



Republic of Liberia
Liberia National Commission on Small Arms LiNCSA
(LiNCSA)



LIBERIA AND COMPLIANCE WITH THE ARMS TRADE TREATY (ATT)



Foreword

The idea of the Arms Trade Treaty Assessment Mission to Liberia was actualized in New York during the 5th Biennial Meeting of States at the U. N. Headquarters in June 2015. At that meeting, the Chairman of the Liberia National Commission on Small Arms (LiNCSA), Mr. James M. Fromayan and the Head of Arms Unit of Saferworld, (a London based N.G.O. with interest in preventing the illicit flow of arms) Mr. Roy Isbister met and brainstormed on the necessity of LiNCSA and Saferworld jointly embarking on an ATT Assessment Mission to Liberia especially so when the country was on the verge of becoming a state party to the Treaty. It was decided in principle that the two institutions would sign a Memorandum of Understanding (MOU) to underscore each institution role during the exercise. After weeks of reviewing the draft MOU, and with the approval of the Ministry of Justice, LiNCSA and Saferworld signed the MOU, thus paving the way for the Assessment Mission to begin work.

We were quite aware of the fact that once a country became a state party, it has a corresponding responsibility to comply with the requirements of the ATT expressed in national laws. The ATT which seeks to establish the highest standard in the international trade in conventional arms to avoid diversion into the wrong hands, (especially terrorists who would use such arms to commit crimes against humanity) expects its members to uphold such standard so as to ensure global peace and security. The joint Assessment Mission had the opportunity to review existing laws as they relate to the ATT, interviewed/discussed with relevant stakeholders, and visitations to a number of major Liberian ports of entry. The then draft Firearms and Ammunition Control Act was a useful tool in the hands of the Assessment Mission. It is pleasing to note that the Firearms and Ammunition Control Act has been enacted into law by the Legislature with the signature of the President. As important as the Firearms and Ammunition Control Act is, it falls short of meeting the basic requirements of the ATT, which deals with the trade and movement of conventional arms in addition to Small Arms and Light Weapons.

The Assessment Mission in our view did a splendid piece of work that should serve as a flashlight to help Liberia domesticate the ATT to make our country fully ATT compliant state. It is therefore very important for all stakeholders to consider the recommendations contained in this report.

James M. Fromayan

CHAIRMAN

LIBERIA NATIONAL COMMISSION ON SMALL ARMS

Acknowledgement

The Liberia National Commission on Small Arms (LiNCSA) wishes to extend gratitude to the President of Liberia, Her Excellency, Madam Ellen Johnson Sirleaf for taking the first major step by signing the Arms Trade Treaty (ATT) in 2013. This action of the President did not only commit Liberia to this global standard but clearly demonstrated the firm commitment of the Government to Liberia's compliance with the ATT.

The Commission would like to thank everyone who contributed to the assessment of Liberia's compliance with the Arms Trade Treaty (ATT). All of the support provided during the consultative process, particularly information sharing have given the report the quality it deserves. Thus, the Commission would like to thank all of those who were consulted in the development of the report for being so generous with their time and inputs.

In particular, LiNCSA is grateful to authorities of government ministries and agencies including the Ministry of Foreign Affairs, the Armed Forces of Liberia, the Bureau of Immigration and Naturalization, the Liberian Coastguard, the Liberian National Police, the Liberia Revenue Authority, the Ministry of Justice, the Ministry of National Defense, the National Port Authority, the National Security Agency, Roberts International Airport, the United Nations Mission in Liberia, and security personnel at the Bo Waterside border crossing. Additionally, the Commission would like to acknowledge the insightful contributions of the Minister of Foreign Affairs, Her Excellency, Ambassador Marjon V. Kamara, the National Security Advisor, Dr. H. Boima Fahnbulleh, Jr., the Chairman of the Senate Standing Committee on Defense and National Security, Sen. Steve Zargo, the House Standing Committee on National Defense, Dr. Bhofal Chambers, House Standing on National Security, Hon. Alfred Koiwood, Sen. Conmany B. Wesseh, Mr. Nicholas Faryombo and colleagues at the Liberia Action Network on Small Arms (LANSA) who worked closely with the consultant to facilitated civil society and other stakeholders engagements.

LiNCSA is highly appreciative of the Government of Norway for financing the assessment through its Ministry of Foreign Affairs as part of its support to Liberia's recovery and development.

To this end, the Commission is exceptionally grateful to Mr. Roy Isbister of Saferworld who produced the assessment report which is a vital tool that provides a strategy for Liberia's compliance with the ATT.

Finally, LiNCSA wishes to express thanks and appreciation to its hardworking staff for the leadership role played in the conduct of the assessment and the finalization of the report.

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Abbreviations

ATT	Arms Trade Treaty
CATA	Conventional Arms Transfers Act
CSP	Conference of States Parties to the ATT
ECOWAS	Economic Community of West African States
IHL	International Humanitarian Law
IHRL	International Human Rights Law
LiNCSA	Liberia National Commission on Small Arms
LiNCA	Liberia National Commission on Arms
LNP	Liberian National Police
LRA	Liberia Revenue Authority
MND	Ministry of National Defense
MOFA	Ministry of Foreign Affairs
NSA	National Security Advisor
RIA	Roberts International Airport
ROB	Remain-on-Board
SALW	Small Arms and Light Weapons
UNMIL	UN Mission in Liberia

Introduction

On 20 July 2015 Liberia became a State Party to the global Arms Trade Treaty (ATT). A legally-binding instrument governing the international transfer of conventional arms, the ATT confers a number of legal obligations on its members. This report examines the relevant laws, regulations, structures, policies and practices in Liberia and identifies the extent of, and gaps in, Liberia's current compliance with those obligations.

It makes a number of recommendations as to how Liberia can move relatively quickly to full ATT compliance.

The report takes full account of Liberia's historical, geographical, political, economic and security context. Factors that have been taken into consideration include:

- Liberia's relatively recent experience as a country in conflict;
- Liberia's membership of the ECOWAS Convention on Small Arms and Light Weapons (SALW), their Ammunition and Other Related Materials (ECOWAS Convention) and the implications this has for transfers of SALW to, from or through Liberian territory, with particular reference to Chapter II of the Convention;
- Limitations on the Government's capacity and resources;
- The emergence from UN sanctions (as set out in UN Security Council Resolution 2288);
- The ongoing drawdown of the UN Mission in Liberia (UNMIL);
- The fragile security situation in a number of states in Liberia's 'neighborhood';
- That currently there is no commercial manufacture of conventional arms and that Liberia has very limited involvement in the international arms trade, whether as an exporting, importing or transit state;
- That the Liberian legislative branch has recently passed a new Firearms & Ammunition Control Act (Firearms Act)—soon expected to be signed into law by the President—which *inter alia* introduces controls on the transfer of small arms and their ammunition.

The analysis has involved a combination of desk-based research and interviews with a wide range of stakeholders from government, both Houses of the legislature, local civil society and UNMIL. It also comprised a workshop for technical experts with representatives from various national security institutions and agencies of Liberia as well as civil society, and a roundtable consultation with high-level government officials at which a draft of the report was introduced and discussed. Feedback from that consultation is reflected in the final version of the report.

Unsurprisingly, in light of Liberia's recent history, the role played by the UNMIL and Liberia's relative lack of involvement in the international arms trade, Liberia's current legislative and institutional arrangements do not meet all the requirements of the ATT and a number of measures will need to be undertaken to achieve proper compliance. However, recent legislative developments and the current coordinating function played by the Liberia National Commission on Small Arms (LiNCSA) with regard to small arms would appear to give a solid foundation on which to build, and Liberia's limited arms trade involvement means that once the necessary systems and structures are in place the additional workload should be relatively low.

Recommendations

In order to become fully compliant with the ATT, the Liberian Government will need to:

- Finalize the enactment process of the Firearms & Ammunition Control Act (Firearms Act) as already passed by the National Legislature.
- Establish an Executive Order for a total ban on the export or import of any conventional arms not covered by the Firearms Act without the expressed authority of the President upon recommendation from the National Security Council until appropriate legislation is in place (see below).
- Develop a new Act to regulate Liberia's involvement in the international transfer of all conventional arms consistent with the requirements of the ATT, drawing upon language in the Firearms Act wherever possible.
- Adopt the Wassenaar Munitions List (as used by most EU countries) as the national control list.
- Develop a Registry of Liberian arms brokers.
- Expand the mandate of the Liberian National Commission on Small Arms to cover the cross-border transfers of all conventional arms and to establish it as containing Liberia's 'Licensing Authority' responsible for administering the national conventional arms transfer control system. This would require a change of name of the Commission to reflect its new mandate, e.g. to the Liberian National Commission on Arms (LiNCA).
- Establish an ATT national point of contact (for the ATT Secretariat and other States Parties).
- Establish a cross-governmental Licensing Committee made up of representatives from relevant government departments/agencies, which would be convened by the Licensing Authority, to assess all license applications for arms transfers and make recommendations (to issue or reject licenses) to the Minister (see below).
- Assign ultimate responsibility for decisions on licenses to a Minister, potentially the Minister of Justice.
- Establish regulations and written procedures for the management of all aspects of the arms licensing system.
- Actively engage with other States Parties to and the Secretariat of the ATT, and with ECOWAS Convention partners and the ECOWAS Commission, to seek assistance where required and to take full advantage of relevant information already in the public domain, especially with regard to the license decision-making process.
- Place as much information as possible regarding arms transfer control legislation, regulation, control lists, procedures, documentation, the registry of brokers, policies, and reports on licenses granted and transfers made (see below) in the public domain via an official LiNCSA's website.
- Develop and make available to relevant entities—including suppliers and exporters, importers and end-users, brokers—the necessary documentation to facilitate the license application process, e.g. license application forms and end-use documentation.
- Ensure close communication between licensing and customs authorities, including through joined-up documentation practices (e.g. through the use of matching document-numbering; requiring customs documentation to be accompanied by arms export and import authorizations).

