regulatory challenges generated.

67 See ATT Secretariat. (2019). 'Voluntary Basic Guide to Establish a National Control System'. Working Group on Effective Treaty Implementation (WGETI). 26 July 2019. [https://thearmstradetreaty.org/hyper-images/file/ATT_CSP5_WGETI%20Voluntary%20Basic%20Guide%20\(Annex%20A%20to%20WGETI%20Report%20to%20CSP5\)\(updated%2009.09.2019\)\(Rev%20WA\)/ATT_CSP5_WGETI%20Voluntary%20Basic%20Guide%20\(Annex%20A%20to%20WGETI%20Report%20to%20CSP5\)\(updated%2009.09.2019\)\(Rev%20WA\).pdf](https://thearmstradetreaty.org/hyper-images/file/ATT_CSP5_WGETI%20Voluntary%20Basic%20Guide%20(Annex%20A%20to%20WGETI%20Report%20to%20CSP5)(updated%2009.09.2019)(Rev%20WA)/ATT_CSP5_WGETI%20Voluntary%20Basic%20Guide%20(Annex%20A%20to%20WGETI%20Report%20to%20CSP5)(updated%2009.09.2019)(Rev%20WA).pdf) and Holtom, P. (2021). 'Taking Stock of the Arms Trade Treaty: Scope', SIPRI. August 2021. https://www.sipri.org/sites/default/files/2021-08/att_first_six_1_scope_holtom.pdf, p. 3.

68 ATT Secretariat. (2025). 'ATT Working Group on Effective Treaty Implementation Chair's report to CSP11'. Working Group on Effective Treaty Implementation (WGETI). 2 May 2025. ATT/CSP11/WGETI/2025/CHAIR/811/PM.DrConf.Rep. https://www.thearmstradetreaty.org/hyper-images/file/ATT_CSP11_Informal%20Prep%20Meeting_WGETI_Chair_Draft%20Report%20to%20CSP11_EN/ATT_CSP11_Informal%20Prep%20Meeting_WGETI_Chair_Draft%20Report%20to%20CSP11_EN.pdf, pp. 3-4.

69 See ATT Secretariat. (2024). 'Multi-year Work Plan for the WGETI Sub-Working Group on Exchange of National Implementation Practices'. Working Group on Effective Treaty Implementation (WGETI). 19 July 2024. [https://thearmstradetreaty.org/hyper-images/file/ATT_CSP10_WGETI_Multi-year%20workplan%20for%20Articles%206%20and%207%20\(19%20Feb%202021_cl\)/Annex%20A%20-%20Draft%20WGETI%20Multi-year%20Workplan%20for%20Articles%206%20and%207%20\(19%20Feb%202021_cl\).pdf](https://thearmstradetreaty.org/hyper-images/file/ATT_CSP10_WGETI_Multi-year%20workplan%20for%20Articles%206%20and%207%20(19%20Feb%202021_cl)/Annex%20A%20-%20Draft%20WGETI%20Multi-year%20Workplan%20for%20Articles%206%20and%207%20(19%20Feb%202021_cl).pdf)

70 ATT Secretariat. (2025). 'ATT Working Group on Effective Treaty Implementation Chair's report to CSP11'. Working Group on Effective Treaty Implementation (WGETI). 2 May 2025. ATT/CSP11/WGETI/2025/CHAIR/811/PM.DrConf.Rep. https://www.thearmstradetreaty.org/hyper-images/file/ATT_CSP11_Informal%20Prep%20Meeting_WGETI_Chair_Draft%20Report%20to%20CSP11_EN/ATT_CSP11_Informal%20Prep%20Meeting_WGETI_Chair_Draft%20Report%20to%20CSP11_EN.pdf, pp. 3-4.

