

***Responsible business conduct in the arms sector:
Ensuring business practice in line with the UN Guiding Principles on Business and Human Rights***

Information Note by the UN Working Group on Business and Human Rights

1. Introduction

1.1 Background

The ongoing conflict in Yemen has killed more than 380,000 people, at least 154,000 of whom died due to direct combat and violence.² International actors consistently suggest that the Coalition may have committed war crimes in the course of its tens of thousands of airstrikes in Yemen, including the UN Panel of Experts on Yemen⁴ and the UN Group of Eminent Experts on Yemen⁵, each of which found that some Coalition airstrikes have been indiscriminate and may amount to war crimes.⁶

This example demonstrates clearly that while the regulatory framework governing the arms sector contains provisions prohibiting the export of weapons where they are at clear risk of being used in violation of international humanitarian law (IHL) or international human rights law (IHRL), arms products and services are still exported to States where they are used to commit a wide variety of human rights violations, including potential war crimes and crimes against humanity.⁷

That arms continue to be exported into contexts of severe human rights violations results from the confluence of several factors—a lack of accountability for States that ignore human rights provisions in arms control laws for national security or commercial reasons; an arms sector regulatory framework that grants States leeway to interpret human rights conditions permissively; a culture of secrecy and non-transparency around arms exports worldwide; corruption in the arms sector; and a lack of human rights due diligence (HRDD) conducted by arms companies, as well as a failure by States to require them to do so.

This challenge is complex, but stronger application of the UN Guiding Principles on Business and Human Rights (“the Guiding Principles”) across the arms sector—by both States and businesses—is critical to helping to prevent, mitigate, and remedy negative human rights impacts that this sector currently enables.

This information note from the UN Working Group on Business and Human Rights (“the Working Group”) aims to highlight the duties of States and responsibilities of businesses in the arms sector, according to the Guiding Principles. In so doing, the note draws on past Working Group output relevant to the arms sector, including reports on business, human rights, and conflict-affected regions¹² and business and human rights and the anti-corruption agendas.¹³

1.2 Defining the arms sector

For the purpose of this note, the “arms sector” refers to the full value chain of actors producing or being directly linked to the research, development, design, production, delivery, maintenance, repair and overhaul of military weapons systems, subsystems, parts, components, and ancillary equipment.¹⁴ This includes actors providing “technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel”.¹⁵

While arms manufacturers and States constitute the top layer of this chain, many other entities play important down and upstream roles, all of which are included within this note’s definition of the arms sector:¹⁶

- Actors directly involved in weapons production include, in addition to arms manufacturers, weapons systems integrators (companies that assemble weapons systems from component parts), ammunition manufacturers, and producers of individual components specifically designed for use in the assembly of arms products and services, such as missile guidance computer systems, surveillance technologies with military applications, purpose-built fighter jet engines, or custom machined parts for weapons systems.¹⁷
- Businesses making products and services with both military and non-military applications. Such “dual-use” goods include items such as software services and solutions that may be used in or in concert with arms products and services (cloud services, operating systems, etc.), GPS systems, dual-use vehicles, dual-use chemicals, and surveillance systems or equipment that have both combat and non-combat uses.
- Actors involved in the transport and sale of arms. These include the agents, brokers, dealers and other intermediaries that facilitate the international transfer of weapons, as well as exporters, freight forwarders, carriers, and transporters that move weapons across borders.
- Financial institutions and insurance companies that provide funding and/or financial loss protection to actors in the arms sector (including national governmental export credit agencies), as well as the legal firms and consultants who advise on these deals, including the financial structure, use of offsets, and use of offshore jurisdictions for payments.

2. The current regulatory framework

The arms sector is governed by a multi-faceted regulatory framework that positions States as the gatekeepers of the arms trade. This framework is comprised of many different legal instruments at the domestic, regional, and international levels, including weapons control and elimination conventions and export control regimes. Some of these instruments attempt to address the arms sector’s elevated human rights risk through human rights provisions that vest governments with the responsibility of ensuring that arms products and services are not exported where there is clear risk of IHL and/or severe IHRL violations.