- Assign two officials to act as authorized signatories for Liberia's end-use documentation, and communicate this information to the ATT Secretariat.
- Ensure the initial national report and the national annual reports mandated by the ATT are produced and delivered to the ATT Secretariat on time, and placed in the public domain (on the Licensing Authority website). Responsibility for doing this will fall naturally to the Licensing Authority, but will require the co-operation of other government agencies. Reporting responsibilities should be set out in legislation.
- Ensure that imports by state security providers take place according to agreed procedures and that information regarding all such imports is shared with the Licensing Committee and the Licensing Authority, and included in the national reports on imports.
- Ensure that all government agencies importing or holding conventional arms have adequate safe storage facilities and effective stockpile-management procedures in place.
- So as to assist border management, limit the points of legal import, export and transit of arms into, from and through Liberia to Roberts International Airport (RIA) and the Freeport of Monrovia, except where a case-specific written exemption is made on the authority of the Commissioner of Customs of the Liberia Revenue Authority.
- Improve the quality and extent of safe-storage facilities at RIA and the Freeport, and at other main border-crossing points where feasible, and establish clear procedures for rapid, secured transfer of arms shipments to secure storage facilities where it is not possible to guarantee the security of arms on site.

Key Features of the Arms Trade Treaty

The ATT is a global treaty intended to establish the highest possible common international standards for regulating the international trade in conventional arms, and to prevent and eradicate the illicit trade in conventional arms and prevent their diversion (see Annex 1 for the full text of the Treaty). Adopted by vote in the UN General Assembly on 2 April 2013, it entered into force on 24 December 2014.

The Treaty outlaws any international transfer of conventional arms that is not explicitly authorized by the States Parties involved in the transfer. It requires States Parties to *inter alia*:

- Establish a national control system to regulate the trade in conventional arms;
- Establish a national list of items subject to control;
- Prohibit the export, import, transit or brokering of controlled items where the transfer would be in breach of international law, e.g. where it would contravene a UN arms embargo, or the arms to be transferred would be used to commit genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949 or war crimes;
- In all other cases conduct a risk assessment and refuse exports where it determines there is a risk of specified negative consequences (for example the risk that the items to be exported could be used to commit or facilitate a serious violation of international humanitarian law);
- Keep national records of transfers;
- Report to the ATT Secretariat on measures taken to implement the Treaty and, on an annual basis, on relevant exports from and imports to its territory.

The Treaty also contains a number of provisions relating to international co-operation and assistance, and to its administration and ongoing implementation and development, such as the establishment and responsibilities of an administrative (not executive) Secretariat and a periodic Conference of States Parties (CSP), and procedures for Treaty amendment. The Treaty places all decision-making with regard to conventional arms transfers firmly in the hands of States Parties—there is no body mandated in the Treaty to stand above States Parties and make decisions or adjudicate on national decision-making.

Situation in Liberia

For a combination of reasons, the extent of Liberian involvement in the international arms trade is extremely limited. Since the end of the war in 2003, and especially with the presence of UNMIL and the existence of the UN arms embargo, Liberia has had very little reason or opportunity to import conventional arms. Membership in ECOWAS and the requirements of the ECOWAS Convention place additional controls on transfers of small arms, their ammunition and related materials. This is not to say that Liberia does not import any conventional arms at all, but rather that imports have been very limited and subject to restrictive and successive layers of control.

Currently there is no commercial manufacture of conventional arms in Liberia and the country has not had surplus or unwanted military equipment to sell. The embargo has also inhibited Liberia from operating as a point of transit for arms shipments, be it through Roberts International Airport (RIA) or the Freeport of Monrovia, though with the end of the arms embargo and both RIA and the Freeport having ambitions to increase their operations this may change in future. Little is known about whether Liberia has functioned as a home for arms brokers—limited communications capacities and transportation links would suggest this is unlikely—however the absence of controls on arms brokering and proximity to other fragile contexts mean that this should not be discounted.

Note that this analysis of Liberia's level of compliance with the ATT looks very much to the future. It is thus based on the understanding that the Firearms Act passed by the National Legislature will shortly become law following the signature of the President and that UNMIL has handed all security matters over to the Liberian Government and so will have no further jurisdiction over anything related to arms control or arms management, and proceeds on that basis.

Legislation

The first task of any State Party to the ATT is to ensure that all its attendant obligations are given expression in domestic law. Liberia is starting from an unusual position, given that responsibility for arms transfers has in effect fallen to UNMIL, such that there is currently very little in the way of national law to control international conventional arms transfers. The Firearms Act is definitely a useful start; it goes some distance towards filling this legislative gap. Usefully, although drafted before Liberia joined the ATT, The Firearms Act does anticipate Liberia's membership such that many of the provisions of the new law reflect the obligations of the ATT, for example with regard to the decision-making process a government must follow when deciding whether to export SALW.

The Firearms Act, however, applies both to a significantly narrower range of equipment and a significantly broader range of activities than the ATT.

Whereas the Firearms Act covers only SALW, their ammunition and related materials, the ATT covers a much broader range of conventional arms, from small arms ammunition up to aircraft carriers and combat aircraft. And while both the ATT and the Firearms Act regulate cross-border transfers (export, import, transit and brokering), the Firearms Act also regulates domestic SALW control, including *inter alia* SALW registration, possession and use, repair, dealing, marking, and destruction.

The nature of these differences also creates certain questions around the roles that different government ministries and agencies might play. For example, the respective roles of the Liberia National Police (LNP) and the Ministry of National Defense (MND) are likely to shift dependent on whether, for example, the issue is licensing of a firearm for personal use within Liberia or the licensing of surplus armored vehicles for export to a neighboring state.

It will therefore be necessary for Liberia to draft new law in order to be fully compliant with the ATT. This could be done by either amending the Firearms Act so that it covers all elements it is so far lacking, or drafting a new law, dealing solely with international conventional arms transfers.

Standard international practice is to separate domestic small arms control and international conventional arms transfer control into two separate Acts, as despite some overlaps these are in essence two quite separate issues, involving different challenges and different actors. While it would be possible to expand and adjust the Firearms Act, following detailed examination of this law, LiNCSA firmly believes that the preferred solution is to follow standard practice and create a distinct Act (named here as the Conventional Arms Transfers Act (CATA), for convenience). It should be noted, however, that much work on this point has already been done, as there is much in the Firearms Act that could be copied directly into a CATA.

In passing a CATA into law it would be necessary to make amendments in parallel to the Firearms Act, to avoid duplication and potential loopholes. But whichever path is chosen, it is our strongest recommendation that this does not lead to delays in the imminent passage of the

Firearms Act as it currently exists, as delays run the risk of creating a situation where there is no legal basis within Liberia for small arms control/management.

Moreover, while it is currently difficult to estimate how long it might take to pass a new law, there will inevitably be a need to quickly put in place a mechanism to ensure that in the interim the Government still has the means to regulate transfers of all conventional arms. LiNCSA recommends that until appropriate legislation is in place, Liberia should establish an Executive Order for a total ban on the export or import of any conventional arms not covered by the Firearms Act without the express authority of the President upon recommendation from the National Security Council.

Key Components of a Conventional Arms Transfers Act (CATA)

It is beyond the scope of this report to begin a legislative drafting process; however there are certain elements that a CATA will need to include. Note that for each of these elements, decisions will be required as regards exactly what should be included in the main legislation and what could be left to be elaborated through regulation.

The legislation should set out definitions of key concepts and terms (drawing where feasible and as appropriate upon existing legal instruments such as the Firearms Act, the ECOWAS Convention and the ATT itself). It should establish the various responsibilities of the relevant ministries, departments, agencies, etc. of the Government, including the relationships and hierarchies among them. It should also include reference to precisely who is ultimately responsible for officially authorizing or refusing arms transfers.

In line with the Firearms Act, CATA should set out general provisions relating to the arms transfer license application process, the information required of applicants, the awarding or denial of licenses, the revocation and expiration of licenses, etc. Note that in order to be able to easily make adjustments as and when necessary, it would be advisable for many of these provisions to be elaborated in regulations; however the basic requirements at least should be set out in the legislation. Following international good practice—and the example set out in the Firearms Act—the law should start from the principle that involvement in any arms transfer is prohibited unless expressly approved. This would guarantee that transfers are only legal when officially authorized, and creates a *de facto* prohibition on the ownership of military equipment except where expressly permitted. CATA should also include a detailed ‘control list’ of the items to which the law will apply, i.e. for which transfer authorization is required. In the interests of keeping the control list up to date in respect of technological and other developments, it should be attached to the CATA as an easily-updateable schedule (see below).

