



**Arms
Trade
Treaty**
Baseline Assessment Project

Reporting in Review: Examining ATT Reporting Experiences

AUGUST 2017



THE ARMS TRADE TREATY-BASELINE ASSESSMENT PROJECT

The Arms Trade Treaty-Baseline Assessment Project (ATT-BAP) aims to assist States in understanding the obligations of the ATT and to promote effective implementation. ATT-BAP supports efforts to assist States in implementing the Treaty and to ensure that reporting on the ATT is comprehensive and robust. In particular, ATT-BAP seeks to help States identify necessary requirements to effectively implement the ATT. ATT-BAP has developed tools to help provide a baseline for assessing State progress in implementing the ATT and enable measurement of the Treaty's impact and long-term effectiveness. These tools are also utilized for identifying State capacity and resource needs, including the identification of critical gaps and available resources to implement the ATT. The tools include a Ratification Checklist, the ATT-BAP Baseline Assessment Survey, the ATT-BAP Portal and database, and guidance for completing initial reports.

COVER: (TOP) PERRISCOPE; (BOTTOM) EDNA WINTI
PHOTO: INSIDER IMAGES/KEITH BEDFORD (UNITED STATES)



INTRODUCTION

Reporting is a cornerstone of the Arms Trade Treaty (ATT) and contributes to the fulfillment of the Treaty's purpose as articulated in Article 1: "Promoting cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties." Reporting under the ATT serves a number of key functions:

- ▶ It helps States to assess their national transfer control systems, ensuring their systems align with international obligations.
- ▶ It gives insight into how States interpret and fulfill their ATT obligations, offering a means for States to compare implementation processes in order to better identify individual as well as collective areas of strength and/or weakness.
- ▶ It helps identify opportunities to match assistance requests with available resources.
- ▶ It provides examples of good practice, demonstrating that a variety of approaches can be utilized to effectively implement an agreement's obligations.

Article 13 of the ATT requires States Parties to complete and submit two types of reports to be made available to the ATT Secretariat.

ARTICLE 13. REPORTING

Article 13(1)

Each State Party shall, within the first year after entry into force of this Treaty for that State Party, in accordance with Article 22, provide an initial report to the Secretariat of measures undertaken in order to implement this Treaty, including national laws, national control lists and other regulations and administrative measures. Each State Party shall report to the Secretariat on any new measures undertaken in order to implement this Treaty, when appropriate. Reports shall be made available, and distributed to States Parties by the Secretariat.

Article 13(3)

Each State Party shall submit annually to the Secretariat by 31 May a report for the preceding calendar year concerning authorized or actual exports and imports of conventional arms covered under Article 2(1). Reports shall be made available, and distributed to States Parties by the Secretariat. The report submitted to the Secretariat may contain the same information submitted by the State Party to relevant United Nations frameworks, including the United Nations Register of Conventional Arms. Reports may exclude commercially sensitive or national security information.

The Working Group on Transparency and Reporting, established at the second Conference of States Parties, identified improving reporting compliance as a “priority issue” in their draft report to CSP3.¹ The report reflects this priority in paragraphs 12 and 13, which read:

12. Explore means of improving compliance with mandatory reporting obligations (Art 5.6 Points of Contact; Art 13.1 Initial Report; Art 13.3 Annual Report). Since the ATT is legally binding, this was assigned a high priority by many participants. Among the measures mentioned were active follow-up with POCs, web-based tutorials or written guides, and exchanges of lessons learned & good practices in fulfilling the ATT reporting obligations.²
13. Develop proposals for broader measures to strengthen reporting capabilities, in the light of multiple reporting obligations in different international fora and the resulting “reporting fatigue.” At the national level, organizational measures could be put in place that harness similarities or ‘synergies’ between different reporting requirements in order to improve reporting consistency, make reporting work more efficient, and minimise resource requirements. The alternative approach of encouraging different international bodies to align their reporting requirements to a greater extent was considered less promising. Document ATT/CSP2/2016/OP.2 was mentioned by the Co-chairs as a possible starting point for the Group’s work on this topic.³

This ATT-BAP report examines the challenges and obstacles to ATT reporting and identifies good practice and opportunities to support ATT reporting efforts. The report is divided into six sections. Section one describes the methodology for assessing States’ reporting experiences. Section two provides an overview of the level of reporting by ATT States Parties as of 31 May 2017. Section three offers insight on States’ processes in completing their initial reports on ATT implementation and their annual reports on arms exports and imports. Section four highlights challenges States faced when preparing their reports, and section five highlights good practices that could mitigate some reporting challenges and support the completion of the ATT reports. The sixth and final section offers a series of recommendations to support reporting efforts.

1 ATT Secretariat. 2017. ATT Working Group on Transparency and Reporting Co-Chairs’ Report from the Group’s Second Meeting. Issued by the Working Group on Reporting, 6 April 2017, http://thearmstradetreaty.org/images/CSP3_Documents/WG_documents/WGTR-Co-chairs_Summary_Report_of_second_meeting_on_6_April_2017_Rev.pdf

2 ATT Secretariat. 2017. ATT Working Group on Transparency and Reporting Co-Chairs Draft Report to CSP3. Issued by the Working Group on Transparency and Reporting, 7 July 2017, para. 12, p. 2.

3 Ibid., para. 13, p. 2.

METHODOLOGY

In order to support the work of the Working Group on Transparency and Reporting, and in coordination with ATT States Parties and signatories, the Arms Trade Treaty-Baseline Assessment Project (ATT-BAP) conducted research into national experiences with ATT reporting. ATT-BAP sought to gain insight into: the processes for compiling and submitting ATT initial and annual reports; reporting challenges; and good practices. It is hoped that the information gathered by ATT-BAP could feed into the deliberations of the working group on reporting and transparency, and more generally contribute to the efforts of the ATT Secretariat and States Parties to achieve universal reporting by ATT States Parties.

