

**Arms  
Trade  
Treaty**

Baseline Assessment Project



# **TAKING STOCK OF** ATT Annual Reports

**FEBRUARY 2022**

**STIMSON**

# The Stimson Center's 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. ATT-BAP has developed tools to help provide a baseline for assessing State progress in implementing the ATT and to 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, and the ATT-BAP website, which includes country profiles, a national transfer control database, guidance for completing initial and annual reports, and numerous analytical reports.

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## INTRODUCTION

The Arms Trade Treaty (ATT) is the world's first global, legally binding instrument to regulate the conventional arms trade. The treaty, which entered into force in 2014, aims to mitigate the harm caused by irresponsible and illegal arms transfers by establishing common standards for international transfers of conventional weapons. The treaty also aims to improve transparency and build confidence between States engaging in international arms transfers and establishes mandatory reporting mechanisms.

The ATT requires States Parties to submit two reports to the treaty Secretariat in order to increase responsibility, accountability, and transparency in the arms trade.

- ▶ First, States Parties are required to submit an initial report on treaty implementation that provides details on national laws and measures regulating arms transfers. States Parties are required to update this report should they make changes to their national arms transfer control systems.
- ▶ Second, States Parties are obliged to submit annual reports on authorized or actual arms exports and imports that occurred during the previous calendar year. These reports are due by 31 May each year. In practice, however, the ATT Secretariat extends a seven-day grace period for the submission of annual reports, creating a de facto annual reporting deadline of 7 June each year.

This report examines ATT annual reporting for the years 2015 through 2020. For detailed insights on ATT initial reporting over the last six years, see *Taking Stock of ATT Initial Reports*.<sup>1</sup>

### ATT Reporting Obligations

**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.

<sup>1</sup> Arms Trade Treaty Baseline Assessment Project, *Taking Stock of ATT Initial Reports*, February 2022.

Comprehensive and consistent annual reporting on arms transfers under the ATT has several benefits:

- ▶ Enhancing awareness of regional and global arms flows;
- ▶ Supporting efforts to monitor whether weapons use complies with international human rights and humanitarian law;
- ▶ Providing a baseline of legally transferred arms that can be used to identify illicit arms and their potential sources;
- ▶ Contributing towards the detection of early warning signs of potential conflict, such as potentially destabilizing weapons accumulations;
- ▶ Facilitating assessments of treaty compliance, particularly related to export and import decisions;
- ▶ Providing a basis for bilateral or multilateral consultations on transfers that may not align with ATT obligations; and
- ▶ Promoting transparency and building confidence among States involved in the global arms trade.

Unfortunately, annual reporting under the ATT is not meeting its potential. Over the past six years, the rate of compliance with the treaty's annual reporting requirement has steadily declined. Meanwhile, reporting trends that hinder transparency and limit analyses of global weapons flows – including “private reporting” and the withholding and aggregating of key information – have continued.

This report examines whether ATT annual reports contribute to a comprehensive understanding of States Parties' arms exports and imports and assess the extent to which they provide greater insight into global arms trade dynamics than would otherwise exist. In doing so, this report takes stock of the reporting trends and challenges that have emerged over the first six years of ATT annual reporting. The report is composed of five sections. Section one provides an overview of the status of ATT annual reporting as of 31 December 2021. Section two examines trends in reporting compliance and transparency over the first six years of ATT annual reporting, and section three compares reporting under the ATT to reporting under the UN Register of Conventional Arms (UNROCA).<sup>2</sup> Section four discusses reporting challenges States Parties have identified that undermine consistent and comprehensive reporting. Finally, section five provides an overall assessment of ATT annual reporting and identifies opportunities and resources that exist to assist States Parties in fulfilling their ATT annual reporting requirement.

## METHODOLOGY

This report is based on annual report submission data provided by the ATT Secretariat on its website and in its public presentations as of 31 December 2021.<sup>3</sup> Where this report analyzes the content of ATT annual reports, it relies solely on information derived from publicly available annual reports and not on reports that States Parties have preferred to post only on the restricted area of the ATT website. This report also draws on insights gleaned from surveys and interviews Stimson has conducted with government officials over the years to better understand their annual reporting experiences and challenges.<sup>4</sup> Percentages reflected in the analysis are rounded to the nearest whole number.