Box 1: National Control List

During Treaty negotiations an explicit decision was taken that States Parties would not attempt to define a precise list of items to which the Treaty would apply, on the grounds that this could slow the negotiations by (literally) years. Instead it was decided to use more general categories—the seven categories of major conventional arms taken from the UN Register of Conventional Arms, small arms and light weapons, and ammunition and components for all of these types of arms—and then require each State Party to develop its own national control list. Under ATT Article 5 (3), States Parties are ‘encouraged to apply the provisions of this Treaty to the broadest range of conventional arms.’

Developing a national control list is not straightforward. A control list draws the legal line between what is and what is not subject to legal control; to be effective, this line needs to be clearly demarcated. There are very real questions for a country such as Liberia, where so few licensing decisions will be required, whether it is worth the effort of developing its own list.

An alternative is to use an existing list, such as the Wassenaar Munitions List, agreed by the 41 (predominantly but not exclusively European) states of the Wassenaar Arrangement, a multilateral forum established in the 1990s ‘to contribute to regional and international security and stability, by promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies, thus preventing destabilizing accumulations [, and] to prevent the acquisition of these items by terrorists’.¹

The Wassenaar Munitions List has been developed by ordnance and export control experts from all the Wassenaar States over the last 20 years. It is more extensive than Liberia is likely to use in its actual licensing for the foreseeable future, and it covers a broader range of conventional arms—such as a wider range of military aircraft, vehicles and vessels and other categories of goods such as electronic warfare and night-vision equipment—however there are some very real advantages to its adoption.

The Wassenaar Munitions List is a well-established international standard providing the basis for many control lists of conventional arms. For example, the EU Military List is in essence the Wassenaar List; a number of states that are not Wassenaar members (and are not even signatories of the ATT), such as China and India, are in discussion about becoming members and/or using the Wassenaar Munitions List anyway. As such, it is a low-cost (or even no-cost) way of Liberia demonstrating its determination to be in the front rank of states in terms of being a responsible arms exporter and importer. The Wassenaar List is updated by the world’s foremost technical experts on an annual basis, again at no cost to a state like Liberia. It is publicly available, and Wassenaar Arrangement members are not only happy for non-Wassenaar States to use the list, they positively encourage it and will where feasible provide assistance to non-members in their use of the List, either through the Wassenaar Secretariat or on a bilateral basis.

It is therefore recommended that Liberia adopt the Wassenaar Munitions List for use as its national control list. The most straightforward way to do so would be to include it as a Schedule to the CATA, which could be updated as and when the Wassenaar List is updated.

The CATA should address the question of which entities are entitled to export, import or broker arms. This should include any special provisions or exemptions that might apply to designated agents of the Liberian state, e.g. the MND/Armed Forces of Liberia and the LNP. A Registry of brokers should be established, as should a database of all those who have applied for licenses to export or import conventional arms.

The new law should set out the rules to be followed by the agents of the state when deciding whether to award or deny transfer licenses, consistent with the provisions in the ATT on ‘prohibitions’ and on ‘export and export assessment’ in ATT Articles 6 and 7 respectively, and the offences and penalties under CATA.

¹ *The Wassenaar Arrangement On Export Controls for Conventional Arms and Dual-Use Goods and Technologies*, <http://www.wassenaar.org/>. A copy of the Wassenaar Munitions List is available at http://www.wassenaar.org/wp-content/uploads/2016/05/Stand_Alone_Munitions_List_WA.pdf.

While this may appear at first glance a substantial body of work, much of this has already been done for the Firearms Act and would require minimal effort to transpose the relevant provisions into the CATA. Given that the Firearms Act has only just been approved by both houses of the legislature, these particular provisions will hopefully prove relatively straightforward with legislators.

The nature and extent of the provisions of the new law may, at first glance, give the impression of creating a significant bureaucratic burden. However, in light of infrequency of Liberian arms imports or exports, this would be a very unlikely outcome and in this context the workload created is not expected to be onerous. While it is less clear how the number of arms transits might develop over time, the licensing requirement for transit will apply in only very limited cases, so again regulating transit is not expected to be particularly burdensome.

As the first critical steps towards building an appropriate and effective arms transfer control regime, the passage of the Firearms and Ammunitions Control Act by the Legislature is a significant achievement towards this end. However, there is an urgent need to establish an Executive Order to control international transfers of all other conventional arms.

Box 2: Regulating Import, Transit and Brokering

The obligations in the ATT with regard to import (Article 8), transit or transshipment (Article 9) and brokering (Article 10) may at first appear discretionary and to some extent they are. Calls for regulation come with *caveats* such as ‘where necessary’ (import), ‘where necessary and feasible’ (transit or trans-shipment), and ‘pursuant to national laws’ (brokering). However, when considered in the context of Article 6, which deals with *prohibited* transfers—such as where the transfer would, for example, violate a UN arms embargo or be used in the commission of genocide—these obligations are mandatory rather than discretionary or contingent.

States Parties must therefore have the legislation and procedures in place to regulate these activities where the relevant circumstances apply. This is indeed already the case with the Firearms Act. It is recommended that the language from the Firearms Act be similarly included in the CATA, though this should of course be applied to all conventional arms and not just SALW, their ammunition and related materials. This would apply to the licensing process, while in addition there should be a Registry of Brokers, with all applicants subject to a fit-and-proper-person test (again, as elaborated in the Firearms Act).

The fact that all ships entering the Freeport are required to provide the Liberia Revenue Authority (LRA) with Remain-on-Board (ROB) manifests should also assist Liberia in meeting its transit obligations. The LRA should alert the Licensing Authority whenever the ROB manifest shows that there are conventional arms on board, at which point the licensing authority can consider whether those arms fall foul of Article 6 and, in the event that they do, order Customs to impound the cargo.

In addition, Liberia's position as having one of the largest shipping registers in the world (earlier this year it was announced that the Liberian Registry had registered its 4,000th vessel²) may give it a special role in helping to implement and enforce the ATT regarding transit and transshipments. Where a vessel is sailing under a Liberian Flag, Liberia has the authority to permit boarding and inspection of that vessel by another state outside of territorial waters in the event of a suspicion of a breach of the ATT. This concept already exists in the context of countering the smuggling of narcotics and of migrants.³ As well, since 2004 Liberia has as part of the Proliferation Security Initiative had a bilateral arrangement with the US to this effect regarding illicit shipments of weapons of mass destruction, their delivery systems, or related materials.⁴ It is not clear whether States Parties might at some point begin to look as this type of scenario to counter the illicit proliferation of conventional arms but, should this eventuality arise, the number of vessels flying a Liberian flag may make this particularly relevant to Liberia.

² 'Liberian Registry Reaches 4,000-ship Milestone,' MarineLink.com, 1 February 2016, <http://www.marinelink.com/news/liberian-registry-reaches404439.aspx>.

³ '1988 UN Convention against Illicit Traffic in Narcotic Drugs & Psychotropic Substances,' Article 17, https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwiQw4-Cgv_MAhWkKMAKHc8aBa8QFggdMAA&url=https%3A%2F%2Fwww.unodc.org%2Fpdf%2Fconvention_1988_en.pdf&usg=AFQjCNFr3odXAPancyCiESRG0Oas_LE7Vw&sig2=A0niGcf-lfRYB23s22F32g&cad=rja; Protocol against the Smuggling of Migrants by Land, Sea & Air, Supplementing the UN Convention against Transnational Organized Crime, 2000, Articles 7-9, https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwjByPKmg_MAhUnJ8AKHf9hBRQQFgdMAA&url=https%3A%2F%2Fwww.unodc.org%2Fdocuments%2Fsoutheastasiaandpacific%2F2011%2F04%2Fsom-indonesia%2Fconvention_smug_eng.pdf&usg=AFQjCNFGiCa239eikyS4txfvFXt_ITvYeg&sig2=Y_Y3Kb9b3ZdO-QPGUjr6sQ&cad=rja.

⁴ 'Ship boarding agreements', US Department of State, <http://www.state.gov/t/isn/c27733.htm#>.

Designation of Responsibilities

Managing conventional arms should involve a wide range of different actors from within government, as well as other stakeholders from the legislature and civil society. Liberia is familiar with this reality, and via LiNCSA, has established meaningful structures for addressing issues around SALW control.

There will be significant crossover with managing international transfers of all conventional arms to the point where LiNCSA should be considered for a similar coordinating role in terms of implementation of the ATT. This would however involve a change to LiNCSA's existing mandate, and therefore amendment of LiNCSA's establishing legislation, the 2012 Act to Establish the Liberia National Commission on Small Arms. We would suggest that amendment include a change of name to, for example, the Liberia National Commission on Arms (LiNCA).

When considering the division of responsibilities among the various government agencies, a distinction can be made between administrative/coordinating, advisory and decision-making functions.

