



**Extraordinary Meeting of States Parties
Geneva, 29 February 2016
Summary and Analysis**

Overview

An Extraordinary Meeting of ATT States Parties took place in Geneva on the 29th of February 2016. It was attended by 75 Governments, including 52 States Parties, 22 signatories, and 3 observers, as well as representatives from the UN, industry and NGOs.

The meeting was intended to achieve agreement on a number of procedural, administrative, financial and budgetary considerations. The three main items on the agenda were administrative arrangements for the ATT Secretariat, budgets for the 2nd Conference of States Parties (CSP), and the structure of the Secretariat. The meeting also discussed re-establishing the Informal Working Group on Reporting.

The meeting did not engage with issues relating to any actual arms transfers, or transparency and accountability of the arms trade. Control Arms requested an agenda item under Any Other Business to discuss the ongoing [transfers of arms to Saudi Arabia](#) in the context of the crisis in Yemen. Despite irrefutable evidence of serious violations of international law in a conflict that has killed more than 35,000 people, several States Parties and Signatories to the ATT have continued sending weapons to Saudi Arabia, in violation of the Treaty's obligations. This request was rejected by the President, on the grounds of time and that it would be "fraught with danger" to discuss the topic without sufficient time.

Control Arms report did however secure substantive media coverage, including in the New York Times, and many other outlets, see [here](#) for media clippings.

Though the substantive issues were overlooked, progress was made by States Parties to adopt a set of proposals for the administrative arrangements, structure and revised budget for the ATT Secretariat, (until December 2016), and a revised budget for CSP 2016 in August. For both the administrative arrangements and structure of the ATT Secretariat, agreement was only reached after informal consultations held by the Vice Presidents during the day of the meeting itself.

Administrative Arrangements for the ATT Secretariat

In the months leading up to this meeting, Switzerland as host country of the ATT Secretariat had been in discussion with the Management Committee, and shared a proposal with delegations at the Extraordinary Meeting. The proposal consisted of two separate agreements to be reached: a Memorandum of Understanding on the administrative, logistical and organisational arrangements put in place by Switzerland to house the ATT Secretariat, and a Headquarters Agreement outlining the privileges and immunities of the ATT Secretariat.

The Proposal, which was eventually adopted by consensus, consisted of the following elements:

- All administrative support services of the ATT Secretariat will be outsourced to the Geneva Centre for the Democratic Control of Armed Forces (DCAF) – the Secretariat will be housed within its premises, but will not be integrated into DCAF
- The ATT Secretariat will have offices in the World Meteorological Organization (WMO) at 7bis avenue de la Paix, Geneva (the offices of DCAF)
- DCAF will provide all necessary financial services like collecting contributions from States Parties; undertake all human resource functions like recruitment processes, visas, etc. and provide central support services like procurement, travel arrangements etc.
- Maintenance of the ATT website will also be covered by Switzerland

As the host state, the Swiss government agreed to cover all the costs of the office space for a period of 4 years, and additional contributions to support the establishment of the ATT Secretariat, and the costs associated with outsourcing of administrative support to DCAF. This includes the hiring of an administrative assistant on a full time basis for 6 months and a half time basis thereafter.

Most countries expressed broad support for the proposal, although there were also many criticisms of the lack of consultations on the documents. Mexico and New Zealand asked questions around the legal implications for the agreements, including clarifications on who should be signing these agreements, and what kinds of immunities are afforded to international staff. Brazil and Dominican Republic expressed concerns about the lack of inclusion in the consultations, while Mexico, Costa Rica and Peru noted that due to the delay in the circulation of the papers, they did not have time to examine the content in greater detail. Many countries, including Australia, Germany, the UK, and others stressed the importance of making progress on resolving administrative challenges and 'moving on' to address substantive issues by CSP 2016.

Sweden also urged States Parties to accept the offer of the ATT-BAP web platform for the ATT Secretariat website. The website has almost all the functionality that would be necessary for the ATT Secretariat. It has been developed with extensive consultation already. All in all, it would be simpler, cheaper, and quicker to modify the existing ATT-BAP website to fit the ATT Secretariat rather than build a new site from scratch. This proposal was further endorsed by the UK and the Czech Republic.

Structure of the ATT Secretariat

The next proposal to be considered at the meeting focussed on the functions and structure of the Secretariat. This proposal took its starting point as the "Directive of the States Parties to the Secretariat of the ATT", a set of guiding objectives which outline the specific tasks expected of the Secretariat. The proposal concludes that the Secretariat should hold a capacity for:

- Substantive and technical work
- Conference management, including procurement management and outsourcing; and
- Financial management and administration

The proposal suggests a staff structure to include:

- The Head of the Secretariat (initially interim Head Dumisani Dladla)
- A technical expert (with operational and practical experience of arms, export control and reporting)
- An administrative expert

Most of the countries taking the floor agreed with the basic premise of a 3-person team for the ATT Secretariat. There were three specific areas that States did however comment on.

New Zealand and South Africa both expressed concern that Mr. Dladla had not begun his term yet as Interim Head of Secretariat. With plans to appoint a permanent head of the Secretariat at CSP 2016, several States, like Norway and Peru, expressed a desire to extend the contract for interim head of the secretariat from September until December 2016 so that there would be no gap in the role as the Permanent Head transitioned from their previous job posting. There was also extensive discussion about the mandate and role of the Management Committee in the recruitment for the Head of the Secretariat position. The interim head has already signalled his intent to apply for the position, so cannot be involved in the recruitment process.