2.1 *Multilateral weapons control, elimination, or anti-proliferation conventions*

A key element of the arms sector regulatory framework is the group of multilateral conventions and treaties that aim to restrict the trade of weapons in various ways. Some prohibit the trade and use of specific types of weapons deemed especially dangerous or inhumane,¹⁸ while others target the illicit trade and manufacturing of weapons categories that are not themselves unlawful.¹⁹

The main multilateral instrument is the 2013 Arms Trade Treaty (ATT), with stated objectives 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”, and, importantly, to “[reduce] human suffering”.²⁰

The ATT delineates the obligations of State Parties in controlling the export of weapons from within their borders, including establishing and presiding over national export control systems; carrying out national

risk assessment processes to understand the potential that arms transfers²¹ would lead to any of a number of specific negative consequences, including undermining peace and security and the commission or facilitation of serious violations of IHL or IHRL; and denying all exports that carry such risks.²²

2.2 *Domestic and regional export control legislation*

Most individual States and many regional organizations have in place export control legislation that governs how and to whom arms sector products and services can be sold and exported.

Some domestic and regional export control legislation contains explicit human rights provisions. For example, the UK Strategic Export Licensing Criteria states, “the Government will not grant a licence if it determines there is a clear risk that the items might be used to commit or facilitate a serious violation of [IHL]”.²³ Similarly, the EU Common Position on Arms Exports (“EU Common Position”) states, “Member states shall deny an export licence if there is a clear risk that the military technology or equipment to be exported might be used in the commission of serious violations of [IHL]”.²⁴

Categories of equipment and technology that States or regional unions consider subject to these controls are enumerated in control lists.²⁵ Some legislation also includes specific export control rules for dual-use products and services,²⁶ which may be listed on separate dual use lists.²⁷

2.3 *Multilateral export control regimes*

There are also non-binding multilateral export control frameworks, the most extensive of which is the Wassenaar Arrangement. These States frameworks are implemented by groups of States that coordinate informally on export controls and strategic trade control instruments on proliferation-relevant goods and technologies and military items.²⁸

The key functions of these frameworks are “maintaining and updating common control lists, exchanging information, developing and publishing guidance documents on export control implementation, and outreach to non-members. In addition, they provide a forum for licensing, enforcement and technical experts to discuss technological developments and particularly challenging export control issues”.²⁹

The control lists and dual-use goods lists created and maintained by these regimes—in particular the Wassenaar Arrangement—are more extensive than the categories of goods enumerated by the ATT; these control lists also sometimes reappear in the national legislation of participating States.³⁰

3. The challenge: shortcomings of States and businesses

3.1 *Lack of political will*

The arms sector’s regulatory framework is built around the responsibility of home States to decide with whom companies under their jurisdiction can do business. Respect for human rights therefore currently depends primarily on the robustness of the human rights commitments of these home States.

Unfortunately, this means that there is little accountability when States choose to authorize arms exports despite clear risks that those arms may be used to perpetrate IHL or IHRL violations.

For example, State Parties to the ATT are bound to prohibit arms transfers where there is an overriding risk of serious violations of IHL or IHRL,³¹ and EU Member States are subject to similar requirements

around IHL violations via the EU Common Position. Despite this, some ATT State Parties have continued to approve arms transfers into contexts of alleged war crimes, and States face little consequence for failing to enforce them. Unfortunately, export control laws are only as strong as governments' political will to enforce them, and this political will is often lacking, for multiple reasons:

First, arms companies are almost naturally interwoven into the domestic national security fabric of their home States, with arms companies—particularly very large ones—being key partners of their home States, building and maintaining States' military capacity by keeping the national military supplied with weaponry and other equipment.

This dynamic is sometimes referred to as a “symbiotic relationship” between decisionmakers and the arms sector.³⁵ This results in a blurring of the lines separating the State and the arms sector, which can cause States to approve arms exports despite genuine human rights risks that should prevent them. This is furthered by the existence of a “revolving door” phenomenon in many States, wherein senior defence department and military officials go on to high-level positions with arms sector companies.³⁶

Second, arms companies are often of major economic importance to their home States including in legislative districts of individual lawmakers. As a result, States find economic motivation to ensure that domestic arms companies are successful and profitable enterprises. This may create incentives to approve lucrative international arms transfers even where those transfers may facilitate severe human rights violations.⁴⁰

Third, many States utilise international arms transfers as tools of geopolitical diplomacy and means of furthering national security interests abroad. Arms exports can ensure that allies are well armed and capable of acting as military deterrents in the home State's interest abroad, as well as ensuring that allies are not armed by competing States. Decisions by home States to arm allies, even where those allies have a track record of using imported weapons to commit serious human rights violations, can thus “help sustain relationships and align defence policies around the world”.⁴¹