In early 2017, ATT-BAP developed a reporting questionnaire to gather information in order to better understand national experiences and challenges in completing both the initial report on ATT implementation and the annual report on arms exports and imports. Four sets of questionnaires were developed:

- ▶ For States Parties that completed an initial report;
- ▶ For States Parties that completed an annual report;
- ▶ For States Parties that did not complete an initial report; and
- ▶ For States Parties that did not complete an annual report.

The questionnaires were tested by States Parties and signatory States from all regions and with varying reporting capacities and compliance records. ATT-BAP distributed the appropriate questionnaires to ATT States Parties between January and July 2017.

ATT-BAP received completed questionnaires from 25 States (see Table 1). Seventeen of the questionnaire responses are from Europe, three are from Africa, four are from the Americas, and one is from the Asia-Pacific region. Of these States, 23 completed an initial report and 21 completed an annual report. Twenty-One States have provided an initial report and at least one annual report. Two States provided an initial report but not an annual report (though one State that submitted an initial report does not have to submit an annual report until 2018). Two States have not provided either an initial or annual report.

Table 1: ATT Reporting by Questionnaire Participants

State Party	Entry into Force for State Party	Initial Report Deadline	First Annual Report Deadline	Initial Report	2015 Annual Report	2016 Annual Report
Albania	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Belgium	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Belize	17-Jun-2015	16-Jun-2016	31-May-2017			
Bosnia & Herzegovina	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Croatia	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	
Czech Republic	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
El Salvador	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Finland	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
France	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Hungary	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Latvia	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Luxembourg	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Moldova, Republic of	27-Dec-2015	26-Dec-2016	31-May-2017	✓		✓
Netherlands	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Niger	22-Oct-2015	21-Oct-2016	31-May-2017			
Nigeria	24-Dec-2014	23-Dec-2015	31-May-2016	✓		
Panama	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Peru	16-May-2016	15-May-2017	31-May-2018	✓		
Romania	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Samoa	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	
Sierra Leone	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Slovakia	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Slovenia	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Spain	24-Dec-2014	23-Dec-2015	31-May-2016	✓	✓	✓
Switzerland	30-Apr-2015	29-Apr-2016	31-May-2017	✓	✓*	✓
TOTAL				23	20	19

**State submitted an annual report but was not required to do so*

ATT-BAP also utilized questionnaires completed by States (both States Parties and signatories), and interviews conducted by the ATT-BAP team, at several workshops held in the Asia-Pacific region and the Caribbean Community (CARICOM) sub-region in 2016 and 2017. Information from these regions is contained on pages 10 and 11 of this report. The questionnaire and interview responses from these workshops contributed to the report's findings and recommendations.

ATT REPORTING

The Working Group on Transparency and Reporting has examined the current status of reporting to identify reasons for unfulfilled reporting obligations.

Eighty-Two States Parties were required to submit their initial reports on measures to implement the ATT before 31 May 2017. However, only 59 have submitted their reports, a compliance rate of 72 percent. Fifty-Four of these reports are public and 5 are private (Burkina Faso, Mauritius, Nigeria, Senegal, and Togo have provided private reports).⁴

Sixty-One States Parties were required to submit their 2015 annual reports by 31 May 2016 and 28 did so – though an additional 20 States turned in their reports past the May deadline – representing a final compliance rate of approximately 79 percent. In total, 50 States Parties provided a 2015 annual report, as Liberia and Switzerland submitted reports even though they were not required to do so. One State, Slovakia, submitted a private annual report in 2015.

Reporting compliance for the 2016 annual report is thus far lower than that for the 2015 annual report. Seventy-Five States Parties were required to submit their 2016 annual report by 31 May 2017, but only 28 States did so, representing an initial compliance rate of 36 percent. An additional 15 States had completed their 2016 annual reports by 31 July 2017, bringing the compliance rate up to approximately 56 percent. In total, 43 States Parties submitted a 2016 annual report, as Greece also submitted a 2016 annual report even though it was not required to do so. Forty-One of the 2016 annual reports are public and two are private (Panama, Senegal).