Finland, UK, New Zealand, South Africa, Nigeria, Italy, and Peru all advocated strongly to amend the proposal to ensure that the initial length of contracts for Secretariat Staff should be increased to 4 years, so that the best candidates can be enticed and retained for the roles. There was also broad agreement that all the posts shouldn't end at the same time, so as to ensure a degree of

continuity if there was a vacancy in any of the posts. States were also in agreement about the Job Descriptions of the P3 and P2 posts to be drafted by the interim head of the secretariat, about clarifying remuneration packages for the 3 staff members, and for those packages to be in line with UN compensation packages.

The third key point of discussion was around what future role the UNDP was to play once the ATT Secretariat had been established. States were in agreement that the UNDP's services to date had been extremely valuable in filling a vacuum of administrative support, but there were divergent views on how such a role should look in the future. Finland noted early on that the mandate for the UNDP had been to carry out interim administration – particularly in helping set up meetings. Costa Rica suggested this mandate be extended till just after the end of CSP 2016. These proposals received the support of Norway, Mexico and Sweden, who proposed that UNDP should in future have an ongoing, more specialised support role to the Secretariat (primarily focused on organising meetings of States Parties). Nigeria noted that UNDP's assistance was predicated on a cost-recovery model. Japan and UK supported this cost-recovery approach, whereas the US disagreed that UNDP needed to continue to play any permanent support role in the future.

The Draft Revised Budgets and Assessed Contributions

The draft revised budget for the ATT Secretariat for the financial period up to 31 December 2016, and the draft revised budget for the Second Conference of States Parties were then both approved by consensus. Of note, as of 15 February 2016, Assessed Contributions stood at US\$573,090. 29 States have submitted their contributions, which covers 58% of the budgetary requirement of the Conference of States Parties 2016, and of the Secretariat. Australia and Cote d'Ivoire were the only two countries to publicly state that they had made their contributions already.

Working Group on Reporting

Under 'Any Other Business' the Extraordinary Meeting discussed efforts to improve States Parties' reporting on the ATT. Many States, including Switzerland, Germany, France, Mexico, Lithuania and Belgium, made clear their firm support for reporting as the means to improve transparency in the arms trade.

Based on this, Ambassador Paul Beijer of Sweden circulated a draft terms of reference to re-start the activities of the working group on reporting, with the aim of revising both the reporting templates.

Netherlands, Switzerland, Germany, Belgium, Australia, and Mexico endorsed the extension of the mandate, and expressed their support to Sweden to continue facilitating the Working Group.

The issue of greatest contention centred on the degree of openness of the working group and, in particular, whether the group could be closed at the request of only one State Party. The US, the UK, and France advocated strongly for language that would enable the meetings to be closed in specific circumstances, however this proposal met with a number of challenges including from Control Arms and Mexico. Following some impromptu informal consultations, compromise language was agreed which required any request to close a meeting of the working group (or portion of a meeting) would require a vote in order to be approved. The amended mandate for this working group was eventually approved by consensus.

The only update in terms of universalization at the meeting came from Greece, who announced they had completed their ratification and will thus become the 82 States Party.



Side Event on Reporting, Accountability and the ATT

A side event co-sponsored by the Mission of Netherlands and Control Arms was held on 1 March the day after the Extraordinary Meeting, (the President had requested no side events on the actual day of the Extraordinary Meeting).

The event was chaired by Ambassador Henk van der Kwast of the Mission of the Netherlands to the Conference on Disarmament, and examined the current status of submission of initial reports, and explored implications of reporting and transparency on the long-term effectiveness of the Treaty. It included presentations from Rob Perkins (Control Arms), Rachel Stohl (ATT-BAP), Marc Finaud (ATT Network in Geneva), and Birute Kunigelyte Ziukiene (Ministry of Foreign Affairs of Lithuania).

Rob Perkins presented an analysis of which States Parties met the deadline to submit their initial reports. He noted that implementation reports document the legislative, constitutional, administrative, and procedural measures taken by States Parties to become Treaty-compliant. They are a critical part of monitoring the effectiveness of the Treaty, and can help to illustrate priorities for assistance and cooperation. By the time of the Extraordinary Meeting, 61 States Parties had an obligation to report, 42 of which have so far submitted reports (approximately 70%). 32 States Parties used the provisional template agreed at CSP1, 6 reported using the ATT-BAP template, and 4 used own formats (some of which were based on BAP). Only 2 states kept their reports confidential.

Rachel Stohl then presented on how the ATT-BAP has assisted States in completing their initial reports (6 States reported using the BAP template while others used it as the basis of their reporting). She presented initial analysis of the content of reports received to date. Several States reported partially or completely in their own language while the provisional template is only available in English. She recommended that the template be provided at least in French and Spanish to improve reporting rates. Finally she highlighted ATT-BAP's readiness to help States submit annual reports (due on May 31).

Marc Finaud discussed the importance of transparency, and shared some of the training activities that have taken place in Geneva and elsewhere for States through the ATT Network. Birute Kunigelyte Ziukiene explored how the initial reports can be used to support implementation efforts of States, by considering for example assistance offers and needs, and identifying good practice. Using illustrative examples from the initial reports, the presentation highlighted top line trends emerging from the submitted reports explored the importance of strengthening the norms of public reporting, and reflected on Lithuania's experience of meeting reporting obligations under various related regimes. She described reporting as 'not an end in and of itself, but as our best way to put a stop to the reckless transfer of arms'.

In the discussion segment of the event, Participants fielded questions about the process of reporting for the ATT, including exploring challenges stemming from translations of templates, and the types of constraints experienced by States Parties to prepare and submit reports in time. The discussions also touched on streamlining the reporting templates to enable effective monitoring, discussing barriers to periodic reporting, and exploring assistance and cooperation mechanisms to enhance national capacity to submit initial and periodic transfer reports as per Treaty obligations.

Amb van der Kwast concluded with a call to all States Parties to submit their reports, and to reiterate the importance of consistent reporting.

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