3.2 Lack of comprehensiveness in the regulatory framework

Definitions of “clear” or “overriding” risk

The wording of the human rights provisions in arms control laws does not explicitly prohibit the transfer of weapons to States responsible for serious IHL or IHRL violations. These provisions often contain ambiguous formulations, providing States leeway for subjective interpretations, even if the fact that human rights violations are occurring is not disputed. For example, under the ATT governments are free to authorise arms export licences as long as the State has judged that the specific arms exported do not themselves carry a clear risk of being used to commit such violations. The EU Common Position contains similar provisions in relation clear risks of exported arms being used in violations of IHL or in “internal repression”.⁴²

Non-comprehensive regulatory instruments

The legal instruments regulating the arms trade are also inconsistent in terms of the specific products and services they cover, creating gaps that weaken the legal regime. For example, the ATT includes a minimum of eight general categories of conventional weapons⁴³ and encourages, but does not require, State parties to maintain more extensive lists. The ATT also does not specifically mention dual-use goods.

A more comprehensive response exists through the Wassenaar Arrangement, which includes lengthy and regularly updated lists of conventional weapons and dual-use goods and technologies,⁴⁴ including

categories that are largely unregulated by the ATT, such as surveillance equipment. However, the Wassenaar Arrangement, while strongly normative, is not legally binding.

3.3 Lack of transparency and oversight

Pointing to national security justifications, many governments do not allow for transparent examination of arms revenues and expenditures, including full accounting of arms sales, by either the public or by internal oversight committees.⁴⁵ The level of parliamentary oversight of arms transfers, for example, varies widely between countries. While some systems require periodic reports to parliaments, others do not, and the reasoning behind decision-making is often not well understood, complicating oversight.⁴⁶ In jurisdictions where this type of oversight has been especially lacking, some CSOs argue that the resulting lack of transparency has led directly to the transfer of arms into scenarios of IHL and IHRL violations.⁴⁷

In countries where there is some level of independent government oversight of arms transfers, observers still note issues with the completeness of data provided about transfers, risks of backsliding into opacity after transfers of power, and the use of less transparent licensing processes, such as open licences.⁴⁸

Compounding this issue is the difficulty of lodging judicial challenges to arms export licences. Judiciaries take differing stances on the jurisdiction of domestic courts to hear challenges to export licensing decisions;⁴⁹ these decisions are often covered by foreign policy and national security exemptions that shield them from judicial scrutiny that could prevent transfers in the first place. For example, when CSOs recently challenged French government export licences in the administrative court, an appeals court ruled that licensing decisions are “not detachable from French foreign policy and thereby exempt from judicial scrutiny”.⁵⁰

Some jurisdictions also do not grant CSOs acting in the interest of victims legal standing to challenge export licences in administrative courts, further shielding licensing decisions from judicial examination.⁵¹ In recent cases in the Netherlands and Spain, administrative courts found that the human rights CSOs that were challenging arms export licences were not “directly affected by the licence” or were not “interested parties”.⁵² A Spanish court ruled that “the mere fact that the plaintiffs have among their purposes the defence of human rights does not automatically confer on them an interest within the meaning of [the law]”.⁵³ And though some jurisdictions grant victims of armed violence legal standing to challenge export licences,⁵⁴ identifying such victims and involving them in complex legal battles overseas is a logistically difficult undertaking. Barring CSOs from challenging export licences is thus another significant obstacle to judicial review and to overall transparency.⁵⁵

3.4 Lack of HRDD requirements for companies

States largely do not require arms companies to conduct HRDD, for example by including reference to it in the business and human rights sections of National Action Plans (NAPs), or in national legislation or other regulatory requirements.⁵⁶ Indeed, “beyond applying export controls and other domestic and international restrictions, most states have not required defence companies to conduct human rights due diligence in their global operations and supply chains”.⁵⁷ This contributes to the prevailing lack of understanding that the Guiding Principles have implications for arms companies beyond mere compliance with export controls.

3.5 Failure of arms companies to conduct human rights due diligence

Finally arms companies are equally coming up short by still largely not conducting HRDD with respect to arms production and transfers. While some companies may conduct due diligence in terms of risks of forced labor and other human rights concerns in their supply chains and workplaces, identification of risks of negative impacts by virtue of the use of their products or services in different places and conflicts is still largely absent.