<sup>2</sup> The UN Register of Conventional Arms (UNROCA) is a voluntary, global transparency mechanism established in 1991. States may report annually to UNROCA on their arms exports and imports, arms procurement through national production, military holdings, and relevant policies and national legislation.

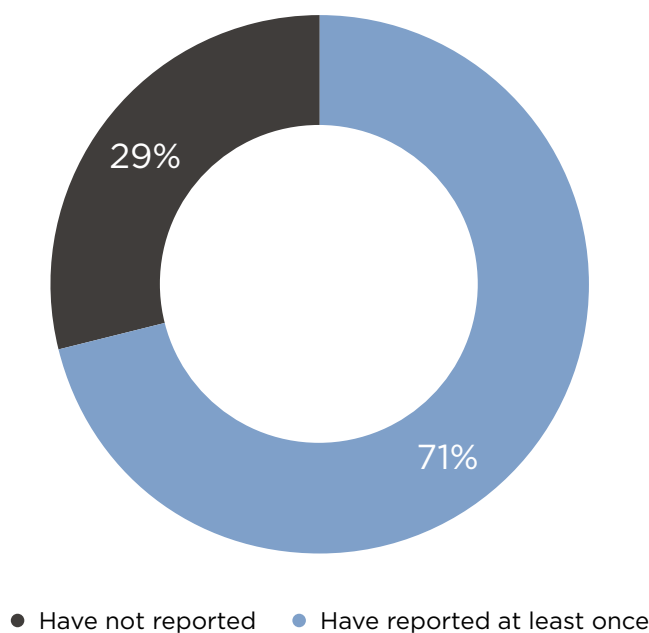
<sup>3</sup> ATT Secretariat, “Annual Reports,” <https://thearmstradetreaty.org/annual-reports.html?templateId=209826>.

<sup>4</sup> This report includes insights drawn from a survey on ATT reporting experiences and challenges conducted in collaboration with SIPRI, the results of which will be examined in greater detail in a forthcoming report. Survey responses were received from 34 ATT States Parties and one State that has not yet signed or joined the treaty. Follow-up interviews were conducted with officials from 19 of these 35 States. Insights in this report were also drawn from Stimson's previous surveys and interviews. For more, see: Arms Trade Treaty Baseline Assessment Project, *Reporting in Review: Examining ATT Reporting Experiences*, August 2017, [http://www.armstrade.info/wp-content/uploads/2017/04/Reporting-in-Review\\_Examining-ATT-Reporting-Experiences\\_ATT-BAP.pdf](http://www.armstrade.info/wp-content/uploads/2017/04/Reporting-in-Review_Examining-ATT-Reporting-Experiences_ATT-BAP.pdf); *Reporting Challenges and Assistance Needs in the Asia-Pacific Region*, 2017, [http://www.armstrade.info/wp-content/uploads/2014/10/ATT-BAP\\_Reporting-Challenges-and-Assistance-Needs-in-the-Asia-Pacific-Region\\_2017-1.pdf](http://www.armstrade.info/wp-content/uploads/2014/10/ATT-BAP_Reporting-Challenges-and-Assistance-Needs-in-the-Asia-Pacific-Region_2017-1.pdf); *The Arms Trade Treaty and the Caribbean Community: Towards Comprehensive Implementation*, August 2018, [http://www.armstrade.info/wp-content/uploads/2014/10/ATT-BAP\\_ATT-and-CARICOM\\_August-2018.pdf](http://www.armstrade.info/wp-content/uploads/2014/10/ATT-BAP_ATT-and-CARICOM_August-2018.pdf).

## STATUS OF ATT ANNUAL REPORTING

The first ATT annual reports were submitted in 2016, covering arms exports and imports that occurred during the 2015 calendar year. In the six years since, a total of 357 annual reports have been submitted by 75 States Parties. Of the annual reports submitted, 216 – or nearly two-thirds – are from States Parties in Europe, 64 are from the Americas, 35 are from Africa, 23 are from Asia, and 19 are from Oceania. While disparities in regional reporting are due in part to varying rates of participation in the ATT across regions, these disparities are also attributable to some regions struggling to fulfill their reporting requirements, as will be discussed in more detail below.

