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Daily Summary: Day Three – 22 August 2018

Transparency and Reporting

Fifteen States as well as the European Union, ECOWAS, the International Committee for the Red Cross, Control Arms, and the Centre for Armed Violence Reduction, took the floor in the transparency and reporting session. The ATT Secretariat presented an overview of the status of ATT reporting, including the submission of both annual and initial reports.

Of the 92 States Parties due to submit an initial report, 67 have submitted (73 per cent). Ten reports were kept confidential. There are 11 outstanding reports from States Parties in Africa, 11 from the Americas, four from Europe, and one from Oceania.

Of the 89 States Parties due to submit an annual report, 48 have submitted (54 per cent). Three reports were kept confidential. Regionally, 24 per cent of reports were submitted in Africa, 18 per cent in the Americas, 67 per cent in Asia, 90 per cent in Europe, and 50 per cent in Oceania. This represents a decline in reporting in all regions from previous years.

Mexico and Belgium, as Co-Chairs of the Working Group on Transparency and Reporting (WGTR), provided an overview of working group discussions that occurred earlier this year. An initial work plan was distributed at the 8 March 2018 meeting outlining the WGTR mandate to: conduct exchanges of lessons learned and areas of difficulty, expand the reporting mandate for the ATT Secretariat, develop a forum on the ATT IT platform for information exchange, create and disseminate a reporting guidance document, and assemble a list of reporting experts.

Based on discussion at the 31 May 2018 meeting, the Co-Chairs recommended the reporting mandate for the ATT Secretariat, guidance document, and a list of reporting exports not move forward for approval. Instead, it was recommended that more outreach be done to States Parties experiencing challenges with reporting. Annex A outlines the Co-Chairs' 'Outreach Strategy on Reporting', which encourages States Parties to organize regional informational sessions, conduct bilateral dialogue, and ask the ATT Secretariat to reach out to States Parties facing challenges to reporting and identify reasons why.

The Co-Chairs recommended the adoption of the 'Outreach Strategy', which welcomes the development of an the information exchange portal on the ATT IT platform, adopts a three-tiered approach to transparency in addressing diversion (including informal, closed meetings for States Parties to discuss real-life examples), and the proposed mandate for work to be done before CSP 2019. This mandate includes a review of templates for initial and annual reports.

Four states (Australia, Switzerland, Argentina and Netherlands) and the European Union noted the worrying trend of States Parties not complying with reporting obligations.

The majority of those who spoke expressed satisfaction with the progress made by the Working Group and overwhelmingly supported the Co-Chairs' recommendations. Six states (Australia, South Africa, Switzerland, Mexico and Japan) and the European Union support the inclusion of an informational exchange portal. The European Union highlighted the internal EU transfers database as an example of good practice in this area. Four states (United Kingdom, Netherlands, South Africa and Guatemala) and the EU support the outreach document.

Some states highlighted challenges they face in reporting. Switzerland mentioned the different national systems States Parties use to monitor arms transfers internally, mentioning specifically those states that do not have a database to keep track of these transfers. Database systems developed by the Centre for Armed Violence Reduction can be used by states looking to better manage arms transfer data. The United Kingdom and Guatemala raised the point of 'reporting fatigue', referring to the reporting obligations of states to many different arms transfer monitoring mechanisms.

States Parties were generally supportive of the Working Group's recommendation to hold informal meetings open only to States Parties to discuss concrete examples of diversion. The Republic of Korea and the United Kingdom emphasized the 'sensitive' nature of these discussions, and hoped the Working Group would give proper acknowledgement to a state's need to withhold sensitive information.

Positively, Sweden pledged to provide an update to its initial report, and said New Zealand is considering providing an update as well.

Control Arms highlighted the large discrepancies found in annual reports which hide useful information and do not contribute to meaningful transparency in reporting. The Centre for Armed Violence Reduction highlighted its database work as a 'low-cost database solution' for States Parties that do not have an internal database.

Treaty Universalization

Twenty-two States Parties, the European Union, the International Committee of the Red Cross, ECOWAS, Control Arms, Nonviolence International, Parliamentarians for Global Action, and ASER took the floor in the treaty universalization session. The ATT Secretariat presented an overview of treaty universalization.

When the ATT opened for signature, 108 states signed the Treaty. Now, there are 97 States Parties and a remaining 38 Signatories. Fifty-nine UN member states remain outside of the ATT process. Regionally, 42 per cent of states in Africa are members of the ATT, 72 per cent in the Americas, 12 per cent in Asia, 91 per cent in Asia, and 28 per cent in Oceania. Universalization efforts must target regions with low participation.

The ATT Secretariat also provided an update on the ATT website. Improvements have been made to the web platform, and data is currently being transferred ahead of tests to ensure it can withstand the demands of its use. The new website will make information more accessible, include infographics, and feature an interactive version of the reporting page.

Japan, as the CSP 2018 President, is Chair of the Working Group on Treaty Universalization. Finland, as the CSP 2017 President, is Co-Chair of the Working Group. The Co-Chair began by providing an overview of the documents developed during discussions this year, including the Draft Report to CSP4, which includes a list of elements to include in the universalization toolkit in development by the Working Group, as well as regional events that are planned ahead of CSP 2019.

