

**Fifth Annual Conference of States Parties to the ATT (CSP5)  
Geneva, 29 August 2019**

**Daily Summary: Day 4 (Thursday, 29 August 2019)**

Day 4 of CSP5 began with discussions of the ATT Sponsorship Program, continued with matters pertaining to the ATT secretariat, and finished with matters pertaining to financial contributions. The day also included five side events, covering topics including armed drones and export controls, the Arms Trade Treaty in the context of the ongoing conflict in Yemen, the contributions of the private sector to the ATT's implementation, the role of parliamentary action in promoting the ATT's universalization and effective implementation, and the importance of applying a gender lens for arms control support and sustainability.

**Financial Assistance: The ATT Sponsorship Program**

Thursday began with a session on the [ATT Sponsorship Program](#). The session began with a presentation by the ATT Secretariat on the current status of the sponsorship fund, the rate of acceptance of sponsorship applications (disaggregated by data; the fund accepted a lower proportion of female applicants than their male counterparts), and some guidelines to administer the sponsorship program, accounting for comments and feedback from States Parties during earlier informal consultations.

After Mr. Diadla's presentation, the floor was opened for remarks. Several states, including Benin, Sierra Leone, and Mexico, spoke up to thank the donors to the sponsorship program to date. Many states, including Benin, Australia, Jamaica, the Philippines, and the European Union, spoke up to reiterate their commitment to cooperate capacity-building projects, with a focus on sharing best practices and information.

Guatemala and Costa Rica noted their regret regarding the administrative guidelines for the sponsorship program, as it mentions the potential to limit states' access to sponsorship funds if they did not fulfill their financial obligations under the ATT.

**Matters Pertaining to the ATT secretariat**

Thus session provided an overview of the functions and activities carried out by the ATT Secretariat which included financial management, administrative support, executed the decisions by CSP4, support the preparatory process for CSP5, provided support to the working groups. It also covered the budget of the ATT Secretariat.

Switzerland stated that their current contract to contribute to the budget was until the end of CSP5 but they have made the decision to renew this in part because of the difficult financial situation of the ATT. This will apply for 2020 and 2021 cycles only. Further, they will increase their support to the ATT Secretariat due to increased cost of VTF from 25k to 40k and will contribute 247,000CHF

**Matters Pertaining to Financial Contributions**

The session on financial contributions began with presentations on the state of contributions and liquidity. The ATT secretariat explained the breakdown of revenue sources between States Parties and states in attendance at CSP5, reviewed the financial calendar, and noted concerns around financial liquidity. The

ATT secretariat also noted the challenge posed by the U.S. government's decision to not attend, thus removing an expected financial contribution.

The discussion following these presentations was heated. Many states, including European Union member states, Japan, Chile, and Italy supported invoking Rule 8(1)(d), which would deprive States Parties in arrears on their financial obligations from exercising their voting rights. These states also stressed that financial contributions are a treaty obligation, and that failing to meet those obligations could result in the ATT's bankruptcy, defeating the Treaty's purpose. Finland, in particular, indicated that the only solution to the ATT's financial problems is all States Parties paying their contributions, but also indicated that it was open to considering exceptional circumstances States Parties may face, as provided for in Rule 8(1)(d). Australia called for full payment as the most effective intervention to halt the Treaty's financial troubles.

South Africa, Ghana, and Namibia (speaking on behalf of a group of African states) all spoke against punitive measures that could be invoked under Rule 8(1)(d). South Africa noted that some States Parties who called for the exclusion of non-paying States Parties were failing to consider the needs of those in arrears, and further advised that non-paying members should not be seen as non-compliant; rather, the VTF and the Sponsorship Program should be used to support those States Parties.

Mexico, Costa Rica, and Brazil aligned themselves with Namibia's statement, while also agreeing that financial contributions are crucial to treaty implementation. Brazil expressed discontent over the proposed punitive measures, and stressed that implementing such measures would harm developing countries facing trouble making their payments.

Control Arms fully supported efforts to ensure that all States Parties pay their dues in a timely matter, but noted that excluding countries where illicit trade takes place would undermine and be detrimental to the ATT's objectives. In addition, Control Arms highlighted the hypocrisy in excluding States Parties for failing to meet their financial obligations, while still fully including States Parties who were failing to meet their substantive obligations under the Treaty.