**Figure 1: Percentage of State Parties that have Submitted at Least One Required ATT Annual Report**  
(of those due to report)



At the time of writing, 105 of the ATT's 110 States Parties have been required to submit at least one annual report over the last six years.<sup>5</sup> Seventy-Five of these 105 States Parties (71 percent) have submitted an annual report at least once since 2016 (see Figure 1). Of the 105 States Parties required to submit an annual report, 56 States Parties (53 percent) have submitted a report every year they were required to do so.

Thirty States Parties have yet to submit an annual report, despite being required to do so for one or more years. This represents nearly 29 percent of the 105 States Parties due to submit an annual report.

<sup>5</sup> Five States Parties – Afghanistan, China, Namibia, Niue, and Sao Tome and Principe – are not yet required to submit an annual report. Their first annual reports (on 2021 arms exports and imports) are due by 31 May 2022.

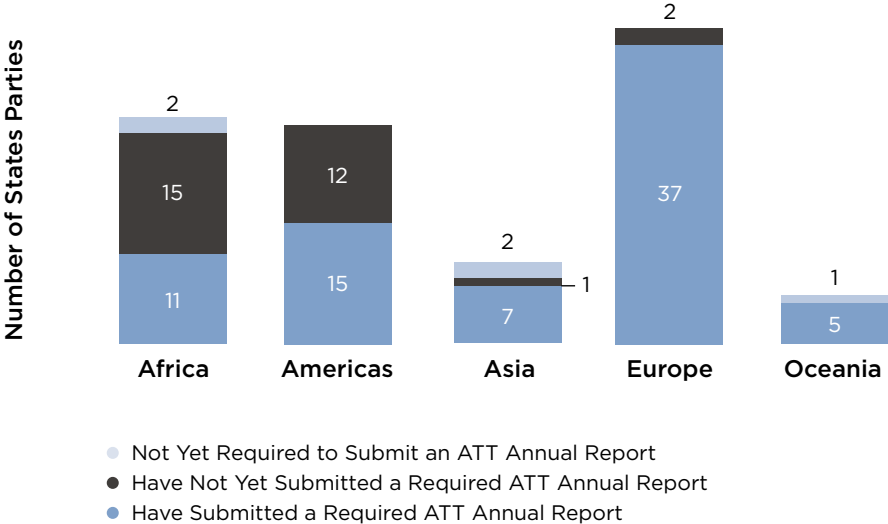
There is considerable regional variation among non-reporting States Parties. Of the 30 States Parties that have yet to submit a required annual report, 15 are from Africa, 12 are from the Americas, two are from Europe, and one is from Asia. Put another way, 58 percent of the States Parties in Africa that are due to submit an ATT annual report have yet to do so, compared to 44 percent of the States Parties in the Americas due to report, 13 percent of those in Asia, and 5 percent of those in Europe (See Figure 2). Thirteen of the 30 States Parties that have yet to submit at least one ATT annual report, despite being required to do so, are small island developing States and ten are among the world’s least developed countries, according to United Nations classifications.<sup>6</sup>

States Parties that have not yet submitted an ATT annual report, despite being required to do so:

▶ Bahamas <sup>†</sup>	▶ Guatemala	▶ Saint Lucia <sup>†</sup>
▶ Belize <sup>†</sup>	▶ Guinea*	▶ Saint Vincent and the Grenadines <sup>†</sup>
▶ Botswana	▶ Guinea Bissau**	▶ San Marino
▶ Brazil	▶ Guyana <sup>†</sup>	▶ Seychelles <sup>†</sup>
▶ Cabo Verde <sup>†</sup>	▶ Iceland	▶ Suriname <sup>†</sup>
▶ Central African Republic*	▶ Lebanon	▶ Togo*
▶ Chad*	▶ Lesotho*	▶ Trinidad and Tobago <sup>†</sup>
▶ Côte d’Ivoire	▶ Mauritania*	▶ Zambia*
▶ Dominica <sup>†</sup>	▶ Mozambique*	
▶ Ghana	▶ Niger*	
▶ Grenada <sup>†</sup>	▶ Saint Kitts and Nevis <sup>†</sup>	

