

STATE POSITIONS AND PRACTICES CONCERNING REPORTING AND THE ARMS TRADE TREATY



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By Atina Karim

Somewherein Ltd, Consultant to the Peace Research Institute Oslo

and

Nicholas Marsh

Peace Research Institute Oslo

Control Arms is grateful for the support of the governments of Australia, Norway, and Trinidad and Tobago.

INTRODUCTION

This study assesses the record of 130 States which were either parties to or signatories to the Arms Trade Treaty when it came into force on 24 December 2014.¹ It highlights what those States called for concerning reporting and the ATT during the treaty negotiations, preparatory committee meetings and earlier exchanges of views. It also shows which States have reported conventional arms imports or exports using three reporting mechanisms during the period 2009 to 2013 (comprehensive data on reporting in 2014 was not available at the time of writing in January 2015).

PUBLIC REPORTING

Of the 130 States assessed in this report, 120 of them, or 92 per cent, publicly reported some information on their arms imports or exports via at least one of three reporting mechanisms during the five year period 2009-2013 (the mechanisms are described below). None of the ten States that did not report via any mechanism is a major arms producer.² Twenty five States reported using all three reporting mechanisms. Forty eight used two mechanisms, and 47 used just one (the most common being to the UN Statistics Division). Overall, 32 States published national reports during the five year period, 107 reported to Comtrade and 79 reported to the UN Register. Background information on imports and exports of small arms and light weapons was provided by 61 States.

Overall, the high level of existing public reporting by State Parties and signatory States indicates that there is already an acceptance of public reporting. Indeed, all the countries which became State Parties on 24 December had previously publicly reported some information on their arms imports or exports.

It is though important to note that reporting was often patchy, with some States reporting to the UN Register in some but not all years. Even when States did report, information was sometimes withheld, such as if a State did not report on certain categories of equipment. One clear and easy to achieve benefit of the Arms Trade Treaty would be to improve the consistency and comprehensiveness of public reporting on the arms trade.

That is a challenge that States need to meet when they decide upon reporting templates and whether and under what circumstances reports are to be made public.

National statements on reporting

Prior to and during the Arms Trade Treaty negotiations UN Member States frequently expressed opinions on reporting. They did so in national statements, in statements made on behalf of groups of States, and in the exchanges of views that preceded the negotiations.

Overall, of the 130 States that were party to or signatories to the Treaty on 24 December, 105 had explicitly called for public reporting. Indeed, 59 of the 61 State Parties at that date had earlier called for public reporting. The only two State Parties that had not explicitly called for public reporting are Panama and Bosnia and Herzegovina. Both had previously publicly reported data on their arms imports or exports, and so could be assumed not to be against public reporting even while not explicitly calling for it.

There was some support for States to report transfer authorizations or license denials, with 21 States calling for this information, and only four were opposed. The obligatory reporting on imports and exports required by the Treaty is supported by the record of national statements.

Overall, of the State Parties and signatories on 24 December 2014, 10 of those States called for voluntary reporting, but that was opposed by 63 states. Similarly, during the entire process 63 States called for obligatory reporting and only nine were opposed.

Three reporting mechanisms

The UN Register was set up in 1991 and is run under the auspices of the United Nations Office for Disarmament Affairs (UNODA). All UN member States are asked to voluntarily provide information to the UN Register on their arms imports and exports. Specifically they are requested to name the exporting or importing State; the number of units transferred, intermediary States, and the State where the arms originated. States are requested to report upon seven categories of arms: battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, and missiles or missile launchers. The seven categories of weapons listed above did not include small arms and most types of light weapon. International attention to the proliferation of small arms and light weapons led to calls for their inclusion in the UN Register. Nevertheless, some states were reluctant to revise the seven categories. Instead, in 2003 it was decided that Member States could report 'additional information' on imports and exports of small arms and light weapons.³ In practice they do so by reporting those transfers as a form of 'background information'. Doing so was a compromise that formalized the reporting of imports and exports of small arms and light weapons without revising the original seven categories of arms covered by the UN Register.

All States collect customs data on movements of goods over their borders. The data is primarily used for revenue collection and the compilation of economic statistics, and all States use a standard system of classifying goods. States voluntarily report this data to the UN Commodity Statistics Database (known as Comtrade) which is run by the United Nations Statistical Division. Data reported to Comtrade includes categories which cover the arms trade, particularly small arms and light weapons. When reporting to Comtrade, States can provide information on the number of units exported, the financial value of a shipment, the weight of goods, and the exporter and importer. As it is a record of goods moving from one State to another, the data does not record the ownership of goods being traded.

National reports are published by individual States and provide a detailed record of their arms imports and exports. Such reports are usually the source of the most detailed information on the arms trade. States publish different information in their national reports, but they often contain information on arms export licenses granted and refused, as well as a detailed record of the quantity, type and financial value of arms exports and sometimes imports.

Sources and methods⁴

For reporting to the UN Register the authors consulted the 'Index of information submitted by Governments' section of the regular Report of the Secretary-General on the United Nations Register of Conventional Arms (including addendums). Specifically the authors consulted the following documents: A/69/124/Add.1; A/69/124; A/68/138/Add.1; A/68/138; A/67/212/ADD.2; A/67/212/ADD.1; A/67/212; A/66/127; A/66/127/Add.1; A/65/133; A/65/133/Add.1; A/65/133/Add.2; A/65/133/Add.3; A/65/133/Add.4 A/65/133/Add.5. All the reports are available on the web site of the UN Office of Disarmament Affairs (which can be found at <http://www.un.org/disarmament/convarms/Register/>). The reports were accessed during December 2014 and January 2015.

Reporting to Comtrade was assessed using Harmonized System 2012 Nomenclature categories 930120; 930119; 930190; 930200; 930320; 930330. Data had previously been downloaded from the UN Statistics Division's web site (from <http://comtrade.un.org/>) and entered into the NISAT database. The most recent download date being on 25 November.

National reports on States' arms imports and exports were accessed via the National Reports Database run by the Stockholm International Peace Research Institute (which is available at: http://www.sipri.org/research/armaments/transfers/transparency/national_reports/sipri-national-reports-database).

For national positions on transparency and reporting, the authors examined the archive of documents and statements on the Arms Trade Treaty which is administered by the UN Office of Disarmament Affairs (and can be found at: <http://www.un.org/disarmament/ATT/statements/> and <http://www.un.org/disarmament/ATT/documents/>). Documents written in English were downloaded in December 2014 and January 2015. States are listed as supporting a position if the text in question appeared in: national statement, a statement made on behalf of a group of States, or was made by that State in the exchanges of views prior to the treaty negotiations.

1. The authors gratefully acknowledge the assistance of Shahidul Islam in preparing this document for publication.
2. The ten States not to report via any mechanism are Angola, Chad, Georgia, Guinea-Bissau, Haiti, Liberia, Sierra Leone, Swaziland, Togo and Tuvalu.
3. See General Assembly document A/58/274 and Resolution 58/54.
4. A detailed list of the sources used for this report is available -- along with the report itself -- on the Control Arms website at <http://controlarms.org/en/indepth/>