In this context, LiNCSA's or LiNCA's function is seen as predominantly administrative/coordinating. Functions that LINSICA might be expected to fulfil would include but not be limited to:

- Functioning officially as the 'Licensing Authority' (with reference to this function in its establishing Act);
- Managing the formulation and upkeep of relevant legislation, regulations, procedures and documentation;
- Collecting and disseminating relevant information to the Commission's membership;
- Developing and maintaining the necessary IT infrastructure to enable the efficient management of the arms transfer control system;
- Operating as the contact point for license applicants, including informing them of their rights and responsibilities, alerting them to any changes to the system, receiving and processing license applications, and informing applicants of decisions;
- Conducting outreach to those entities to whom arms transfer controls may be relevant or who may express an interest (including legislative committees; potential exporters, importers and brokers; media; civil society and end users);
- Convening and chairing meetings at which licensing and other decisions are taken;
- Compiling information, keeping records, developing and submitting the required reports to the ATT Secretariat;

- Operating as the Liberia’s ATT National Point of Contact for the ATT Secretariat and other States Parties (and any other interested actors from outside Liberia);
- Undertaking verification of end-use documentation and assurances received from other states, for example by checking on the veracity of authorizing signatures via the ATT Secretariat or bilaterally;
- Keeping abreast of international ATT developments and representing Liberia as required at ATT events.

Once again, the small number of license applications expected would limit any additional burden involved in fulfilling these functions, but it is to be expected that there may be some marginal implications for resourcing, and any new responsibilities would have to be explicitly delegated to LiNCSA staff.

The Members of the Commission drawn from other government agencies and civil society would serve predominantly advisory/consultative and decision-making functions. These would include:

- Making and providing feedback on proposals regarding legislation, regulations, procedures, documentation, IT systems etc.;
- Apportioning roles to LiNCSA;
- Reviewing the effectiveness and appropriateness of the national system over time;
- Evaluating the performance of LiNCSA;
- Advising on, making recommendations regarding and taking decisions on license applications, and reviewing licensing decisions as appropriate;
- Advising on general or case-specific enforcement issues.

In its advisory/consultative capacity, for the most part there would appear to be no reason why membership of LiNCA should be different to that of LiNCSA. However when undertaking operational decision-making, in particular with regard to license applications, or when considering more sensitive issues, for example regarding enforcement questions, it may be more appropriate to establish a smaller Licensing Committee comprising those LiNCSA members with particular expertise, knowledge or interests.

It is anticipated that the Licensing Committee would be chaired by LiNCSA and include from among the overall Commission membership representatives from at least the office of the National Security Advisor (NSA), the National Security Agency, the Ministry of Foreign Affairs, the Ministry of Justice (including its different enforcement agencies), the MOD (both civilian and the armed forces) and the LRA.

The precise make-up of and the roles within such a Committee would need to be established, but note these could vary depending on the issue under consideration. For example, the LRA and border management agencies may be more active with regard to questions relating to enforcement or transit than export licensing. The LNP might play a major role in deliberations about imports, but might be less central with regard to export decisions.

Risk Assessment and Licensing Decisions

ATT Articles 7 (export and export assessment) and 11 (diversion) set out the types of risk that must be considered by the national authorities for any potential export in advance of taking a decision. These risks relate to:

- Peace and security;
- Potential violations of international humanitarian law (IHL) and international human rights law (IHRL);
- Terrorism;
- Transnational organized crime;
- Gender-based violence or violence against women and children; and
- Diversion of the arms to be exported.

These are in addition to the checks the national authorities have to make under Article 6 (prohibitions) to ensure that any transfer is consistent with its existing international obligations and the arms to be transferred would not be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949 or war crimes.

The ATT does not set out how decisions are to be reached or who should be ultimately responsible for those decisions. However, in most jurisdictions with developed arms transfer control systems, ultimate responsibility rests with a Government Minister, though the particular ministry varies from country to country and the decision will be taken in light of a multi-departmental assessment and recommendation. We recommend that in Liberia the Minister of Justice should have this function on the grounds that the legal focus of the Justice Ministry is a natural fit for decisions relating to the implementation of a global treaty of this nature.⁵

The function of the Licensing Committee in the decision-making process would be to make the appropriate risk assessment and on that basis make recommendations to the Minister. Given the small number of license applications Liberia is expected to have to process, it would be unreasonable, not to say inefficient, to expect all members of the Licensing Committee to develop the necessary expertise to make a detailed assessment of all of the above factors. Instead, it is proposed that the committee assign lead responsibility for each of these factors to a designated member. For each license application the function of the Committee as a whole would be to consider the component assessments and come to an overall conclusion and recommendation.

It is also recommended that each agency or ministry designate a lead person, who would be tasked to represent their agency/ministry in all meetings, to lead the particular risk assessment function of their agency (see above), and to operate as the ‘expert’/point of contact for others within their agency. Rapid rotation of these individuals should be avoided if possible; this function requires a specific expertise and it will be unhelpful if this has to be re-acquired on a frequent basis.

⁵In some states where large number of license applications are considered (perhaps thousands every year), the decision-making authority might be delegated to officials for ‘routine’ cases, however formal responsibility still rests with the designated Minister and that Minister would be expected to be directly involved in more difficult or complex cases.

While Liberia's experience of this type of assessment may be very limited, Article 15 of the Treaty has a number of provisions calling on States Parties to co-operate and provide assistance for Treaty implementation. To this end, there are many ATT States Parties around the world that have substantial experience of assessing license applications against criteria similar to those in the ATT and who could provide support to those with less experience, while the ATT Secretariat is mandated to facilitate such exchanges. Liberia could also look to take advantage of its close relationship with the US, which although not a State Party is a signatory to the Treaty and has more experience than any other country evaluating risks associated with arms transfers and could be expected to respond sympathetically to well-structured requests for assistance.

In addition, there is a great deal of useful information in the public domain, in some cases with arms export control specifically in mind. The EU has published a User's Guide, available online, to assist licensing officials from EU Member States in administering their own regional arms transfer control agreement. While containing much that will not be directly applicable to Liberia's implementation of the ATT, it has been updated since the ATT was agreed and includes a great deal of guidance which is explicitly ATT-relevant.⁶ For example, Annex 2 to this report includes an illustrative list of relevant open-source information sources recommended in the EU User's Guide for assessing the risk that arms might be used to commit or facilitate serious violations of IHL or IHRL.⁷

Note, however, that while risk assessments should definitely draw upon external open-source information sources, they may well also involve consideration of confidential information; it will therefore be important to include intelligence and security agencies in the assessment process.

Recommendations from the Licensing Committee, along with brief commentary/rationale and any explanatory (or dissenting) comments that any members of the committee could request be included, should be sent to the Minister. It would then fall to that Minister to approve or deny the license, or to request further information/explanation from the Licensing Committee.

It is to be expected that the Minister would on most occasions endorse the recommendation of the Licensing Committee. If a pattern of rejecting those recommendations were to develop, it would suggest something were amiss with the system and that a review might be in order. Note that it will be important for the integrity of the process that the Minister (or other ultimate decision-maker) is not involved until the Licensing Committee has completed its deliberations, and that the Licensing Committee keeps a written record of all recommendations and dissenting views.

Finally, it is worth reflecting once again on the number of license applications likely to be received by the Licensing Committee in any given year. We anticipate there will be very few,

⁶ 'User's Guide to Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment,' Council of the EU, 20 July 2015, <http://data.consilium.europa.eu/doc/document/ST-10858-2015-INIT/en/pdf>.

⁷ Ibid., annex 1 to chapter 2 section 2, pp. 59-60.

and that the likely increase in the workload of the relevant officers should be considered in this context. Regardless, for those occasions where Liberia is involved in arms transfers, as a State Party to the ATT, Liberia needs to be in a position to meet its obligations.

Regulations and Procedures

Critical to an effective arms transfer control system is that all the procedures and processes necessary for an effective well-managed system, and the responsibilities of different actors, are clear and understood by all participants. This applies to all aspects of the system, including:

- Exactly what items and what activities do (and do not) require authorization;
- How and to whom to apply for a license;
- Responsibilities of and among the different government agencies involved in arms transfer controls;
- Documentation requirements at all stages in the process (i.e. license application, transfer, and post-delivery phases);
- The criteria that will be applied in the decision-making process;
- The nature of the decision-making process (see previous section);
- How licensing decisions are communicated (within government and to applicants);
- Rights to appeal and appeal processes (where applicable);
- Customs responsibilities;
- Safe transportation and storage obligations and procedures;
- Record-keeping and reporting obligations;
- Responding to suspect or illegal transfers;
- Enforcement processes and sanctions.

Information about rules and processes *must* be set out in legislation or regulation, and communicated or made available to all interested parties, not least to those who are applying or might apply for licenses. For example, if the items and/or activities that are subject to licensing are kept confidential, even a company that is scrupulously trying to do all it can to operate within the law may inadvertently break that law. Conversely, convicting an individual who is deliberately flouting the law becomes far more difficult if they can claim that despite their best efforts to find out what was or was not legal, the relevant information was withheld from them. The default approach should thus be one of full transparency except where there are specific reasons otherwise, e.g. where there are enforcement actions in process.

Within government it is clearly important that all stakeholders have a proper understanding of their own and others' roles in the various aspects of the process, and that those understandings are *shared*. It has become apparent during the course of the analysis of the Liberian system that while officials from different agencies often have a very clear view of how they would deal with different scenarios, in many cases this is not laid down in writing and understandings are not necessarily shared by colleagues in other agencies.

For Liberia to fully comply and to be confident of complying with its ATT obligations, and to have an efficient and effective system in place, relevant procedures will need to be agreed across ministries (where applicable), set down in writing, and, where appropriate, established in regulation (if not in legislation). In many cases this can be quite straightforward, but if the

appropriate regulations and procedures are not put in place it raises the prospect of problems at a later date.