\* Least developed country  
<sup>†</sup> Small island developing State

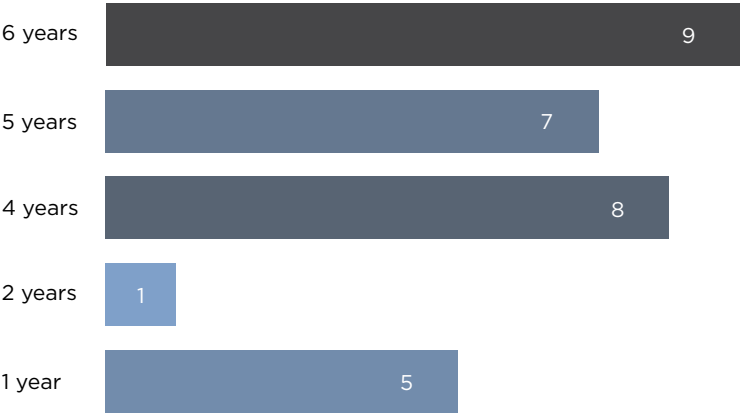
Figure 2: ATT Annual Reporting by Region



<sup>6</sup> The 15 non-reporting States Parties from Africa are: Botswana, Cabo Verde, Central African Republic, Chad, Côte d’Ivoire, Ghana, Guinea, Guinea Bissau, Lesotho, Mauritania, Mozambique, Niger, Seychelles, Togo, and Zambia. The 12 from the Americas are: Bahamas, Belize, Brazil, Dominica, Grenada, Guatemala, Guyana, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, and Trinidad and Tobago. The two from Europe are Iceland and San Marino. The one from Asia is Lebanon. For more information on country groupings, see: United Nations, Department of Economic and Social Affairs, Statistics Division, “Methodology,” <https://unstats.un.org/unsd/methodology/m49/>.

Most of these 30 States Parties that have yet to submit an annual report were due to submit their first annual report several years ago, with 24 having failed to submit an ATT annual report for four or more years (see Figure 3).

**Figure 3: Number of States Parties Overdue in Submitting Required Annual Reports**



Exporters are predominant among ATT States Parties, with 17 of the world’s top 25 major weapons exporters having joined the treaty compared to just eight of the top 25 importers.<sup>7</sup> Several major exporters and importers remain outside of the treaty, however, including Egypt, India, Israel, Russia, Saudi Arabia, and the United States.<sup>8</sup> In comparing reporting patterns, the top arms importers have been more consistent in fulfilling their annual reporting obligations. Six of the eight leading global arms importers and 16 of the 17 leading arms exporters that are States Parties to the ATT have been required to submit at least one ATT annual report.<sup>9</sup> While all six of the top importers that are due to report have submitted an annual report for each year they were required to do so, two of the top exporters that are due to report – Brazil and South Africa – have yet to submit their 2019 and 2020 annual reports.<sup>10</sup>

The lack of universal and comprehensive reporting on arms transfers under the ATT poses several challenges to transparency and treaty implementation. Limited reporting not only constrains insights into global arms trade dynamics – which is central to the treaty’s purpose – but also undermines treaty compliance, as States Parties have an international legal obligation to report to the ATT Secretariat annually on their arms exports and imports.

<sup>7</sup> The 17 ATT States Parties that were among SIPRI’s top 25 arms exporters from 2016-20 are: Australia, Brazil, Canada, China, the Czech Republic, France, Germany, Italy, the Netherlands, Norway, Portugal, the Republic of Korea, South Africa, Spain, Sweden, Switzerland, and the United Kingdom. The eight States Parties that were among SIPRI’s top 25 arms importers from 2016-20 are: Afghanistan, Australia, China, Italy, Japan, Norway, the Republic of Korea, and the United Kingdom. SIPRI, *Trends in International Arms Transfers*, 2020, Pieter D. Wezeman, Alexandra Kuimova, and Siemon T. Wezeman, 2020, [https://www.sipri.org/sites/default/files/2021-03/fs\\_2103\\_at\\_2020\\_v2.pdf](https://www.sipri.org/sites/default/files/2021-03/fs_2103_at_2020_v2.pdf).