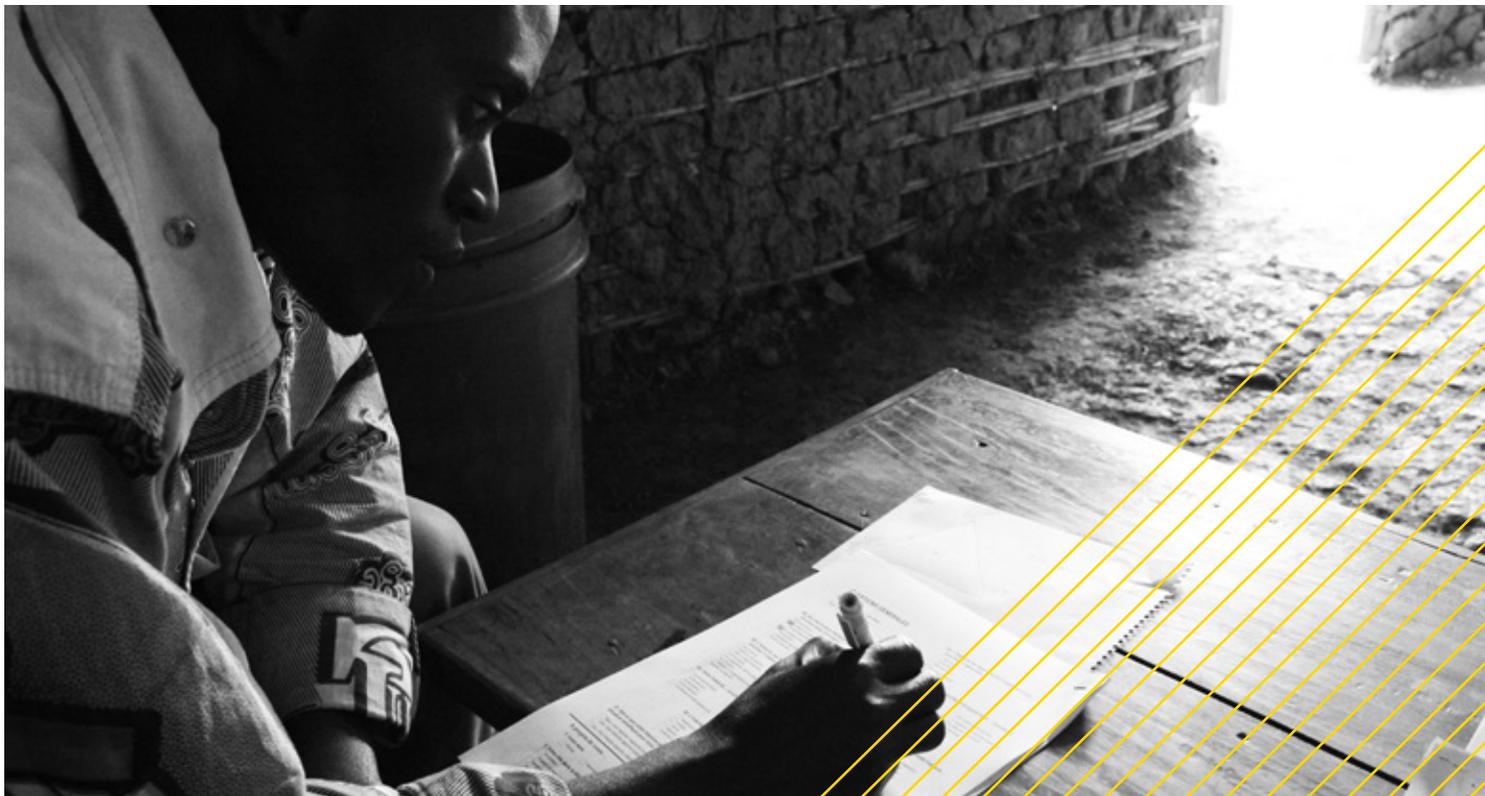


PHOTO: VREDESEILANDEN

⁴ For more information on reporting compliance, see: ATT Secretariat, “Reporting,” Last Modified 18 July 2017, <http://thearmstradetreaty.org/index.php/en/2017-01-18-12-27-42/reports>

NATIONAL EXPERIENCES FOR PREPARING ATT REPORTS

States provided detailed information regarding the processes and institutions involved in reporting in their questionnaires.

INITIAL REPORTS

States rely on different institutions and national processes to prepare their initial reports. States most commonly relied upon Ministries of Foreign Affairs and Defense to provide information for their initial reports, but also identified Ministries of Justice, Industry and Trade, Office of the Attorney General, national police, and national and/or regional transfer control authorities as participants in data compilation processes (see Table 2). Fifteen States utilized an existing inter-agency process or coordination mechanism to prepare their initial report, and one State developed an inter-agency process or coordination mechanism specifically to prepare their ATT initial report.

Table 2: Government Ministries and Agencies Utilized in Preparing ATT Initial Report

Ministry of Foreign Affairs 16	Ministry of Defense 13	Ministry of Economy 7	Ministry of Interior 7
Customs 6	Ministry of Justice 4	Ministry of Trade 2	National/Regional Transfer Control Authorities 2

All States that have submitted their ATT initial reports also participate in other reporting regimes. Of the 25 States that completed their reporting questionnaires, 18 noted that they also share information on their national transfer control systems in accordance with another international or regional instrument. The most commonly cited instruments were the UN Programme of Action, the UN Register of Conventional Arms, OSCE Reports, European Union reports, and the Wassenaar Arrangement, though States also mentioned the Economic Community of West African States (ECOWAS), the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), and the Convention on Certain Conventional Weapons (CCW). ATT-BAP analysis has highlighted that some of the questions contained in the ATT initial reporting template are comparable to those contained in the UN PoA reporting template, and therefore ATT States Parties can utilize some of the information contained in their UN PoA national report for their ATT initial report.⁵ Table 3 shows that of the 82 ATT States Parties due to provide an initial report by 31 May 2017, 62 have submitted a UN PoA report since the ATT entered into force in 2014. States that provided a reporting questionnaire to ATT-BAP are highlighted.

⁵ Arms Trade Treaty-Baseline Assessment Project (ATT-BAP), *Reviewing Initial Reports on ATT Implementation: Analysis and Lessons Learned*, August 2016, <http://www.armstrade.info/wp-content/uploads/2016/08/The-ATT-Initial-Reports-Reviewing-ATT-Implementation-and-Lessons-Learned-web-1.pdf>.