Documentation

Liberia will need to develop appropriate documentation and documentation processing systems for managing arms transfer requests.

Anyone wishing to export arms should complete an export license application, thus requiring relevant forms to be developed and made available by LiNCOSA. The exporter will need to provide information about all parties to the transaction (including intermediaries where these exist), the items to be transferred (description, quantity, value), supply routes (as these become known) and the end-user and end-use.

Where the goods are being exported from Liberia the license application will need to be accompanied by end-use documentation. Such documentation should include information on:

- The exporter;
- The end-user;
- The country of end-use;
- The items being transferred (description, quantity and value);
- The proposed end-use of the items.⁸

Again, it is recommended that LiNCOSA develop the forms, which should be made available on a case-by-case basis, and uniquely numbered, upon request from an exporter. Once completed, end-use documentation will need to be signed by an authorized signatory of the importing state, who should be available to answer any follow-up questions to confirm the legitimacy of the transfer. It is recommended that Liberia also follow best practice in requiring a non-re-export undertaking in the end-use documentation, or at least an undertaking that the items will not be re-exported without the explicit written permission of Liberia.

Where it is importer, in most cases Liberia should expect to be required to make an end-use declaration. It is recommended that Liberia assign two officials to operate as authorized signatories in such circumstances, and that their details be communicated to the ATT Secretariat, which would then be expected to communicate these to other States Parties. Only these two individuals would be authorized to sign documents of this type on behalf of Liberia.

Steps should be taken to ensure that Customs documentation and export/import licensing documentation can be (and are) matched. Immediately upon a decision being taken, a copy of the license issued or details of the refused application should be dispatched to the Commissioner of Customs. Each export or import license should be uniquely numbered, and that number should appear on the relevant customs forms. Copies of export/import licenses should accompany the physical goods at the point of export or import. Where documentation is missing or there are discrepancies, the goods in question should be held until such time as the necessary

⁸ For further information on best practices for end-use certification see *OSCE Handbook of Best Practices on Small Arms and Light Weapons: Best Practice Guide on Export Control of SALW*, 2003, p. 9, <http://www.osce.org/fsc/13616?download=true>.

documents are produced or the discrepancies are addressed. Ultimately, the goods will stand to be impounded if the problems cannot be resolved.

Information Management and Transparency

LiNCSA, in its capacity as the Licensing Authority, will play a fundamental role in terms of collecting, organizing and disseminating information related to ATT implementation. Within this remit, there are a number of particular tasks that need to be performed.

In the first instance, it will be important to place all relevant laws, regulations, procedures, the control list and standard documents (such as license application forms) in the public domain, ideally through a website (LiNCSA's website). The rationale behind this is that any entity with an intention to engage in transferring arms to, from or through Liberia needs to know what their legal rights and obligations are. The website should also act as gateway for individuals and companies seeking to comply with the Liberian regime to access assistance from the Licensing Authority. For the most part, this information once uploaded will require little amendment; once the website is properly established, its maintenance should be straightforward.

LiNCSA will also be the obvious agency to compile and maintain a Registry of brokers. This Registry should be in the public domain (on the website as above), and should include a list of all entities denied permission to function as a broker or that have had an existing permission revoked. The existence and web-location of the Registry should be communicated to the ATT Secretariat and to other ATT national points of contact.

As referred to above, it is also recommended that LiNCSA serves as record-keeper of all licenses applied for, issued and refused, and of all actual transfers that take place (note that authorizations and actual transfers do not always tally, for example because not all export/import licenses are utilized in full). On the basis of those records, LiNCSA would compile the reports as required by the ATT, i.e. a one-off initial report on the steps Liberia has taken to implement the Treaty (due on 21 July 2016), with updates in the event of significant new information, and annual reports concerning authorized or actual exports and imports of conventional arms (due by 31 May each year for the calendar year preceding). These reports are to be made available to the ATT Secretariat. However they could also be presented to Liberia's legislature and placed on the website alongside the other information. LiNCSA could also use this data to compile and maintain a record of all those who have applied for licenses over time-in effect, a *de facto* registry of importers and exporters.

In addition, the information in the annual reports is sufficient for submission as Liberia returns to the UN Register of Conventional Arms, thereby fulfilling a separate reporting commitment at almost no extra cost.

During the negotiations, a number of poorly-resourced states expressed their concerns about the reporting burden that the ATT would involve. However, as long as the right systems are in place, reporting does not need to cause problems for Liberia. Given the number of transfers a

year involving Liberia, especially if records are kept and updated on an ongoing basis, producing a report should be straightforward.

Procurement, Importation and Management of Arms by Government Security Actors

Regarding the procurement and importation of arms by the state security providers (e.g. MND and LNP), while it may not be appropriate for such agencies to go through the same process as, for example a mining concession looking to import ‘defensive’ equipment such as armored vehicles and body armor, it is not recommended that government agencies should be able to import arms completely freely and independently. Instead, it is recommended that even where procedures are streamlined, any import should still be subject to authorization under the same overarching framework as for private and commercial importers (notwithstanding other cross-governmental processes that may be relevant, e.g. budgeting procedures).

The precise nature of any streamlining of procurement is a matter for the Liberian Government, but it is critical that these procedures are formally established and elaborated, and are a matter of public record. At the very least, any actual imports need to be communicated in detail specifically to the LRA for customs-clearance purposes. LiNCSA should also be informed for several reasons including to ensure cross-governmental transparency and accountability, and ATT record-keeping and reporting purposes.

All security actors who are importing or holding arms—such as the armed forces, NSA, Bureau of Naturalization & Immigration, Executive Protection Service and LNP—need to ensure that they have adequate safe-storage facilities and effective stockpile management procedures in place. With the UNMIL drawdown and the likelihood of an increase in firearms held by the LNP there will be a need for effective arms management where none existed before. One area of particular concern relates to the capacity to secure arms outside of Monrovia. It should be noted that these are issues that could be of concern to other ATT States Parties that are potential future exporters of arms to Liberia who will be obliged to assess the risk that arms exported to Liberia might be diverted, lost or stolen from insecure locations.

Border Management

Liberia's land borders are long and porous. It is not realistic to expect Liberian border management agencies, whether alone or operating in co-operation with agencies from bordering states, to be able to always prevent conventional arms from being smuggled into or out of the country. However, there are steps that can be taken to better manage transfers of arms, especially commercial transfers, through formal border crossing points. Since it is not realistic to expect experts in identifying conventional arms to be available at all of Liberia's many border crossing points, it is therefore recommended that, borrowing from §1.47 ('Import and Export through prescribed ports') of the Firearms Act, no imports or exports of conventional arms be permitted into or out of Liberia except through a named port. Further, we would recommend limiting those named ports to Roberts International Airport (RIA) and the Monrovia Freeport, although with the proviso that exemptions could be made to that restriction at the discretion of the Commissioner for Customs of the LRA on a case-by-case basis.

Where arms are discovered at any other border point, they could then be held until such time as an appropriate expert was able to visit that border crossing and make a decision on how to proceed.

This, however, raises the issue of secure storage facilities at border crossings, and indeed at RIA and the Freeport. LiNCSA understands that the secure-storage facilities at the Freeport are to be upgraded as part of its broader redevelopment, though it is not clear how extensive (or how secure) these will be. Another issue for consideration with regard to the Freeport relates to its level of autonomy, the precise nature of which LiNCSA was unable to establish during the course of our review. For arms exporting or importing or in transit through Liberia, Customs and other enforcement arms of Government should have full access and investigatory powers in respect of the Freeport, just as they have to any other site in the country. If this is not the case then this should be subject to review.

The facilities and procedures at RIA are not currently adequate to safely handle or store commercial shipments of conventional arms. There is a 'strong room' for dangerous goods but this would not be sufficient for commercial-scale shipments and there are inadequate access safeguards. RIA officials have advised that they are attempting to reach EU cargo security-handling standards and have indicated that the provision of 'dual band' scanning equipment would be an important step towards this. It may be useful to explore potential avenues for funding support for such scanners, possibly as part of a package of measures that could include establishing more secure storage facilities.

In the event of arms being interdicted or at least delayed at land-border crossing points, the same problems of secure storage exist. Realistically it is not reasonable to expect that all or even just a few key land-border crossings will be able to address this in the near future. Another approach to securing arms shipments would be to transport them as soon as possible from the border to secure storage areas, for example the national arsenal. Procedures should therefore be

established and communicated to all border crossing points for how to expedite such arrangements. Note these may well involve a range of enforcement actors as well as the MND.

Finally, thought should be given as to how to provide the legal basis—for example in the CATA—for RIA and the Freeport (or any other border enforcement agency) to hold arms taken into possession as part of enforcement activities. As they may technically be the possessor of those arms until they are returned, taken into the possession of another government agency (e.g. the MND) or impounded, they will need to be legally entitled to play this role.