<sup>8</sup> Of these six States, four – India, Israel, Russia, and the United States – were among the world’s top 25 arms exporters from 2016-20 and five – Egypt, India, Israel, Saudi Arabia, and the United States – were among the world’s top arms importers. Two of these six States have signed the ATT – Israel and United States – but none have ratified, accepted, or approved the treaty.

<sup>9</sup> China – which ranks among the world’s top 25 arms exporters and importers – and Afghanistan – which ranks among the world’s top 25 arms importers – are excluded here, as neither State Party has been required to submit an annual report at the time of writing. China and Afghanistan’s first annual reports are due 31 May 2022.

<sup>10</sup> South Africa submitted annual reports for 2015-2018, as required, but has yet to submit its required 2019 and 2020 reports. Brazil has not submitted any annual reports, despite being required to submit reports for 2019 and 2020.

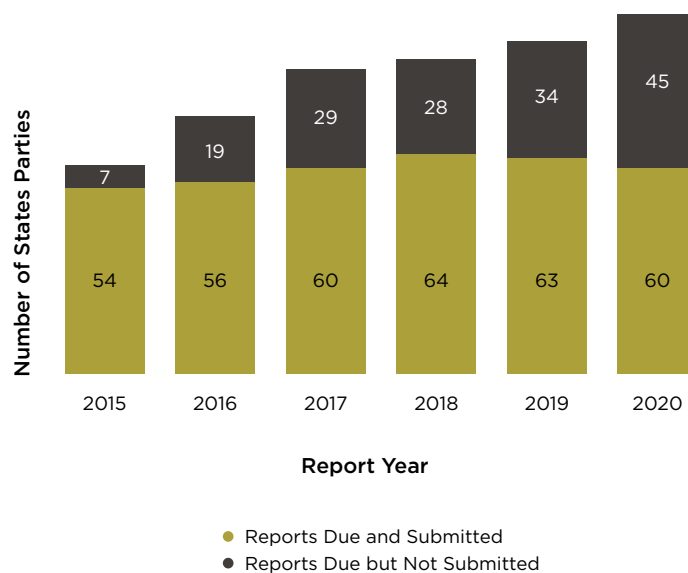
## ANNUAL REPORTING TRENDS

To assess the ATT's contributions to advancing transparency in the arms trade, this section closely examines key trends that have emerged during the first six years of annual reporting. The section focuses in particular on compliance with the ATT's annual reporting requirement and the extent to which States Parties have made relevant information publicly available and accessible in their annual reports.

### COMPLIANCE

The total number of States Parties that have submitted an ATT annual report has remained relatively constant over its first six years, with an average of 60 States Parties submitting reports each year. At the same time, ATT membership has expanded, and with it, so too has the number of States Parties required to submit annual reports. In 2016, 61 States Parties were required to report on their arms transfers during the previous calendar year, while 105 were required to do so in 2021 (see Figure 4).

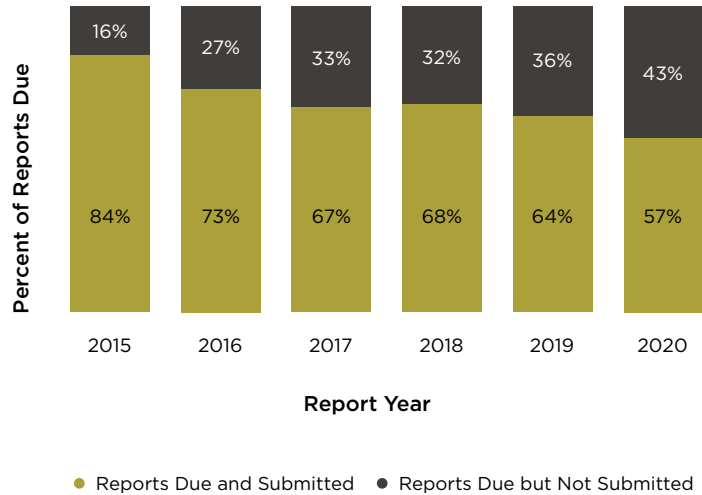
**Figure 4: ATT Annual Report Submissions**