### **Side Events**

Thursday began with a [morning side event](#), cohosted by PAX and the Stimson Center, on the future of armed drones in the context of export controls. PAX's Wim Zwijnenburg and the Stimson Center's Rachel Stohl each gave remarks with the aim of addressing the growing global interest in developing, acquiring, and using armed drones. They discussed recent developments and ongoing multilateral discussions around potential international standards on drone use relevant to the ATT's implementation. Wim Zwijnenburg presented case studies from Lybia and Yemen, discussing the use of a diverse range of drones by either sides in the conflicts, and which is reshaping warfare in different ways. Rachel Stohl stressed the importance of selecting the right forum to discuss drones' regulation regimes and noted that any new norms created to regulate the use of drones should not weaken existing international regimes.

In addition, there were four lunchtime side events.

The [first](#), hosted by Control Arms, and chaired by Mr. Martin Kruger Austrian Federaly Ministry for Europe, Integration and Foreign Affairs, discussed the Arms Trade Treaty's legal review of arms transfers decisions in the context of the ongoing conflict in Yemen -- and of ATT States Parties' continued sales of weapons to countries involved in that conflict. Panelists discussed legal challenges to arms transfers to the Saudi-led coalition -- challenges that have taken place in Belgium, Canada, Italy, and the United

Kingdom. Kristine Beckerle of Mwatana Organization for Human Rights, outlined the clear violations of international humanitarian law and debunked myths which served to justify the continuation of arms transfer to the Saudi-led coalition. She reminded states present in the room that halting arms sales can be a particularly effective way of having leverage on warring parties in order to stop the violations of IHL. Rosa Curllings of Leigh Day, represented the Campaigns Against Arms Trade in the judicial review process which was presented before the UK Court of Appeal. The decision, which was in favor of CAAT, is now before the Supreme Court. She also stressed how important it is for NGOs to provide the UK Secretary of State with evidence to show that there are still egregious violations of IHL. Cesar Jaramillo of Project Ploughshares presented two cases in which Canadian arms transfers are in violation of the Treaty's obligations: one of diversion to Yemen and another in which Canadian-made armoured vehicles were used in a crack-down on civilians in Saudi Arabia. Professor Daniel Turp who brought the first legal challenge against the Canadian government on its arms transfers to the Saudi-led coalition, announced from the floor, that he will introduce a new lawsuit. This new legal challenge will be based on new legislation, made stronger by Canada's implementation of the ATT. Vincent Letellier of Cabinet d'avocats B49 discussed the legal review in Belgium which led to the cancellation of export licenses in June 2019. He also noted that licenses that have already been executed and the effects of these are now challenged in civil procedures. Francesco Vignarca of Rete Italiano per il Disarmo explained the criminal case brought in Italy related to a specific bombing in clear violation of IHL and stressed the importance of national cases, especially for the enduring credibility of the ATT.

The [second event](#), hosted by France, discussed the contributions of the private sector to the implementation of the Arms Trade Treaty. The event was moderated by French Ambassador Yann Hwang, and featured remarks by Stephane Audrand (Sylmaris), Nathalie Jaubert (BNP Paribas), Corinne Lagache (Safran), Manuel Martínez Miralles (UNIDIR), and Rachel Stohl (Stimson Center). The event touched on the essential role of the private sector in the ATT's implementation, with private sector representatives sharing their experience and knowledge of that role.

The [third event](#), cohosted by Sweden and the Parliamentary Forum on Small Arms and Light Weapons, discussed how parliamentary action can contribute to the universalization and effective implementation of the ATT. The event was moderated by Karin Olofsson (Secretary General, Parliamentary Forum on Small Arms and Light Weapons), Ulf Lindell (Minister Counsellor, Swedish Ministry for Foreign Affairs), Syed Naveed Qamar (Member of Parliament, Pakistan), Yoko Owatari (First Secretary, Delegation of Japan), and Nadee Gunaratne (Attorney, Women's International League for Peace and Freedom). The side event focused in particular on Asia, where ratification of the ATT has been much more limited to date despite the reality that several countries are affected by armed violence. Participants discussed the role of parliamentarians in their legislative, oversight, and awareness-raising functions, with a specific focus on gender equality.

Finally, the [fourth event](#) of the day, cohosted by Canada and Small Arms Survey, discussed applying a gender lens to discussion of arms control and small arms in particular. The event was moderated by Anna Alvazzi del Frate (Small Arms Survey) and featured remarks by Jocelyn Kinnear (Global Affairs Canada), Mia Schöb (Small Arms Survey), Allison Pytlak (Women's International League for Peace and Freedom), Regina Ouattara (Commission nationale de lutte contre la prolifération des arme légères), Emile Le Brun (Small Arms Survey), Henri Myrntinen (Gender Associations), and Josephine Habba (West African Action Network on Small Arms).