Table 3: Reporting to the ATT and the UN Programme of Action⁶

State Party	Initial Report	UN PoA (last year submitted)
Albania	✓	✓ (2014)
Antigua & Barbuda		✓ (2010)
Argentina	✓	✓ (2016)
Australia	✓	✓ (2016)
Austria	✓	✓ (2014)
Bahamas		
Barbados		✓ (2003)
Belgium	✓	✓ (2017)
Belize		✓ (2016)
Bosnia & Herzegovina	✓	✓ (2017)
Bulgaria	✓	✓ (2016)
Burkina Faso	✓	✓ (2016)
Central African Republic		✓ (2003)
Chad		✓ (2003)
Costa Rica	✓	✓ (2016)
Côte d'Ivoire	✓	✓ (2016)
Croatia	✓	✓ (2016)
Czech Republic	✓	✓ (2016)
Denmark	✓	✓ (2014)
Dominica		
Dominican Republic	✓	✓ (2016)
El Salvador	✓	✓ (2016)
Estonia	✓	✓ (2014)
Finland	✓	✓ (2016)
France	✓	✓ (2016)
Germany	✓	✓ (2016)
Ghana		✓ (2016)
Greece		✓ (2016)
Grenada		✓ (2016)
Guinea		✓ (2010)

⁶ For more information on reporting to the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, see: Programme of Action, "National Reports," accessed 14 August 2017, <http://www.poa-iss.org/Poa/poa.aspx>

Table 3: Reporting to the ATT and the UN Programme of Action (continued)

State Party	Initial Report	UN PoA (last year submitted)
Guyana		✓ (2010)
Hungary	✓	✓ (2016)
Iceland	✓	✓ (2008)
Ireland	✓	✓ (2016)
Italy	✓	✓ (2016)
Jamaica	✓	✓ (2016)
Japan	✓	✓ (2016)
Latvia	✓	✓ (2016)
Lesotho		✓ (2010)
Liberia	✓	✓ (2014)
Liechtenstein	✓	✓ (2016)
Lithuania	✓	✓ (2016)
Luxembourg	✓	✓ (2014)
Mali		✓ (2016)
Malta		✓ (2010)
Mauritania		✓ (2005)
Mauritius	✓	✓ (2008)
Mexico	✓	✓ (2014)
Moldova, Republic of	✓	✓ (2014)
Montenegro	✓	✓ (2016)
Netherlands	✓	✓ (2016)
New Zealand	✓	✓ (2016)
Niger		✓ (2012)
Nigeria	✓	✓ (2016)
Norway	✓	✓ (2016)
Panama	✓	✓ (2014)
Paraguay		✓ (2016)
Peru	✓	✓ (2016)
Poland	✓	✓ (2016)
Portugal	✓	✓ (2016)
Romania	✓	✓ (2016)

Table 3: Reporting to the ATT and the UN Programme of Action (continued)

State Party	Initial Report	UN PoA (last year submitted)
Samoa	✓	✓ (2016)
San Marino		
Senegal	✓	✓ (2016)
Serbia	✓	✓ (2016)
Seychelles		
Sierra Leone	✓	✓ (2016)
Slovakia	✓	✓ (2016)
Slovenia	✓	✓ (2016)
South Africa	✓	✓ (2014)
Spain	✓	✓ (2016)
St. Kitts & Nevis		
St. Lucia		
St. Vincent & the Grenadines		
Sweden	✓	✓ (2016)
Switzerland	✓	✓ (2016)
FYR Macedonia	✓	✓ (2016)
Togo	✓	✓ (2016)
Trinidad & Tobago	✓	✓ (2016)
Tuvalu		
United Kingdom	✓	✓ (2016)
Uruguay	✓	✓ (2016)

 State completed an ATT-BAP reporting experiences questionnaire

Some States utilized existing reporting guidance and assistance to complete and submit their initial reports. For example, four States utilized ATT-BAP’s initial reporting guidance and the ATT-BAP Survey – including the reporting key – when preparing their initial reports. One State indicated that it sought insights from former reporting officials, and was aware of efforts undertaken by the Working Group on Transparency and Reporting regarding the ATT reporting forms. One State also referenced the use of domestic databases in their national report.

CARICOM REPORTING CHALLENGES

Fifteen States make up the CARICOM sub-region, and twelve are ATT States Parties: Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago. Two additional States, Haiti and Suriname, have signed the ATT.

All 12 CARICOM States Parties are required to submit an initial report, yet only two, Jamaica and Trinidad and Tobago, have thus far done so. All 12 are also required to submit a 2016 annual report, but none have yet done so. Nine CARICOM States were also required to submit a 2015 annual report, but only Jamaica submitted its report.

ATT-BAP participated in workshops held in the region, where 10 CARICOM States Parties completed reporting questionnaires. In addition, one State party, Belize, submitted its questionnaire separately to ATT-BAP.

States identified several challenges to reporting in their questionnaire and interview responses. A key issue identified during the regional workshops was that most States were not aware of the ATT reporting requirements. Often this was due to a change of government and shift of personnel that disrupted information flows in which new officials did not receive ATT-relevant information. Other State representatives noted that they did not know how to collect relevant information, were unsure about the deadline for the reports, or did not know that reporting was a Treaty requirement. In many cases, poor – or lack of – communication between government ministries and an absence of a national point of contact hindered reporting efforts. Most States noted that they have not yet developed a process or mechanism to help them overcome these challenges.

When States were aware of reporting requirements, they were often faced with competing deadlines and priorities or with political interference from leaders that did not want to make certain information publicly available. States were either unsure where to get information and how to disseminate it to the appropriate officials, or faced a lack of data and underdeveloped data collection processes. Across the CARICOM region, a variety of agencies are involved in completing the ATT reports, including customs and law enforcement officials, foreign affairs, national security, defense, trade, and attorney general (justice/legal). In many cases, however, States have not developed an inter-agency process to prepare their reports.

In the case of non-States Parties, often because the ATT and its requirements are not yet national law, there is no bureaucratic process in place to mandate reporting or facilitate effective inter-agency coordination.

A majority of CARICOM States indicated that it would be useful to have guidance on how to prepare their ATT reports and incorporate bureaucratic processes to streamline the process of reporting. Some States indicated they would like to see the development of implementation committees that would help acquire information to complete their many reporting requirements. CARICOM States also seek to establish internal networks as well as ways to coordinate information sharing and collection at the regional level, including identification of software to connect relevant stakeholders and information between law enforcement and other government officials.