71 Ibid., p. 6.

72 Ibid. See ATT Secretariat. (2021). 'Annex A. Multi-year Work Plan for the WGETI Sub-Working Group on Articles 6&7 (Prohibitions & Export and Export Assessment)'. Working Group on Effective Treaty Implementation (WGETI). 19 February 2021. [https://thearmstradetreaty.org/hyper-images/file/Annex%20A%20-%20Draft%20WGETI%20Multi-year%20Workplan%20for%20Articles%206%20and%207%20\(19%20Feb%202021_cl\)/Annex%20A%20-%20Draft%20WGETI%20Multi-year%20Workplan%20for%20Articles%206%20and%207%20\(19%20Feb%202021_cl\).pdf](https://thearmstradetreaty.org/hyper-images/file/Annex%20A%20-%20Draft%20WGETI%20Multi-year%20Workplan%20for%20Articles%206%20and%207%20(19%20Feb%202021_cl)/Annex%20A%20-%20Draft%20WGETI%20Multi-year%20Workplan%20for%20Articles%206%20and%207%20(19%20Feb%202021_cl).pdf)

The following recommendations are proposed:

- **ATT States Parties should submit, review and, where applicable, update their initial reports and use the latest version of the ATT initial reporting template.** Updated initial reports could complement information shared during discussions on scope and national control lists in the WGETI, including on how States have interpreted and applied Article 4. Once this information is collected, the ATT Secretariat could conduct a more detailed analysis of how States Parties are interpreting and applying Article 4 in their national controls.
- **ATT States Parties should carry out a review of the interpretation and scope of Article 4, either alone or as part of a wider review of the ATT's scope.** This has been to some extent initiated by discussions on 'Scope / National control list' within the WGETI sub-working group on 'Exchange of National Implementation Practices'. These discussions could be followed up by a process of review of States Parties' national control lists to determine common approaches and gaps, identify assistance needs and develop more detailed guidance in relation to the adoption of national control lists that allow for effective coverage of parts and components. They should also be linked to discussions on 'The role of industry in responsible international arms transfers' conducted within the WGETI sub-working group on 'Current and Emerging Implementation Issues'. Specifically, CSP11 should adopt the WGETI recommendation that this sub-working group 'consider challenges related to the scope of the Treaty (categories of conventional arms) and the establishment and maintenance of a national control list, including the handling of parts and components'.⁷³ All these discussions should ideally be supported by expert inputs from research centres, CSOs and other relevant stakeholders.
- **Exchange information on the application of Articles 6 and 7 to exports of parts and components.** States should conduct an exchange of information, either through the WGETI or another forum, to outline how they apply Articles 6 and 7 in situations where they are exporting parts and components for integration into jointly produced military equipment. These exchanges should focus on cases where States either (i) issue general licences that might remain valid for multiple years, or (ii) hand over responsibility for decisions about exports of resulting complete military items to the State where the final integration takes place, particularly in cases when this State is not an ATT State Party.
- **Encourage ATT States Parties to think as broadly as possible when reporting on ATT implementation measures.** In addition to arms export controls, ATT States Parties should also share information on other hard and soft law measures, such as sanctions measures, catch-all controls, and due diligence requirements, they are using to control transfers of 'the broadest range of conventional arms'⁷⁴ and their related parts and components and to ensure that they are not used in ways that violate ATT provisions. States could also consider using the Diversion Information Exchange Forum (DIEF) to share confidential information on cases where clandestine attempts to acquire items produced in the civilian sector for integration into military equipment have been detected and prevented.
- **Advance the ATT as a forum to discuss and review efforts to prevent the diversion of civilian parts and components to military end-uses and end-users.** Companies and other entities that are outside the defence sector are increasingly required to apply export controls, sanctions measures, and soft law obligations, such as due diligence obligations, to prevent the diversion of the items they are exporting to the production of military equipment. The ATT could be a space for companies and other entities to share the challenges they face in applying these obligations, engage in dialogue about the practices adopted to address them, and identify areas where additional guidance and capacity-building are needed. These exchanges could form the basis for a dialogue among ATT States Parties about how to ensure that items produced in the civilian sector are not utilized in the production of military equipment.

73 ATT Secretariat. (2025). 'ATT Working Group on Effective Treaty Implementation Chair's report to CSP11'. Working Group on Effective Treaty Implementation (WGETI). 2 May 2025. ATT/CSP11/WGETI/2025/CHAIR/811/PM.DrConf.Rep. https://www.thearmstradetreaty.org/hyper-images/file/ATT_CSP11_Informal%20Prep%20Meeting_WGETI_Chair_Draft%20Report%20to%20CSP11_EN/ATT_CSP11_Informal%20Prep%20Meeting_WGETI_Chair_Draft%20Report%20to%20CSP11_EN.pdf, p. 10.

