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Human Rights Due Diligence in Arms Transfers: A shared responsibility

ABA
AMERICAN BAR ASSOCIATION
Center for Human Rights

Side event co-organised by the American Bar Association Center for Human Rights and the Inter-Parliamentary Union, on the margins of the Twelfth Conference of States Parties (CSP12) to the Arms Trade Treaty (ATT)

August 26, 13:30-15:00 (CEST) – Online

Background:

The Arms Trade Treaty (ATT) regulates the international trade in conventional weapons, including small arms, light weapons and ammunition. Since its entry into force in 2014, the ATT, now strong of 118 States Parties, has established common international standards to prevent weapons from fuelling conflict, armed violence and human rights violations. At its heart lies Article 7: before authorising an export, a State must assess the risk that the transfer could undermine peace and security or be used to commit serious violations of international humanitarian law or international human rights law, including serious acts of gender-based violence, consider measures to mitigate those risks, and refuse the transfer where the risk remains overriding.

Responsible arms transfers depend on a chain of decisions that no single actor controls alone. Governments authorise transfers; parliaments translate the ATT into domestic legislation, approve budgets, scrutinise export assessments and hold governments accountable. The defence industry sits closest to the product and often holds information essential to a sound Article 7 assessment. Drawing on frameworks such as the UN Guiding Principles on Business and Human Rights, it also carries its own due diligence responsibility, which may extend to declining a sale even where an export licence has been granted. Civil society contributes the evidence and scrutiny that sharpen the work of all three.

Building on Article 7, discussions are under way within the ATT on the development of a voluntary human rights due diligence (HRDD) framework that would set out what responsible conduct looks like across this chain. Parliaments can give binding force at national level to standards that remain voluntary within the Treaty framework; industry can help shape the framework rather than merely be subject to it; and civil society can provide evidence, expertise, and independent scrutiny. Each link in the chain depends on the others for information, transparency and clear standards.

This side event brings all these actors together to explore how their roles connect around Article 7 and the developing HRDD framework. Through a moderated panel of parliamentarians, industry and civil society representatives, followed by an interactive discussion, it will examine where responsibilities overlap, where gaps may arise, and how stronger coordination can make both Article 7 and the emerging HRDD framework meaningful in practice.

Objectives:

- Raise awareness of the legislative, budgetary and oversight role of parliaments in ensuring the effective implementation of Article 7 of the ATT, while encouraging governments, industry and civil society to engage parliamentarians more effectively in support of responsible arms transfers.
- Clarify the roles and responsibilities of the defence industry in supporting responsible arms transfers and contributing to the emerging voluntary HRDD framework.
- Identify how improved information-sharing, clearer standards and mutual accountability among all stakeholders including civil society can strengthen the system as a whole.

Expected Outcomes:

- Increased understanding of Article 7 and the emerging voluntary HRDD framework among governments, parliamentarians, defence industry, civil society and other stakeholders.
- A better understanding among governments, industry and civil society of the parliamentary role, and of how to engage parliaments on responsible arms transfer.
- A short set of practical recommendations for States Parties, parliaments, industry and civil society on strengthening the implementation of Article 7 and complying with the emerging HRDD framework.
- Enhanced cooperation among all stakeholders, including civil society as critical voices and with industry engaged as an accountable partner

Registration: The event will take place online in English and French via simultaneous interpretation. You may register via the following link: https://us06web.zoom.us/meeting/register/2D7Mz_vFTsGDlK8-3kjmw