ASIA-PACIFIC REPORTING CHALLENGES

Only six of the 43 States in the Asia-Pacific region are ATT States Parties: Australia, Japan, New Zealand, Samoa, South Korea, and Tuvalu. An additional 11 States in the region are ATT signatories: Bangladesh, Cambodia, Kiribati, Malaysia, Mongolia, Nauru, Palau, Philippines, Singapore, Thailand, and Vanuatu.

Samoa is the only State in the Asia-Pacific region to have completed and returned its reporting questionnaire to ATT-BAP. However, ATT-BAP and its partners participated in several regional and national workshops and discussed reporting challenges with numerous governments from the region.

Most of the participants in the Asia-Pacific regional workshops have not yet developed an inter-agency process or coordination mechanism to facilitate the completion of their ATT initial and/or annual reports. Although States in the region have noted that they may keep import and export records, many States lack a centralized database system that is shared across agencies to access relevant information. Moreover, some States maintain hand-written records, and different agencies utilize different data-collection and recording systems.

Many States within the Asia-Pacific region do not have much experience reporting on their national transfer control systems or on their arms exports and imports, and many have never reported to other instruments that seek similar information – such as national reports on the implementation of the UN PoA or the UN Register. As such, few States in the region have established systems to collect, compile, and store relevant information. For many States in the Asia-Pacific region, the submission of their ATT reports will represent the first time that such information will be collected and reported.

Additional reporting challenges for States in the Asia-Pacific region include a lack of capacity, resources, and availability of information required to complete the ATT reports. These challenges can be compounded by the lack of coordination and information sharing between government ministries and agencies. States reported that a breakdown in communication between their UN Permanent Missions and the capital hinders awareness of reporting deadlines and the type of information required, as messages sent to Missions from the ATT Secretariat do not necessarily get passed on to those working in capitals. This was particularly true for States that have yet to appoint a national point of contact (NPC).

Even when the NPC has been appointed, that NPC may also be responsible for several other instruments and can be overloaded with reporting duties in addition to other duties. States particularly highlighted the strain that annual reporting places on their already limited resources, and noted that such challenges often result in reporting fatigue.

Additionally, even when there is the ability and willingness to provide reports, NPC's also face confusion regarding reporting requirements. For example, those States that do not have any arms exports or imports can submit a nil report. However, NPCs were often uncertain on how to submit a nil report as well as why they need to submit a nil report when there is nothing to report.

In workshops, States from the region identified ways to address the reporting challenges they face. For example, some States noted that it would be helpful to receive guidance on how to prepare their ATT reports – from both an internal and external perspective. In addition, States stressed the importance of establishing an NPC that can streamline the reporting process. States also recognized the need to develop a clearly defined reporting process to avoid inconsistencies in report submissions. This could include developing a calendar to monitor reporting deadlines.

ANNUAL REPORTS

States utilized similar processes for completing their annual reports as with their initial reports. States most commonly relied upon the Ministries of Foreign Affairs and Defense to provide information for their annual reports (see Table 4). Eight States identified other ministries and agencies, including the Ministries of Industry and Justice, Trade, and national police forces. Some States mentioned working with city offices and the defense industry to acquire information on annual exports and imports. Fourteen States utilized an existing inter-agency process or coordination mechanism to prepare their annual report, and seven did not. Two States reported that they developed an inter-agency process or coordination mechanism specifically to prepare their ATT annual reports.

Table 4: Government Ministries and Agencies Utilized in Preparing ATT Annual Report

Ministry of Defense 12	Ministry of Foreign Affairs 11	Ministry of Economy 8	Customs 8
Ministry of Interior 5	Ministry of Justice 3	Ministry of Trade / Industry 3	National/Regional Transfer Control Authorities 2

States that have submitted their ATT annual reports also participate in other reporting regimes. While only 16 States noted that they prepare and submit a national report on international arms transfers for another international or regional instrument, 24 of the 25 States that completed the reporting experiences questionnaire have previously submitted a report on arms exports and imports to a regional and/or international instrument, such as the UN Register of Conventional Arms (see Table 5). States self-identified the following international and regional instruments: Economic Community of West African States (ECOWAS), European Union annual reports, OSCE Reports, UN Programme of Action, UN Register of Conventional Arms, and the Wassenaar Arrangement.

Submission Preferences

States have several options for submitting their initial reports, online, via email, or by hard copy. Most States (17) indicated a preference in their completed ATT-BAP questionnaires to submit an initial report as an electronic copy via email. However, nine States expressed a preference for an online interface for reporting.

For annual reports, States can also submit their reports online, via email, or by hard copy. Most States (17) indicated they prefer to submit their annual report as an electronic copy via email, but ten States noted that they prefer an online interface for reporting. One State said it preferred to submit its report via hard copy in the mail.