Conclusion

Our analysis of Liberia's current arms transfer control capacities has identified a number of steps that Liberia will need to take to be fully compliant with the ATT. Among the most important or highest priority of these are:

- Establishing a legal basis for controlling international transfers of all conventional arms (not just SALW their ammunition and related materials), in the interim through an Executive Order but then through new ATT-specific legislation.
- Developing a cross-government framework and coordinating body/agency for administering the transfer controls system.
- Developing a clear decision-making process regarding the authorization or refusal of particular arms transfers, including through establishing an ultimate decision-making authority, preferably at Ministerial level.
- Actively engaging with ATT institutions, such as the ATT Secretariat, the Conferences of States Parties and the Volunteer Trust Fund, particularly with a view to benefitting from international co-operation and assistance.
- Compiling and communicating to the ATT Secretariat the initial report on steps taken to implement the Treaty and on an annual basis on Liberian arms imports and exports as required by the Treaty
- Designating Roberts International Airport and the Freeport of Monrovia to be the only legal points import, export and transit of arms into, from and through Liberia, except where an explicit case-specific written exemption is provided.
- Ensuring that all government agencies importing or holding conventional arms and that designated points of import and export have adequate safe-storage facilities and effective stockpile management procedures.

As is clear from this report, there are a range of issues that will have to be addressed before Liberia will be ATT-compliant. However, Liberia is better placed in this regard than it may at first appear. For example, the new Firearms Act, while of a narrower scope than required for the ATT, has been drafted with the Treaty in mind, and contains much that can be directly transposed into a Conventional Arms Transfer Act. Moreover, there is considerable external expertise that could potentially be accessed to assist with legal drafting. In terms of overall coordination and management of arms transfer control, the Liberia National Commission on Small Arms, with an appropriate change of mandate, would be relatively well-placed to serve these functions. And significantly, the limited extent of Liberia's involvement in the international arms trade means that once the necessary systems and structures are in place the additional workload will be relatively low.

In addition to government's support to the implementation of the ATT as a state party, Liberia will carefully develop a proposal with priorities, timelines, responsibilities and costs clearly set out. Primarily, the country will take advantage of the potential to attract donor support from UNSCAR, the soon-to-be established ATT Voluntary Trust Fund, the EU and/or bilaterally. The

government through LiNCSA will ensure that such proposal is ready for presentation to donors in time for the second Conference of States Parties to the ATT in Geneva, 22-26 August 2016.

Recommendations

In order to become fully compliant with the ATT, the Liberian Government will need to:

- Finalize the enactment process of the Firearms & Ammunition Control Act (Firearms Act) as already passed by the National Legislature.
- Establish an Executive Order for a total ban on the export or import of any conventional arms not covered by the Firearms Act without the expressed authority of the President upon recommendation from the National Security Council until appropriate legislation is in place (see below).
- Develop a new Act to regulate Liberia's involvement in the international transfer of all conventional arms consistent with the requirements of the ATT, drawing upon language in the Firearms Act wherever possible.
- Adopt the Wassenaar Munitions List (as used by most EU countries) as the national control list.
- Develop a Registry of Liberian arms brokers.
- Expand the mandate of the Liberian National Commission on Small Arms to cover the cross-border transfers of all conventional arms and to establish it as containing Liberia's 'Licensing Authority' responsible for administering the national conventional arms transfer control system. This would require a change of name of the Commission to reflect its new mandate, e.g. to the Liberian National Commission on Arms (LiNCA).
- Establish an ATT national point of contact (for the ATT Secretariat and other States Parties).
- Establish a cross-governmental Licensing Committee made up of representatives from relevant government departments/agencies, which would be convened by the Licensing Authority, to assess all license applications for arms transfers and make recommendations (to issue or reject licenses) to the Minister (see below).
- Assign ultimate responsibility for decisions on licenses to a Minister, potentially the Minister of Justice.
- Establish regulations and written procedures for the management of all aspects of the arms licensing system.
- Actively engage with other States Parties to and the Secretariat of the ATT, and with ECOWAS Convention partners and the ECOWAS Commission, to seek assistance where required and to take full advantage of relevant information already in the public domain, especially with regard to the license decision-making process.
- Place as much information as possible regarding arms transfer control legislation, regulation, control lists, procedures, documentation, the registry of brokers, policies, and reports on licenses granted and transfers made (see below) in the public domain via an official LiNCSA's website.
- Develop and make available to relevant entities—including suppliers and exporters, importers and end-users, brokers—the necessary documentation to facilitate the license application process, e.g. license application forms and end-use documentation.

- Ensure close communication between licensing and customs authorities, including through joined-up documentation practices (e.g. through the use of matching document-numbering; requiring customs documentation to be accompanied by arms export and import authorizations).
- Assign two officials to act as authorized signatories for Liberia's end-use documentation, and communicate this information to the ATT Secretariat.
- Ensure the initial national report and the national annual reports mandated by the ATT are produced and delivered to the ATT Secretariat on time, and placed in the public domain (on the Licensing Authority website). Responsibility for doing this will fall naturally to the Licensing Authority, but will require the co-operation of other government agencies. Reporting responsibilities should be set out in legislation.
- Ensure that imports by state security providers take place according to agreed procedures and that information regarding all such imports is shared with the Licensing Committee and the Licensing Authority, and included in the national reports on imports.
- Ensure that all government agencies importing or holding conventional arms have adequate safe storage facilities and effective stockpile-management procedures in place.
- So as to assist border management, limit the points of legal import, export and transit of arms into, from and through Liberia to Roberts International Airport (RIA) and the Freeport of Monrovia, except where a case-specific written exemption is made on the authority of the Commissioner of Customs of the Liberia Revenue Authority.
- Improve the quality and extent of safe-storage facilities at RIA and the Freeport, and at other main border-crossing points where feasible, and establish clear procedures for rapid, secured transfer of arms shipments to secure storage facilities where it is not possible to guarantee the security of arms on site.

Annex 1—The Arms Trade Treaty

Preamble

The States Parties to this Treaty,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling Article 26 of the Charter of the United Nations which seeks to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources,

Underlining the need to prevent and eradicate the illicit trade in conventional arms and to prevent their diversion to the illicit market, or for unauthorized end use and end users, including in the commission of terrorist acts,

Recognizing the legitimate political, security, economic and commercial interests of States in the international trade in conventional arms,

Reaffirming the sovereign right of any State to regulate and control conventional arms exclusively within its territory, pursuant to its own legal or constitutional system,

Acknowledging that peace and security, development and human rights, are pillars of the United Nations system and foundations for collective security and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing,

Recalling the United Nations Disarmament Commission Guidelines for international arms transfers in the context of General Assembly resolution 46/36H of 6 December 1991,

Noting the contribution made by the United Nations Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, as well as the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,

Recognizing the security, social, economic and humanitarian consequences of the illicit and unregulated trade in conventional arms,

Bearing in mind that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict and armed violence,

Recognizing also the challenges faced by victims of armed conflict and their need for adequate care, rehabilitation and social and economic inclusion,

Emphasizing that nothing in this Treaty prevents States from maintaining and adopting additional effective measures to further the object and purpose of this Treaty,

Mindful of the legitimate trade and lawful ownership, and use of certain conventional arms for recreational, cultural, historical, and sporting activities, where such trade, ownership and use are permitted or protected by law,

Mindful also of the role regional organizations can play in assisting States Parties, upon request, in implementing this Treaty,

Recognizing the voluntary and active role that civil society, including non-governmental organizations, and industry, can play in raising awareness of the object and purpose of this Treaty, and in supporting its implementation,

Acknowledging that regulation of the international trade in conventional arms and preventing their diversion, should not hamper international cooperation and legitimate trade in materiel, equipment and technology for peaceful purposes,

Emphasizing the desirability of achieving universal adherence to this Treaty,

Determined to act in accordance with the following principles;

Principles

- The inherent right of all States to individual or collective self-defense as recognized in Article 51 of the Charter of the United Nations;
- The settlement of international disputes by peaceful means in such a manner that international peace and security and justice, are not endangered in accordance with Article 2 (3) of the Charter of the United Nations;
- Refraining in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations in accordance with Article 2 (4) of the Charter of the United Nations;
- Non-intervention in matters which are essentially within the domestic jurisdiction of any State in accordance with Article 2 (7) of the Charter of the United Nations;
- Respecting and ensuring respect for international humanitarian law in accordance with, inter alia, the Geneva Conventions of 1949, and respecting and ensuring respect for human rights, in accordance with, inter alia, the Charter of the United Nations and the Universal Declaration of Human Rights;
- The responsibility of all States, in accordance with their respective international obligations, to effectively regulate the international trade in conventional arms, and to prevent their diversion, as well as the primary responsibility of all States in establishing and implementing their respective national control systems;
- The respect for the legitimate interests of States to acquire conventional arms to exercise their right to self-defense and for peacekeeping operations; and to produce, export, import and transfer conventional arms;
- Implementing this Treaty in a consistent, objective and non-discriminatory manner,
Have agreed as follows:

Article 1

Object and Purpose

The object of this Treaty is to:

- Establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms;
- Prevent and eradicate the illicit trade in conventional arms and prevent their diversion;

for the purpose of:

- Contributing to international and regional peace, security and stability;
- Reducing human suffering;

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

Article 2

Scope

1. This Treaty shall apply to all conventional arms within the following categories:
 - (a) Battle tanks;
 - (b) Armored combat vehicles;
 - (c) Large-caliber artillery systems;
 - (d) Combat aircraft;
 - (e) Attack helicopters;
 - (f) Warships;
 - (g) Missiles and missile launchers; and
 - (h) Small arms and light weapons.
2. For the purposes of this Treaty, the activities of the international trade comprise export, import, transit, trans-shipment and brokering, hereafter referred to as "transfer".
3. This Treaty shall not apply to the international movement of conventional arms by, or on behalf of, a State Party for its use provided that the conventional arms remain under that State Party's ownership.

