

## Control Arms Daily Summary, Day 3

### **Reporting**

The third day of CSP 2016 resumed with a discussion on reporting, which had begun late the previous day. In addition to Guatemala who had spoken the previous day, 17 States took the floor during this session, along with Control Arms.

The main issue up for debate was whether or not States could adopt the reporting templates for initial and annual reports that had been developed by the Working Group on Reporting. States were presented with three options (listed with those in favour in brackets):

1. States Parties adopt the template (**Mexico**)
2. States Parties are urged to use the templates (**Switzerland, Poland, Italy, Ireland**)
3. States Parties endorse the templates (**USA, Australia, France**).

As there was no clear consensus, at the end of this session, States Parties met in parallel consultations. Despite movement towards adopting language that would endorse the templates, states were still not able to reach agreement today.

Among the main points made during the plenary, several States spoke of the importance of transparency, with several (**France, Germany, Switzerland**) explicitly calling for public reporting. **New Zealand** said that if the Conference decides to keep the tick box that allows States Parties to make their reports private, then States that do so should explain why they do not want their reports to be public.

Other notable remarks included **Italy**, who lamented the lack of reference to the Treaty's humanitarian purpose in either reporting template; **Argentina**, who called on States to voluntarily report on transit/transshipment; and **Moldova**, who explained that they had mistakenly made their annual report private and would be changing it. This means that Slovakia is now the only country to have submitted a private annual report.

Control Arms, through Dr. Bob Mtonga, told the Conference that comprehensive and public reporting is a mandatory requirement of the ATT, and that efforts should be made to assist those states for whom reporting is a challenge.

### **Voluntary Trust Fund**

Ambassador Biontino (Germany), who has facilitated the development of Terms of Reference for the Voluntary Trust Fund, updated delegates on amendments to the ToR, which took note of comments made on Day 2 about the need to ensure geographic diversity in membership of the Selection Committee. The amendments achieved consensus, and the Conference adopted the proposal to establish a Voluntary Trust Fund.

## Implementation

The implementation session was broadly a disappointment to those who hoped to hear discussion of substantive measures, including comments on compliance – or non-compliance – with the ATT. Of the 15 States and multilateral groups that took the floor, only Zambia spoke strongly about the problem of States carrying out arms transfers that violate the Treaty. **Zambia** asked the Conference to ask itself if the Treaty is really making a difference, especially if States that are helping countries to set up control systems and develop new laws are meanwhile sending weapons into areas of conflict. Can the transfer of weapons used to kill and maim be considered ‘best practice’?

Control Arms delivered a strong statement through Cesar Jaramillo of Project Ploughshares and Brian Wood of Amnesty International. Cesar highlighted the research by Control Arms on arms transfers to Saudi Arabia which showed transfers and authorisations by 19 States Parties and three Signatories. Brian Wood focused on the need to establish effective procedures for the implementation of Articles 6 & 7 of the ATT and informed States that the Treaty does not require a ‘balance’ of export risks, but rather demands a thorough assessment to weigh up all of the risks of an exports possible ‘negative consequences’. Other civil society speakers in this session included WILPF, ASER and the ICRC.

Of the other speakers on this topic, some countries did share their recent experiences of implementing the Treaty (**El Salvador, Dominican Republic, New Zealand, Switzerland**). Most focused their remarks on a discussion paper proposed by Costa Rica and Finland, and the establishment of a Working Group of technical experts that could focus on implementation matters, put forward by the UK. Several States endorsed such a group (**Belgium, Czech Republic, France, Italy, Mexico, Panama, Sweden, Switzerland**).

## Universalization

The day ended with the President of CSP2 presenting his paper on proposals to increase the universalization of the ATT. In his paper, the President outlined the current status of ATT membership, and highlighted a range of suggested approaches to build on recent successes. These include, setting a target number of new State Parties over the next two years, establishing a working group on universalization, and improving outreach partnerships between the UN, States and civil society.

Nine speakers took the floor before the session ended. Of those, **Bulgaria and the AU** both spoke of the importance of civil society in improving universalization. **Bulgaria and Thailand** endorsed the suggestion the regional focus of universalization efforts could rotate yearly along with the Presidency of the CSP. The session will resume tomorrow.

## Side events

There were three side events today. Switzerland hosted an event in which the publication “The Arms Trade Treaty: A Commentary” was launched. Written by



academic and legal experts on the ATT, the book discusses and interprets each provision of the ATT. Panellists explained that the Commentary is an aid not only to implementation but also universalization, as by explaining key obligations and provisions it creates greater awareness among those countries who haven't joined the Treaty. WILPF hosted a discussion of the implementation of Article 7 (Export and Export Assessment), focusing particularly on tools and guidelines to help States to implement the Treaty's provisions on gender-based violence. The event also featured a case study on how Spain's arms export system works, highlighting how Spain has recently denied arms to South Sudan because of human rights concerns. ATT-BAP and Control Arms hosted an event which analysed the first ATT initial reports, and looked to highlight lessons learned and next steps for States Parties.