Table 5: Reporting to ATT and UN Register of Conventional Arms⁷

Reporting to ATT and UN Register of Conventional Arms		
State Party	ATT Annual Report (year(s) submitted)	UNROCA (most recent year submitted)
Albania	✓ (2015, 2016)	✓ (2016)
Belgium	✓ (2015, 2016)	✓ (2015)
Belize		✓ (2010)
Bosnia & Herzegovina	✓ (2015, 2016)	✓ (2015)
Croatia	✓ (2015)	✓ (2013)
Czech Republic	✓ (2015, 2016)	✓ (2016)
El Salvador	✓ (2015, 2016)	✓ (2012)
Finland	✓ (2015, 2016)	✓ (2016)
France	✓ (2015, 2016)	✓ (2014)
Hungary	✓ (2015, 2016)	✓ (2012)
Latvia	✓ (2015, 2016)	✓ (2016)
Luxembourg	✓ (2015, 2016)	✓ (2016)
Moldova, Republic of	✓ (2016)	✓ (2014)
Netherlands	✓ (2015, 2016)	✓ (2016)
Niger		✓ (2005)
Nigeria		
Panama	✓ (2015, 2016)	✓ (2008)
Peru		✓ (2010)
Romania	✓ (2015, 2016)	✓ (2014)
Samoa	✓ (2015)	✓ (2011)
Sierra Leone	✓ (2015, 2016)	✓ (2006)
Slovakia	✓ (2015, 2016)	✓ (2016)
Slovenia	✓ (2015, 2016)	✓ (2015)
Spain	✓ (2015, 2016)	✓ (2016)
Switzerland	✓ (2015, 2016)	✓ (2016)

States use a variety of sources of information on arms exports to complete their ATT annual reports. The most commonly identified sources of information on arms exports came from arms export licenses and information from a government ministry or agency (see Table 6). States also reported that they received information from customs on actual arms transfers and from industry reports on received licenses. Police sources were also reliably used by States.

The most commonly identified sources of information on arms imports were arms import licenses and government procurement data. States also provided insight on additional sources of information for arms imports, particularly reports from industry (see Table 6). Police databases were also identified as a useful resource.

⁷ For more information on reporting to the UN Register of Conventional Arms, see: UN Register of Conventional Arms, accessed 14 August 2017, <https://www.unroca.org/>

Table 6: Sources of Information on Arms Exports and Imports Used to Complete ATT Annual Report

Sources of Information on Arms Exports Used to Complete ATT Annual Report				
Arms Export Licenses 15	Information from a Government Ministry or Agency 8	Report from Industry on Arms Exports 6	Customs Statistics 5	
Sources of Information on Arms Imports Used to Complete ATT Annual Report				
Arms Import Licenses 14	Government Procurement Data 10	Customs Statistics 6	Reports from Industry on Arms Imports 6	Police Database 2

Thirteen States said it would be helpful to have guidance on how to prepare their ATT annual report submissions. Nine States reported that they are aware of tools or guidance that can assist in the preparation of an annual report, such as those for the UN Register. States also highlighted resources and guidelines from the Wassenaar Arrangement Elements for the Effective Fulfillment of National Reporting Requirements, the EU, and the UN - including the UN Register - that can be used to assist in annual reporting. Some States suggested that reviewing annual reports submitted by other States Parties could provide insights into how to complete an ATT annual report. However, only three States reported that they used other tools or guidance to prepare their annual report. One State recognized the duplicative nature of reporting to the ATT and UN Register, and said this was a benefit that should be utilized to make reporting more effective.

Most States did not identify types of technical, administrative, or other support services that would help to facilitate the preparation of annual reports. However, six States noted that some type of support would be useful, in particular technical assistance, specifically for data management, such as software and database development. Others suggested administrative training for staff to use the software and financial assistance to pay for such systems. States also noted that it would be useful for the ATT Secretariat to make a document available that addresses basic questions about annual reporting and about what is compulsory. Belgium developed a draft “FAQ” document, for example, as part of the working group on transparency and reporting in April 2017 that will be delivered at the Third Conference of States Parties. ATT-BAP has also developed an online and hard copy training package that contains modules for understanding reporting on arms exports and imports and describes States’ obligations.

ATT annual reports can contain information that is not reported in other reports on international arms transfers. For example, one State noted that it provided additional information in its ATT annual report that it did not provide in a national report on international transfers of conventional arms or for another international or regional instrument. Specifically, the State indicated that it included transfers to private entities within its ATT annual report, in contrast with the States’ UN Register report, which only included information on state-to-state transfers.

CHALLENGES

The main obstacles for States to fulfill their reporting obligations are limited resources and capacity coupled with challenges in accessing and compiling information. States have an increasing number of reporting obligations in the arms control field. Human capacity is strained and government bureaucracies are stretched and under-resourced. Further, government bureaucracies often suffer from a lack of established mechanisms for internal communication and processes to streamline data collection, storage, and sharing.

Initial Reports

States identified several challenges in preparing their ATT reports as well as reasons for not submitting their reports. For the initial reports, the most commonly cited challenges were internal coordination and information sharing, and the availability of information. States also noted challenges with confidentiality and the release of sensitive information; lack of capacity; lack of resources; and lack of time to complete the reports. Eight States indicated that they did not face any challenges when completing their initial reports.

States also noted technical and administrative obstacles to reporting. For example, two States noted difficulties in undertaking technical assessments and categorizations. In addition, for many States, no special procedures exist to update the initial report. Thus, national processes for updating the reports must be developed. In some States, the policy officer responsible for the ATT is expected to update the initial report submission. In other States, this is a responsibility of the NPC. Clear rules and procedures for updating reports are needed.

For the initial reports, internal communication is a significant hurdle to reporting. States noted bureaucratic challenges to completing their reports. In many cases, the required information is not available in a single ministry or agency. States found it time-consuming to identify the appropriate experts to complete sections of the reporting form, particularly if they also provide comprehensive voluntary information. States also noted the cumbersome internal processes for clearing and approving information before reports are submitted.

States also provided comments on the reporting template itself in their responses to the reporting questionnaires. Countries noted that tick boxes make it difficult to use the templates because of the complexity of laws and the differences of national systems. One State also noted that the template focuses too heavily on national control lists and systems, and not on other elements.

Annual Reports

The most commonly cited challenges in preparing annual reports were: the availability of information (some States do not collect all of the required information), coordination and information sharing between government agencies, and preparing statistical data. States also noted challenges stemming from a lack of capacity (including lack of staff), resources, time, and issues related to the release of sensitive information. Six States indicated they faced no challenges in completing their annual reports.