The Co-Chair outlined recommendations for new WGTU priorities, including a focus on Asia and Africa as regions with low ratification rates, utilizing Co-Chairs states-of-origin to mobilize partners, engaging with Parliamentarians, organization of regional events, and outreach done by the CSP Presidents. The continued engagement of civil society was emphasized as important.

Working Group Chair, Japan, noted the support of civil society and, particularly, Control Arms, while describing the excellent work of local civil society groups in regional capacity-building

trainings. Synergies between similar instruments were also noted as useful in helping with universalization efforts.

Positively, five states (Mexico, Guatemala, France, Japan and Colombia) emphasized the important role civil society plays in universalization. Seven states (Cook Islands, Australia, Mexico, Georgia, New Zealand, Peru and Ghana) highlighted specific regional activities that were helpful in pushing universalization efforts and trainings in their respective regions, including the roundtable event in Nepal (New Zealand), and trainings in Mexico.

Four states (Australia, Germany, Guatemala, Brazil) and the European Union stressed the importance of ratification by the 'major players', or big exporting, importing, and transhipment states in achieving the goal of reducing human suffering. For Ireland, full implementation of the ATT can only come with full universalization.

The International Committee of the Red Cross expressed concern that the pace of ratification has slowed, and urged all States Parties to use relevant opportunities to encourage universalization. Control Arms called for universal compliance of the ATT as a crucial component that needs to happen alongside universalization. "It is unacceptable for a State to become Treaty member and to continue with arms transfer policies and practices as if it had not. Universal adherence depends on robust Treaty implementation." Raising awareness of the Treaty's benefits regionally will increase universalization, as will capacity building for prospective States Parties. NGOs were generally supportive of the universalization toolkit, along with three states (State of Palestine, South Africa, Netherlands).

Side Events

Six side events were hosted on the third day of CSP 2018.

"*Japan's Security Export Control System*," hosted by Japan, provided an overview of Japan's security export control system.

"*The Humanitarian Impact of Arms Transfers to the Middle East,*" hosted by Control Arms, presented a series of case studies of arms transfers to the MENA region. Frank Slipjer of PAX highlighted three cases of diversion of military goods to Iraq's militia via the Islamic State, to the Islamic State in Iraq and Syria, as well as United Arab Emirates retransfers of weapons to Libya. Diversion is not just about dodgy arms brokers, often times it is a practice organized by state-actors. Rasha Abdul Rahim of Amnesty International presented on the humanitarian impact of the protests in Gaza, as well as how this relates to risk assessments made by States Parties to the ATT. Because of documents violations of international humanitarian law, Articles 6 and 7 apply and all transfers to the parties to the conflict should be denied.

"*EU Assistance and Cooperation on ATT Implementation*," hosted by the Eueopean Union Export Control Programme and France, gave a summary of EU assistance and cooperation efforts on ATT implementation since the beginning of the ATT Outreach Programme (ATT OP), and highlighted the positive outcomes achieved. It also emphasised the challenges that the implementing agencies have encountered in implementing the programme.

"*Transparency and Reporting*," hosted by Small Arms Survey, UNIDIR, and the ATT Baseline-Assessment Project, launched the Small Arms Survey's new Transparency Barometer as it applies to the ATT. It is based on reporting to UNROCA, COMTRADE, UNPoA, and the ATT. Paul Holtom summarised ATT reports and small arms traders in an annual assessment of reporting practices by 49 small arms light weapons exporting states. The Stimson Centre presented the new National Transfer Controls Database, which contains individual country

profiles and a database which together offer the opportunity to identify gaps in implementation. UNIDIR presented a summary of its consultations on transparency and reporting.

"*Launch of: How to use the Arms Trade Treaty to address gender-based violence: A practical guide for risk assessment,*" hosted by Ireland Control Arms, was the launch event for the practical guide that provides indicators, sources, and guiding principles on how to properly implement Article 7.4 obligations to include gender-based violence in risk assessment decisions. Verity Coyle of Control Arms outlined the practical guide, while Netta Gousac of the International Committee of the Red Cross gave provided an in-depth look at ICRC's position on GBV as it fits into general Article 6 and 7 obligations. Folade Mutode of the Caribbean Coalition for the Development and Reduction of Armed Violence, presented relevant examples from the CARICOM region and discussed the work of her organization. Allison Pytlak of Reaching Critical Will gave an overview of the history of GBV's inclusion in the ATT and passed on recommendations for future work.

"*Tackling Diversion: Examining Options and Avenues for Strengthening End Use/r Controls in Conventional Arms Transfers*," hosted by UNIDIR, Finland, the United Kingdom, and SIPRI, discussed preventing diversion and end use/r controls, including the roles and responsibilities of NGOS. This included potential progress on enhanced controls to address diversion under international and regional instruments including the ATT, areas where dialogue between States and NGOs can be pursued, and methods to strengthen synergies between, and contribute to the implementation of, the ATT, relevant export control regimes and regional instruments.