There are a few examples where companies and government actors have recognized the application of the Guiding Principles to the arms sector. For example, the Norwegian defence company Kongsberg notes in its human rights report that “[a]s a producer of defence systems, we pay particular attention to the risk of potential human rights violations and acting in accordance with all trade and export regulations”.⁵⁸ The Canadian Commercial Corporation, an export promotion arm of the Canadian government that helps Canadian companies secure contracts with foreign governments, asks defence companies to complete a due diligence checklist. This due diligence checklist asks companies about their HRDD, and notes that the checklist is based on both the ATT and the Guiding Principles.⁵⁹ Socially responsible investors have also proposed shareholder resolutions that ask arms companies to conduct HRDD due to the significant human rights risks relating to arms sales and transfers.⁶⁰ There are existing national laws focused on mandatory human rights due diligence, such as the French Law Duty of Vigilance Law, for example that may apply to arms companies based on size and revenue.⁶¹

Many arms companies still reference strict compliance with both the national laws in countries of operation and the provisions of international regulations and treaties as a substitute for human rights due diligence, arguing that home State approval fulfils their risk assessment responsibilities.⁶² As seen above, export controls cannot replace HRDD. Moreover, this misses an essential point of the Guiding Principles: the business responsibility to respect human rights under Pillar II of the Guiding Principles “exists independently of States’ abilities and/or willingness to fulfil their own human rights obligations”.⁶³ The United States of America’s State Department has created guidelines for companies that export surveillance technology as a supplement to export control, demonstrating how company’s conducting human rights due diligence can exist in tandem with export control requirements. It is notable that other regulated sectors, such as the pharmaceutical sector, have also already recognized that companies have a separate responsibility to comply with the UN Guiding Principles, even though the pharmaceutical sector is highly regulated and subject to licensing requirements.⁶⁶

3.6 Remedy and accountability in the arms sector

The emergence of various laws on business and human rights, such as the upcoming European Union Directive on corporate due diligence and corporate accountability; the existing French law on the duty of vigilance of parent and outsourcing companies; the German law on the corporate duty of care in supply chains; and the Norwegian law on business transparency and human rights and decent working conditions clearly apply to the arms sector. They open up more avenues for victims of human rights abuses in the context of armed conflict to accessing genuine remedy and accountability.

Nonetheless, the requirements for State to ensure that victims do not face “barriers to prevent legitimate cases from being brought before the courts”⁹⁴ and “[consider] ways to reduce legal, practical and other relevant barriers that could lead to a denial of access to remedy”⁹⁵ remain.

4. Conclusion

The world's current approach to keeping arms and related technology out of the hands of human rights violators is not working. Despite provisions in export control laws banning arms transfers into contexts of IHL or IHRL violations, States face few repercussions if they choose to authorise such transfers anyway—as some States do for reasons of national interest. Moreover, key legal instruments leave wide leeway to States to interpret human rights provisions and judge risk as they see fit. This dynamic, in combination with non-transparency, corruption, and a lack of HRDD being conducted across the sector, means that weapons may be too available for use in the commission of serious human rights violations.

A more robust and consistent application of the Guiding Principles by States and businesses in the arms sector is crucial to improving human rights outcomes, as the Guiding Principles are a key tool for States and businesses to model their policies in order to close these gaps.

5. Recommendations

The recommendations below outline best practices for States and business enterprises to ensure that exports of arms sector products and services do not infringe upon human rights protections, by way of implementation of the Guiding Principles.

5.1 Recommendations to States

- Sign, ratify and adhere to the ATT and all other weapons control, elimination and anti-proliferation conventions and regional and sub-regional instruments.
- Join and adhere to all existing Multilateral Export Control Regimes.
- Amend national and regional export control legislation governing the arms sector to include reference to the standalone responsibility of all businesses in the sector to conduct HRDD in line with the Guiding Principles.
- Introduce mandatory HRDD legislation with enhanced HRDD obligations for the arms sector.
- Publicly communicate information about risk assessments in export licence approval decisions.
- Establish independent oversight of arms transfers through parliamentary commissions, national human rights institutions, and other independent mechanisms. Ensure that detailed, disaggregated data is provided to such mechanisms to allow for genuine assessment of transfers.
- Ensure that national export control legislation prohibits the use of offshoring as a means of circumventing export controls.
- Take additional steps to protect against rights abuses by arms companies that are owned (in part or in whole) or controlled by the State, or that receive substantial support from State agencies.
- Ensure that all political processes related to arms transfers, including the export control process, are protected from undue corporate influence, including safeguards to ensure that arms sector lobbying activities are transparent and responsible.¹⁰⁰
- Grant legal standing both to victims of human rights violations originating in the arms sector and to human rights CSOs to challenge export licences in administrative courts.
- Grant legal standing to victims of human rights violations originating in the arms sector to join legal actions against arms companies, including as *partie civile* in criminal proceedings. Expand definitions of “affected persons” beyond only direct victims of armed attacks.