States also noted technical challenges to completing their annual reports. In addition to challenges in accessing information that is not collected by government agencies, one State noted the risk of incomplete information in the collation of data. If governments must rely on industry to report on what was actually imported, for example, as no records are kept and only licenses are recorded, there is the risk of incomplete information. If items are not recorded when they clear customs, only import licenses can be provided, not actual imports.

States also commented on the reporting template itself as a challenge. One comment referred to the inclusion of information on the State's national control system on the annual report, rather than the initial report.



States That Have Not Completed an Initial Report

Two States that responded to the reporting questionnaire have not completed an initial report. Both States indicated that they have designated a ministry or agency as responsible for preparing the initial report, and are currently developing an inter-agency process or coordination mechanism specifically to prepare their ATT initial report.

Both States explained that they have not yet submitted an initial report due to a lack of resources, as well as challenges with availability of information. Impediments also included a lack of capacity and a lack of time to complete the report. One State indicated that its national control list and control regime are not yet finalized.

One State was aware of, and is using, ATT-BAP's online guidance package to assist with preparing their initial report. Both States indicated that technical support would help facilitate the preparation of their initial implementation reports, while one State noted that administrative support would also help, and the other noted that financial support would be useful.

Both States indicated they have developed a process or mechanism to help overcome these challenges, with national laws for the implementation of the treaty in process. One of the two States did not indicate when it would be able to overcome its obstacles to reporting, while the other indicated that it expects to submit its initial report by mid-2018.

States That Have Not Completed an Annual Report

One State that has not yet completed an ATT annual report responded to the ATT-BAP reporting questionnaire and provided insight into the reasons for not completing an annual report. The State indicated that although it has designated the Ministry of Interior as the responsible ministry for preparing its annual report, it has not submitted its annual report due to a lack of time and challenges in preparing statistical data in accordance with ATT categories. However, the State has developed a process to help overcome these challenges and plans to submit an annual report using the online interface for reporting in 2018. The State is currently seeking assistance from a UN Regional Center to prepare its initial and annual reports. It noted that it would be helpful to have - and that it would use - online guidance on how to prepare its annual report. The State also indicated that technical and financial support would help facilitate the preparation of its annual report.

GOOD PRACTICE

In their discussion of challenges to reporting (i.e. confidentiality concerns, technical assessments, lack of resources, lack of data, and processes to collect and collate data), States also identified a number of steps that can be taken to streamline reporting processes and help overcome these obstacles. Such steps can serve as examples of good practice for other States to learn from as they work to complete their ATT reports. States also noted that in addition to supplying responses to the reporting questionnaire, they have taken advantage of regional meetings and consultations to share good practices and experiences in reporting.

In order to overcome concerns regarding the confidentiality of information to be included in ATT reports, States are using models and practices used at the regional level to determine what can be done to support transparency and comply with national legislation. With regards to technical assessments and categorization, States noted that they have developed national tools and rely on the technical expertise of various government ministries.

States suggested fostering greater synergies with other reporting obligations in order to help mitigate challenges posed by a lack of resources, limited personnel, and limited capacity. At a national level, it is often the same individual that prepares the ATT annual report and the annual UN Register submission using the same information. Further, because States can submit the same report for both the ATT and UN Register, States recommended a common online interface to allow States to submit one report for both instruments.

Developing inter-agency committees could help overcome challenges posed by a lack of information sharing across different ministries and agencies, as well as overcome existing technical challenges. States have developed inter-agency committees and working groups to gather relevant stakeholders to exchange information, coordinate activities, develop new initiatives, and provide expert advice throughout the reporting process. Although some of these inter-agency groups were not created specifically to support the ATT, they provide valuable tools to foster ATT-related inter-agency coordination and develop synergies with other instruments.

States have also enhanced and established internal communication mechanisms between government officials and political leaders to enhance political will and awareness of ATT obligations. In addition, States are developing internal processes to improve communication to make reporting more efficient. For example, States noted cooperation with customs officials in order to access data on actual exports and imports so the data can be included in the annual reports.

Some States have addressed technical challenges to reporting by developing computer software for data storage to facilitate the collection of the information necessary for the preparation of annual reports.

Twenty-One States reported that if changes are made to their national control system, they have procedures in place to update information provided in their initial reports. To date, no State has updated its initial report with new information.

CONCLUSION

In many cases, reporting obligations serve as a key challenge to ATT implementation. Governments want to ensure that they have functioning and centralized data-collection systems, are not burdened by minimal human resources, and can fulfill their myriad reporting requirements. Non-reporting States Parties are eager to establish inter-agency data-collection and reporting systems in order to be in compliance with their reporting obligations.

Based on national responses to the ATT-BAP questionnaire and other insights on national reporting experiences, there are several steps States can take to support ATT reporting efforts. These steps can be taken by States and reinforced by the Working Group on Transparency and Reporting, the ATT Secretariat, the United Nations, other regional organizations, and civil society.

In their questionnaires, States also called upon the ATT Secretariat to send reminders for reporting deadlines, including updates to initial reports, to capitals, UN Missions, and ATT national points of contact.