Article 3

Ammunition/Munitions

Each State Party shall establish and maintain a national control system to regulate the export of ammunition/munitions fired, launched or delivered by the conventional arms covered under Article 2 (1), and shall apply the provisions of Article 6 and Article 7 prior to authorizing the export of such ammunition/munitions.

Article 4

Parts and Components

Each State Party shall 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 under Article 2 (1). Each State Party shall apply the provisions of Article 6 and Article 7 prior to authorizing the export of such parts and components.

Article 5

General Implementation

1. Each State Party shall implement this Treaty in a consistent, objective and non-discriminatory manner, bearing in mind the principles referred to in this Treaty.
2. Each State Party shall establish and maintain a national control system, including a national control list, in order to implement the provisions of this Treaty.
3. Each State Party is encouraged to apply the provisions of this Treaty to the broadest range of conventional arms. National definitions of any of the categories covered in Article 2 (1) (a)-(g) shall not cover less than the descriptions used in the United Nations Register of Conventional

Arms at the time of entry into force of this Treaty. For the category covered in Article 2 (1) (h), national definitions shall not cover less than the descriptions used in relevant United Nations instruments at the time of entry into force of this Treaty.

4. Each State Party, pursuant to its national laws, shall provide its national control list to the Secretariat, which shall make it available to other States Parties. States Parties are encouraged to make their control lists publicly available.

5. Each State Party shall take measures necessary to implement the provisions of this Treaty and shall designate competent national authorities in order to have an effective and transparent national control system regulating the transfer of conventional arms covered under Article 2 (1) and of items covered in Article 3 and Article 4.

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. A State Party shall notify the Secretariat, established under Article 18, of its national point(s) of contact and keep the information updated.

Article 6

Prohibitions

1. A State Party shall not authorize any transfer of conventional arms covered under Article 2 (1) or of items covered under Article 3 or Article 4, if the transfer would violate its obligations under measures adopted by the United Nations Security Council acting under Chapter VII of the Charter of the United Nations, in particular arms embargoes.

2. A State Party shall not authorize any transfer of conventional arms covered under Article 2 (1) or of items covered under Article 3 or Article 4, if the transfer would violate its relevant international obligations under international agreements to which it is a Party, in particular those relating to the transfer of, or illicit trafficking in, conventional arms.

3. A State Party shall not authorize any transfer of conventional arms covered under Article 2 (1) or of items covered under Article 3 or Article 4, if it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a Party.

Article 7

Export and Export Assessment

1. If the export is not prohibited under Article 6, each exporting State Party, prior to authorization of the export of conventional arms covered under Article 2 (1) or of items covered under Article 3 or Article 4, under its jurisdiction and pursuant to its national control system, shall, in an objective and non-discriminatory manner, taking into account relevant factors, including information provided by the importing State in accordance with Article 8 (1), assess the potential that the conventional arms or items:

- (a) would contribute to or undermine peace and security;
- (b) could be used to:

- (i) commit or facilitate a serious violation of international humanitarian law;
- (ii) commit or facilitate a serious violation of international human rights law;
- (iii) commit or facilitate an act constituting an offence under international conventions or protocols relating to terrorism to which the exporting State is a Party; or
- (iv) commit or facilitate an act constituting an offence under international conventions or protocols relating to transnational organized crime to which the exporting State is a Party.

2. The exporting State Party shall also consider whether there are measures that could be undertaken to mitigate risks identified in (a) or (b) in paragraph 1, such as confidence-building measures or jointly developed and agreed programs by the exporting and importing States.

3. If, after conducting this assessment and considering available mitigating measures, the exporting State Party determines that there is an overriding risk of any of the negative consequences in paragraph 1, the exporting State Party shall not authorize the export.

4. The exporting State Party, in making this assessment, shall take into account the risk of the conventional arms covered under Article 2 (1) or of the items covered under Article 3 or Article 4, being used to commit or facilitate serious acts of gender based violence or serious acts of violence against women and children.

5. Each exporting State Party shall take measures to ensure that all authorizations for the export of conventional arms covered under Article 2 (1) or of items covered under Article 3 or Article 4 are detailed and issued prior to the export.

6. Each exporting State Party shall make available appropriate information about the authorization in question, upon request, to the importing State Party and to the transit or trans-shipment States Parties, subject to its national laws, practices or policies.

7. If, after an authorization has been granted, an exporting State Party becomes aware of new relevant information, it is encouraged to reassess the authorization after consultations, if appropriate, with the importing State.

Article 8

Import

1. Each importing State Party shall take measures to ensure that appropriate and relevant information is provided, upon request, pursuant to its national laws, to the exporting State Party, to assist the exporting State Party in conducting its national export assessment under Article 7. Such measures may include end use or end user documentation.

2. Each importing State Party shall take measures that will allow it to regulate, where necessary, imports under its jurisdiction of conventional arms covered under Article 2 (1). Such measures may include import systems.

3. Each importing State Party may request information from the exporting State Party concerning any pending or actual export authorizations where the importing State Party is the country of final destination.

Article 9

Transit or trans-shipment

Each State Party shall take appropriate measures to regulate, where necessary and feasible, the transit or trans-shipment under its jurisdiction of conventional arms covered under Article 2 (1) through its territory in accordance with relevant international law.

Article 10

Brokering

Each State Party shall take measures, pursuant to its national laws, to regulate brokering taking place under its jurisdiction for conventional arms covered under Article 2 (1). Such measures may include requiring brokers to register or obtain written authorization before engaging in brokering.

Article 11

Diversion

1. Each State Party involved in the transfer of conventional arms covered under Article 2 (1) shall take measures to prevent their diversion.
2. The exporting State Party shall seek to prevent the diversion of the transfer of conventional arms covered under Article 2 (1) through its national control system, established in accordance with Article 5 (2), by assessing the risk of diversion of the export and considering the establishment of mitigation measures such as confidence-building measures or jointly developed and agreed programs by the exporting and importing States. Other prevention measures may include, where appropriate: examining parties involved in the export, requiring additional documentation, certificates, assurances, not authorizing the export or other appropriate measures.
3. Importing, transit, trans-shipment and exporting States Parties shall cooperate and exchange information, pursuant to their national laws, where appropriate and feasible, in order to mitigate the risk of diversion of the transfer of conventional arms covered under Article 2 (1).
4. If a State Party detects a diversion of transferred conventional arms covered under Article 2 (1), the State Party shall take appropriate measures, pursuant to its national laws and in accordance with international law, to address such diversion. Such measures may include, alerting potentially affected State Parties, examining diverted shipments of such conventional arms covered under Article 2 (1), and taking follow-up measures through investigation and law enforcement.
5. In order to better comprehend and prevent the diversion of transferred conventional arms covered under Article 2 (1), State Parties are encouraged to share relevant information with one another on effective measures to address diversion. Such information may include information on illicit activities including corruption, international trafficking routes, illicit brokers, sources of illicit supply, methods of concealment, common points of dispatch, or destinations used by organized groups engaged in diversion.
6. States Parties are encouraged to report to other State Parties, through the Secretariat, on measures taken in addressing the diversion of transferred conventional arms covered under Article 2 (1).

Article 12

Record keeping

1. Each State Party shall maintain national records, pursuant to its national laws and regulations, of its issuance of export authorizations or its actual exports of the conventional arms covered under Article 2 (1).
2. Each State Party is encouraged to maintain records of conventional arms covered under Article 2 (1) that are transferred to its territory as the final destination or that are authorized to transit or trans-ship territory under its jurisdiction.
3. Each State Party is encouraged to include in those records: the quantity, value, model/type, authorized international transfers of conventional arms covered under Article 2 (1), conventional arms actually transferred, details of exporting State(s), importing State(s), transit and trans-shipment State(s), and end users, as appropriate.
4. Records shall be kept for a minimum of ten years.

Article 13

Reporting

1. Each State Party shall, within the first year after entry into force of this Treaty for that State Party, in accordance with Article 22, provide an initial report to the Secretariat of measures undertaken in order to implement this Treaty, including national laws, national control lists and other regulations and administrative measures. Each State Party shall report to the Secretariat on any new measures undertaken in order to implement this Treaty, when appropriate. Reports shall be made available, and distributed to States Parties by the Secretariat.
2. States Parties are encouraged to report to other States Parties, through the Secretariat, information on measures taken that have been proven effective in addressing the diversion of transferred conventional arms covered under Article 2 (1).
3. Each State Party shall submit annually to the Secretariat by 31 May a report for the preceding calendar year concerning authorized or actual exports and imports of conventional arms covered under Article 2 (1). Reports shall be made available, and distributed to States Parties by the Secretariat. The report submitted to the Secretariat may contain the same information submitted by the State Party to relevant United Nations frameworks, including the United Nations Register of Conventional Arms. Reports may exclude commercially sensitive or national security information.

Article 14

Enforcement

Each State Party shall take appropriate measures to enforce national laws and regulations that implement the provisions of this Treaty.

Article 15

International Cooperation

1. States Parties shall cooperate with each other, consistent with their respective security interests and national laws, to effectively implement this Treaty.