- Commit to establishing and using State-based non-judicial grievance mechanisms to deliver remedy and accountability for human rights violations originating in the arms sector, including by allowing challenges to export licences, even where previously approved by government.

5.2 *Recommendations to businesses and business associations*

- Implement HRDD processes throughout all aspects of business operations. Conduct HRDD in all cases, regardless of export licence decisions by States. Ensure that HRDD processes are enhanced in situations of heightened risk, such as armed conflicts or internal upheaval.
- Ensure that the complexity of HRDD processes is commensurate with the business's position in the arms sector value chain and its risk of causing or contributing to human rights abuses.
- Publicly communicate information about HRDD and human rights risk assessments in relation to the sale and export of arms equipment and products.
- Commit to ceasing the use of offshoring as a means of circumventing export controls.
- Ensure that all political engagement and lobbying activities are consistent with the Guiding Principles and do not contribute to negative human rights impacts.
- Commit to identifying, investigating, and eradicating the use of corruption and bribery in the arms sector.
- Commit to responsible business practice in the context of disposing of obsolete weapons.¹⁰¹
- Commit to establishing and/or participating in existing operational-level grievance mechanisms as a means of providing accountability for wrongdoing and remedy for victims of rights abuses.
- Where it becomes evident that the business has caused contributed to human rights abuses, provide for, or cooperate in, their remediation through legitimate processes, including through compensation to victims and cooperation with all judicial mechanisms.

ENDNOTES

² <https://www.undp.org/publications/assessing-impact-war-yemen-pathways-recovery> and <https://us16.campaign-archive.com/?u=1912a1b11cab332fa977d3a6a&id=e0562bce18>

⁴ https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2017_81.pdf

⁵ <https://www.ohchr.org/Documents/HRBodies/HRCouncil/GEE-Yemen/2020-09-09-report.pdf>

⁶ <https://www.amnesty.org/download/Documents/ACT3008932019ENGLISH.PDF>; and <https://mwatana.org/wp-content/uploads/2020/10/2019-Human-Rights-in-Yemen.pdf>

⁷ This note refers to “violations” when a State is responsible for breaches of international human rights and/or humanitarian law. When non-State actors, such as businesses, are responsible for the harm, the note refers to “abuses”.

¹² <https://undocs.org/A/75/212>

¹³ <https://undocs.org/A/HRC/44/43>

¹⁴ Including current and future advancements in the use of technology to innovate new forms of weaponry with uses in armed conflict, including applications of artificial intelligence such as Lethal Autonomous Weapons.

¹⁵ [https://www.undocs.org/S/RES/1970%20\(2011\)](https://www.undocs.org/S/RES/1970%20(2011))

¹⁶ As this information note focuses on products and services with military applications, it does not address inherently abusive equipment that can be used by law enforcement for purposes of torture and ill treatment. This type of equipment is the subject of a different ongoing treaty process. See: <https://www.ohchr.org/en/calls-for-input/reports/2020/towards-torture-free-trade-examining-feasibility-scope-and-parameters>

¹⁷ More progress has been made globally around attaching human rights provisions to the transfer of surveillance equipment specifically. For example, see: <https://www.federalregister.gov/documents/2021/10/21/2021-22774/information-security-controls-cybersecurity-items>

¹⁸ For example, see <https://www.un.org/disarmament/the-convention-on-certain-conventional-weapons/> or <https://www.un.org/disarmament/convention-on-cluster-munitions/>

¹⁹ For example, see <https://www.un.org/en/chronicle/article/un-role-and-efforts-combating-proliferation-small-arms-and-light-weapons> and <https://www.unodc.org/unodc/en/firearms-protocol/the-firearms-protocol.html>

²⁰ <https://www.thearmstradetreaty.org/hyper-images/file/TheArmsTradeTreaty1/TheArmsTradeTreaty.pdf>

²¹ “Transfer” is synonymous with “the activities of the international [arms] trade,” namely export, import, transit, trans-shipment and brokering”. See <https://www.thearmstradetreaty.org/hyper-images/file/TheArmsTradeTreaty1/TheArmsTradeTreaty.pdf> Article 2.2

²² <https://www.thearmstradetreaty.org/hyper-images/file/TheArmsTradeTreaty1/TheArmsTradeTreaty.pdf> Articles 6.3, 7.1 and 7.3