RECOMMENDATIONS FOR ATT STATES PARTIES

Support reporting synergies

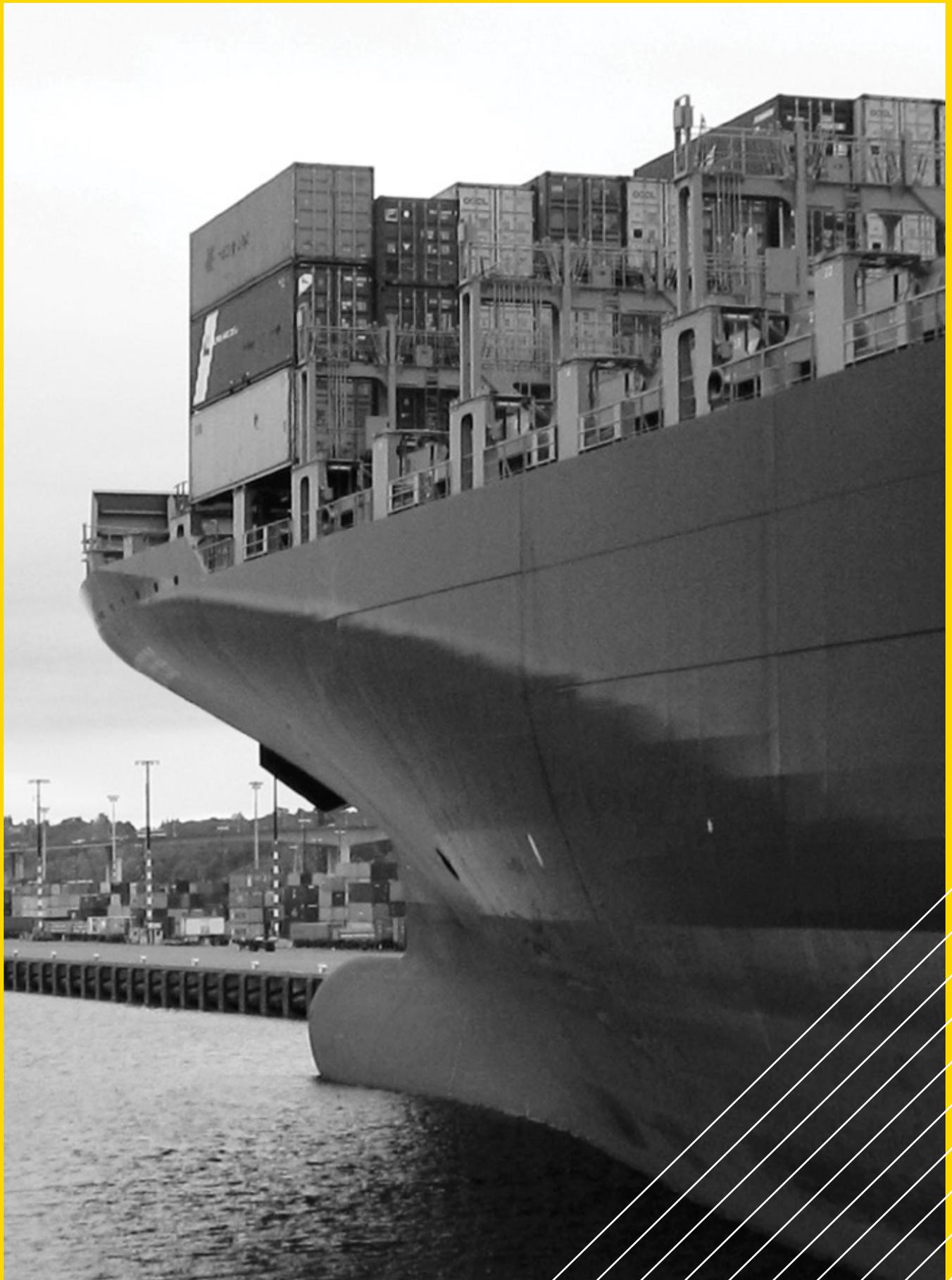
- ▶ Work with the ATT Secretariat, United Nations, regional organizations, and civil society to identify synergies between related instruments in order to reduce the reporting burden.
- ▶ Identify the deadlines of each report and the information that overlaps between them.
- ▶ Develop mechanisms to support the collection and storage of information that can be used to fulfill multiple reporting obligations to streamline processes and avoid duplicating efforts.

Establish and maintain an effective and adequately-resourced National Point of Contact

- ▶ Ensure the appointment of an NPC and identify specific roles and responsibilities for the NPC.
- ▶ Establish processes for succession for cases when a designated individual that serves as the NPC leaves or moves to another position. Identify processes to update NPC contact information and changes to relevant instruments.
- ▶ Empower the NPC to be able to share experiences with other States and offer insights on good practices.
- ▶ Synergize the work of the ATT NPC with other relevant and related instruments and ensure that NPCs across various related instruments work collaboratively.

Implement inter-agency processes

- ▶ Create a structure that defines specific roles and responsibilities that will enable officials to collect and share relevant data; complete, submit, and update national reports; and share good practices and lessons learned.
- ▶ Foster inter-agency cooperation and coordination so that relevant agencies can work together to collect and distribute information effectively.



ATT-BAP has benefited from the generous support

of several partners and has received funding from the Governments of Australia, the Netherlands, Norway, Switzerland, and the United Kingdom, as well as from UNSCAR (United Nations Trust Facility Supporting Cooperation on Arms Regulations). In addition, the project's positive results have been made possible by partnerships with States, the UN Office of Disarmament Affairs and its regional centers, regional organizations (including CARICOM and the European Union), the Pacific Small Arms Action Group of the Centre for Armed Violence Reduction, Control Arms, and several other civil society organizations.

For more information, visit the Arms Trade Treaty-Baseline Assessment Project Portal at www.armstrade.info or contact us at ATT@stimson.org

Rachel Stohl: rstohl@stimson.org

Paul Holtom: pholtom@stimson.org

©2017 ATT Baseline Assessment Project. All rights reserved.
Produced by Masters Group Design



**Arms
Trade
Treaty**
Baseline Assessment Project



ARMSTRADE.INFO



PHOTOS: (TOP) JHANS MANSHOVEN; (BOTTOM) PLASHING VOLLE