2. States Parties are encouraged to facilitate international cooperation, including exchanging information on matters of mutual interest regarding the implementation and application of this Treaty pursuant to their respective security interests and national laws.
3. States Parties are encouraged to consult on matters of mutual interest and to share information, as appropriate, to support the implementation of this Treaty.
4. Parties are encouraged to cooperate, pursuant to their national laws, in order to assist national implementation of the provisions of this Treaty, including through sharing information regarding illicit activities and actors and in order to prevent and eradicate diversion of conventional arms covered under Article 2 (1).
5. States Parties shall, where jointly agreed and consistent with their national laws, afford one another the widest measure of assistance in investigations, prosecutions and judicial proceedings in relation to violations of national measures established pursuant to this Treaty.
6. States Parties are encouraged to take national measures and to cooperate with each other to prevent the transfer of conventional arms covered under Article 2 (1) becoming subject to corrupt practices.
7. States Parties are encouraged to exchange experience and information on lessons learned in relation to any aspect of this Treaty.

Article 16

International Assistance

1. In implementing this Treaty, each State Party may seek assistance including legal or legislative assistance, institutional capacity building, and technical, material or financial assistance. Such assistance may include stockpile management, disarmament, demobilization and reintegration programs, model legislation, and effective practices for implementation. Each State Party in a position to do so shall provide such assistance, upon request.
2. Each State Party may request, offer or receive assistance through, inter alia, the United Nations, international, regional, sub regional or national organizations, non-governmental organizations, or on a bilateral basis.
3. A voluntary trust fund shall be established by States Parties to assist requesting States Parties requiring international assistance to implement this Treaty. Each State Party is encouraged to contribute resources to the fund.

Article 17

Conference of States Parties

1. A Conference of States Parties shall be convened by the provisional Secretariat, established under Article 18, no later than one year following the entry into force of this Treaty and thereafter at such other times as may be decided by the Conference of States Parties.
2. The Conference of States Parties shall adopt by consensus its rules of procedure at its first session.

3. The Conference of States Parties shall adopt financial rules for itself as well as governing the funding of any subsidiary bodies it may establish as well as financial provisions governing the functioning of the Secretariat. At each ordinary session, it shall adopt a budget for the financial period until the next ordinary session.

4. The Conference of States Parties shall:

- (a) Review the implementation of this Treaty, including developments in the field of conventional arms
- (b) Consider and adopt recommendations regarding the implementation and operation of this Treaty, in particular the promotion of its universality;
- (c) Consider amendments to this Treaty in accordance with Article 20;
- (d) Consider issues arising from the interpretation of this Treaty;
- (e) Consider and decide the tasks and budget of the Secretariat;
- (f) Consider the establishment of any subsidiary bodies as may be necessary to improve the functioning of this Treaty; and
- (g) Perform any other function consistent with this Treaty.

5. Extraordinary meetings of the Conference of States Parties shall be held at such other times as may be deemed necessary by the Conference of States Parties, or at the written request of any State Party provided that this request is supported by at least two thirds of the States Parties.

Article 18

Secretariat

1. This Treaty hereby establishes a Secretariat to assist States Parties in the effective implementation of this Treaty. Pending the first meeting of the Conference of States Parties, a provisional Secretariat will be responsible for the administrative functions covered under this Treaty.

2. The Secretariat shall be adequately staffed. Staff shall have the necessary expertise to ensure that the Secretariat can effectively undertake the responsibilities described in paragraph 3.

3. The Secretariat shall be responsible to States Parties. Within a minimized structure, the Secretariat shall undertake the following responsibilities:

- (a) Receive, make available and distribute the reports as mandated by this Treaty;
- (b) Maintain and make available to States Parties the list of national points of contact;
- (c) Facilitate the matching of offers of and requests for assistance for Treaty implementation and promote international cooperation as requested;
- (d) Facilitate the work of the Conference of States Parties, including making arrangements and providing the necessary services for meetings under this Treaty; and
- (e) Perform other duties as decided by the Conferences of States Parties.

Article 19

Dispute Settlement

1. States Parties shall consult and, by mutual consent, cooperate to pursue settlement of any dispute that may arise between them with regard to the interpretation or application of this

Treaty including through negotiations, mediation, conciliation, judicial settlement or other peaceful means.

2. States Parties may pursue, by mutual consent, arbitration to settle any dispute between them, regarding issues concerning the interpretation or application of this Treaty.

Article 20

Amendments

1. Six years after the entry into force of this Treaty, any State Party may propose an amendment to this Treaty. Thereafter, proposed amendments may only be considered by the Conference of States Parties every three years.

2. Any proposal to amend this Treaty shall be submitted in writing to the Secretariat, which shall circulate the proposal to all States Parties, not less than 180 days before the next meeting of the Conference of States Parties at which amendments may be considered pursuant to paragraph 1. The amendment shall be considered at the next Conference of States Parties at which amendments may be considered pursuant to paragraph 1 if, no later than 120 days after its circulation by the Secretariat, a majority of States Parties notify the Secretariat that they support consideration of the proposal.

3. The States Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall, as a last resort, be adopted by a three-quarters majority vote of the States Parties present and voting at the meeting of the Conference of States Parties. For the purposes of this Article, States Parties present and voting means States Parties present and casting an affirmative or negative vote. The Depositary shall communicate any adopted amendment to all States Parties.

4. An amendment adopted in accordance with paragraph 3 shall enter into force for each State Party that has deposited its instrument of acceptance for that amendment, ninety days following the date of deposit with the Depositary of the instruments of acceptance by a majority of the number of States Parties at the time of the adoption of the amendment. Thereafter, it shall enter into force for any remaining State Party ninety days following the date of deposit of its instrument of acceptance for that amendment.

Article 21

Signature, Ratification, Acceptance, Approval or Accession

1. This Treaty shall be open for signature at the United Nations Headquarters in New York by all States from the Third Day of the Sixth Month of 2013 until its entry into force.

2. This Treaty is subject to ratification, acceptance or approval by each signatory State.

3. Following its entry into force, this Treaty shall be open for accession by any State that has not signed the Treaty.

4. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

Article 22

Entry into Force

1. This Treaty shall enter into force ninety days following the date of the deposit of the fiftieth instrument of ratification, acceptance, or approval with the Depositary.
2. For any State that deposits its instrument of ratification, acceptance, approval or accession subsequent to the entry into force of this Treaty, this Treaty shall enter into force for that State ninety days following the date of deposit of its instrument of ratification, acceptance, approval or accession.

Article 23

Provisional application

Any State may at the time of signature or the deposit of instrument of its ratification, acceptance, approval or accession, declare that it will apply provisionally Article 6 and Article 7 pending its entry into force.

Article 24

Duration and Withdrawal

1. This Treaty shall be of unlimited duration.
2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty. It shall give notification of such withdrawal to the Depositary, which shall notify all other States Parties. The notification of withdrawal may include an explanation of the reasons for its withdrawal. The notice of withdrawal shall take effect ninety days after the receipt of the notification of withdrawal by the Depositary, unless the notification of withdrawal specifies a later date.
3. A State shall not be discharged, by reason of its withdrawal, from the obligations arising from this Treaty while it was a Party to this Treaty, including any financial obligations that it may have accrued.

Article 25

Reservations

1. At the time of signature, ratification, acceptance, approval or accession, each State may formulate reservations, unless the reservations are incompatible with the object and purpose of this Treaty.
2. A State Party may withdraw its reservation at any time by notification to this effect addressed to the Depositary.

Article 26

Relationship with other international agreements

1. The implementation of this Treaty shall not prejudice obligations undertaken by States Parties with regard to existing or future international agreements, to which they are parties, where those obligations are consistent with this Treaty.
2. This Treaty shall not be cited as grounds for voiding defense cooperation agreements concluded between States Parties to this Treaty.

Article 27

Depositary

The Secretary-General of the United Nations shall be the Depositary of this Treaty.

Article 28

Authentic Texts

The original text of this Treaty, of which the Arabic, Chinese, English, French, Russian, and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

Annex 2—From the User’s Guide to EU Council Common Position 2008/944/CFSP⁹

An illustrative list of relevant open information sources recommended by the EU to assist in assessing the risk arms might be used to commit or facilitate serious violations of international humanitarian law or international human rights law.

Office of the UN High Commissioner for Human Rights (www.ohchr.org)

United Nations (www.un.org; <http://untreaty.un.org>)

International Committee of the Red Cross (www.icrc.org)

Council of Europe (www.coe.int)

European Union (<http://europa.eu>)

Organization for Security and Co-operation in Europe (www.osce.org)

Organization of American States (www.oas.org)

African Union (www.au.int)

Amnesty International (www.amnesty.org)

Human Rights Watch (www.hrw.org)

Fédération internationale des ligues des droits de l'homme (www.fidh.org)

Organisation mondiale contre la torture (www.omct.org)

Association for the Prevention of Torture (www.apt.ch)

International Commission of Jurists (www.icj.org)

International Criminal Court (<https://www.icc-cpi.int/>) and ad hoc tribunals

International agencies operating in the recipient state

International Crisis Group (<http://www.crisisgroup.org/>)

Coalition to Stop the Use of Child Soldiers [now Child Soldiers International] (<http://www.child-soldiers.org/index.php>)

Small Arms Survey (<http://www.smallarmssurvey.org/>)

SIPRI (<http://www.sipri.org/>) and other research institutes

Military manuals (instructions to armed forces)

⁹ Op. cit.