²³ <https://questions-statements.parliament.uk/written-statements/detail/2021-12-08/hcws449>

²⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02008E0944-20190917&from=EN>

²⁵ For example, the US Munitions List: <https://www.ecfr.gov/cgi-bin/text-idx?node=pt22.1.121>

²⁶ <https://ec.europa.eu/trade/import-and-export-rules/export-from-eu/dual-use-controls/>

²⁷ For example, the EU Dual Use List: https://trade.ec.europa.eu/doclib/docs/2020/december/tradoc_159198.pdf

²⁹ https://www.sipri.org/sites/default/files/2019-12/1912_regime_dialogue_brockmann.pdf

³⁰ <https://www.federalregister.gov/documents/2020/10/05/2020-18334/implementation-of-certain-new-controls-on-emerging-technologies-agreed-at-wassenaar-arrangement-2019>

³¹ <https://www.thearmstradetreaty.org/hyper-images/file/TheArmsTradeTreaty1/TheArmsTradeTreaty.pdf>, Articles 6.3, 7.1 and 7.3

³⁵ https://www.vredesactie.be/sites/default/files/pdf/Securing_profits_web.pdf

³⁶ <https://www.amnesty.org/download/Documents/ACT3008932019ENGLISH.PDF>

⁴⁰ <https://www.amnesty.org/download/Documents/ACT3008932019ENGLISH.PDF>

⁴¹ <https://www.cnn.com/2018/10/22/politics/trump-jobs-saudi-arms-deal/index.html>

⁴² <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02008E0944-20190917&from=EN>

⁴³ The UN Register of Conventional Arms provides additional detail about these categories. See <https://www.unroca.org/categories>.

⁴⁴ <https://www.wassenaar.org/app/uploads/2019/12/WA-DOC-19-PUB-002-Public-Docs-Vol-II-2019-List-of-DU-Goods-and-Technologies-and-Munitions-List-Dec-19.pdf>

⁴⁵ <http://ti-defence.org/wp-content/uploads/2016/03/Watchdogs-low.pdf>

⁴⁶ https://www.assemblee-nationale.fr/dyn/15/rapports/cion_afetr/115b3581_rapport-information and <https://civiliansinconflict.org/wp-content/uploads/2020/10/US-Arms-Sales-Brief.pdf>

⁴⁷ <https://www.fidh.org/en/region/europe-central-asia/france/call-for-parliamentary-control-over-french-arms-sales>

⁴⁸ <https://www.lawfareblog.com/disappearing-transparency-us-arms-sales> and <https://caat.org.uk/wp-content/uploads/2021/07/CAAT-Report-v2.2.pdf>

⁴⁹ <http://library.fes.de/pdf-files/iez/15850.pdf>

⁵⁰ <https://library.fes.de/pdf-files/iez/15850.pdf>

⁵¹ <http://library.fes.de/pdf-files/iez/15850.pdf>, and

<https://www.ohchr.org/documents/issues/business/domesticlawremedies/studydomesticlawremedies.pdf>.

⁵² <https://library.fes.de/pdf-files/iez/15850.pdf>

⁵³ <https://library.fes.de/pdf-files/iez/15850.pdf>

⁵⁴ See *Faisal bin Ali Jaber et al v. the Federal Republic of Germany*.

⁵⁵ In other jurisdictions, such as the UK and Belgium, CSOs have been granted standing to challenge export licensing decisions in administrative court; challenges in those countries have met with mixed results.

-
- ⁵⁶ <https://www.ohchr.org/en/issues/business/pages/nationalactionplans.aspx>
- ⁵⁷ <https://www.amnesty.org/download/Documents/ACT3008932019ENGLISH.PDF>
- ⁵⁸ <https://www.annual-report.kongsberg.com/sustainability/social/human-rights/>
- ⁵⁹ <https://www.ccc.ca/wp-content/uploads/2019/12/9.-CCC-Human-Rights-Due-Diligence-Guidelines-Defence-Security.pdf>
- ⁶⁰ <https://www.sec.gov/Archives/edgar/data/0001636143/000121465922005902/r427222px14a6g.htm>
- ⁶² <https://www.amnesty.org/download/Documents/ACT3008932019ENGLISH.PDF>
- ⁶³ https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf, GP 11
- ⁹⁴ https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf, GP 26
- ¹⁰⁰ <https://www.oecd.org/gov/ethics/oecdprinciplesfortransparencyandintegrityinlobbying.htm>
- ¹⁰¹ <https://amat.gichd.org/en/home/> and <https://www.gichd.org/>