74 Arms Trade Treaty, Article 5 (3) (adopted 2 April 2013, entered into force 24 December 2014). <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>.

THE IMPACT OF PARTS AND COMPONENTS DIVERSION ON THE FIREARMS⁷⁵ ILLEGAL MARKET

In several regions there is a growing trend of using diverted industrially produced parts and components to assemble privately made firearms.⁷⁶ This presents new challenges for law enforcement, for violence prevention and for implementation of the ATT, given the risk that diversion of parts and components could contribute to arming organized crime and terrorist groups. Understanding this scenario requires new resources and capacity building to investigate diverted parts and components' origins and traffickers' modus operandi.

Diversion of parts and components of firearms can be more difficult to detect since those elements are more easily concealed. Parts and components have been found in containers, vehicles and even in conventional posts and parcels, requiring additional investments to conduct detailed searches or implement wider use of scanners at border controls. The use of industrially produced parts and components to assemble firearms allows for the manufacturing of more efficient firearms in comparison with fully crafted ones, increasing their potential damage. This evolution includes high-quality counterfeit assault rifles and submachine guns that can be initially misidentified as

original. It also increases the importance of forensics labs, requiring disassembling those firearms and deeper analysis on counterfeit markings, on polymers and ink types and assembling techniques to sort those firearms and their parts and components' origins. Complete investigations become more complex, requiring mapping a new ecosystem of stakeholders and adapted frameworks to collect new information. Fighting this new threat can also demand adaptations in domestic legislative frameworks to close loopholes and provide stepping stones for investigation, for export and import controls and for international cooperation.

It is important to consider updated information on privately made firearms using diverted parts and components in the ATT framework. As a rising issue, it can especially benefit from an exchange of good practices on how States regulate the production, export and transfer of industrial parts and components, and from exchange of information on trafficking routes, typologies and techniques. Those can be encouraged in the ATT Working Group on Effective Treaty Implementation (WGETI), in the Diversion Information Exchange Forum (DIEF), as well as in side events and working papers. To avoid duplicating efforts, it is also advised to consult the knowledge production around the UN PoA, the Firearms Protocol and other related international instruments.

⁷⁵ The ATT scope includes small arms and light weapons (SALW). There is an overlap between the types of weapons that are included in the definition of 'firearms' and some sub-categories of SALW, particularly small arms. See Florquin, N., et. al. (2019). 'Weapons Compass: Mapping Illicit Small Arms Flows in Africa'. Geneva: Small Arms Survey. January 2019. <https://www.smallarmssurvey.org/sites/default/files/resources/SAS-AU-Weapons-Compass.pdf>, p. 23. Parts and components of firearms are subject to global and regional instruments, such as the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition (Firearms Protocol).

⁷⁶ The phenomenon importance was recognized in the Fourth UN Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects outcome document. See, United Nations General Assembly. (2024). 'Report of the Fourth United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects'. A/CONF.192/2024/RC/3. 5 July 2024: <https://docs.un.org/en/A/CONF.192/2024/RC/3>. Examples from several regions, details on typology and on practical consequences are available at: Small Arms Survey, et al. (2024). 'The growing and multifaceted global threat of privately made and other non-industrial small arms and light weapons'. Working paper submitted at the Fourth United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the International Tracing Instrument. New York, 17–28 June 2024. [https://docs-library.unoda.org/Programme_of_Action_on_Small_Arms_and_Light_Weapons_-_Review_Conference_\(2024\)/SAS_ISdP_UNIDIR_WorkingPaper_PrivatelyMadeSALWvf.pdf](https://docs-library.unoda.org/Programme_of_Action_on_Small_Arms_and_Light_Weapons_-_Review_Conference_(2024)/SAS_ISdP_UNIDIR_WorkingPaper_PrivatelyMadeSALWvf.pdf).



BALTICS, SEPTEMBER 27, 2024.
NEW AUSTRIAN GLOCK 45 AND
17 PISTOLS.

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