As Figure 4 demonstrates, annual report submissions have not kept pace with the growing number of ATT States Parties. As a result, the percentage of States Parties fulfilling their annual reporting obligations has declined over the past six years (see Figure 5). Eighty-four percent of States Parties that were due to submit an ATT annual report on their 2015 arms exports and imports have done so, compared to the just 57 percent of States Parties that have submitted their required 2020 reports. On average for these six years, the rate of compliance with the ATT's annual reporting requirement stands at 69 percent. However, the compliance rate has fallen below this average for each of the last four years of annual reporting.

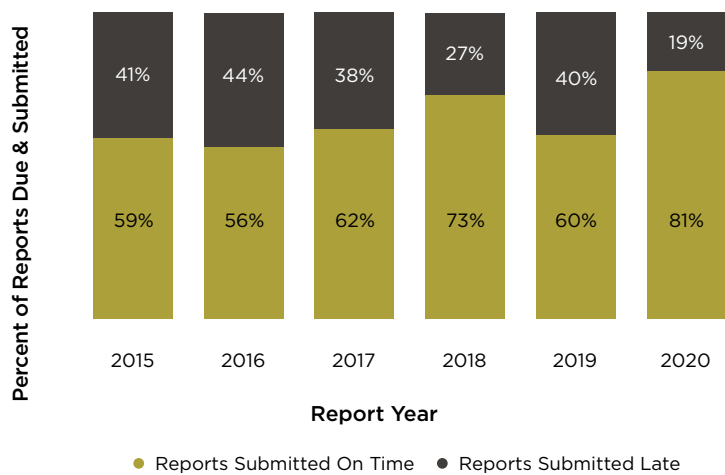


**Figure 5: ATT Annual Report Compliance Rates (as a percentage of reports due)**



Another marker of compliance with the ATT’s annual reporting obligation is whether States Parties submit their reports on time. Since 2016, the percent of ATT annual reports that were due and submitted on time has tended to increase, with fluctuations from year to year (see Figure 6). On average, 65 percent of annual reports that were due and submitted to the ATT Secretariat were received by the Secretariat’s de facto deadline of 7 June. While the upwards trend in on-time reporting compliance might reflect greater awareness of the annual reporting deadline, there continue to be obstacles to on-time reporting that would benefit from closer examination. Over the years, there have been numerous examples of States Parties belatedly submitting past due annual reports, in some cases years after the reporting deadline. In 2021, for example, after having not submitted an annual report since it was first required to do so in 2016, Antigua and Barbuda submitted reports to the ATT Secretariat covering six years of its arms transfers from 2015 through 2020. States Parties that have yet to submit their more recent annual reports may do so in the months and years ahead, which could ultimately result in lower on-time compliance rates for these years.

**Figure 6: Late vs. On-Time ATT Annual Reporting Rates (as a percentage of reports due and submitted)<sup>11</sup>**



<sup>11</sup> Sarah Parker, “Arms Trade Treaty: Status of Reporting,” Seventh Conference of States Parties to the ATT, 1 September 2021, [https://www.thearmstradetreaty.org/hyper-images/file/210901%20-%20ATT%20Secretariat%20-%20Status%20of%20Reporting%20\(01.09.2021\)/210901%20-%20ATT%20Secretariat%20-%20Status%20of%20Reporting%20\(01.09.2021\).pdf](https://www.thearmstradetreaty.org/hyper-images/file/210901%20-%20ATT%20Secretariat%20-%20Status%20of%20Reporting%20(01.09.2021)/210901%20-%20ATT%20Secretariat%20-%20Status%20of%20Reporting%20(01.09.2021).pdf).

While States Parties should strive to submit their annual reports on time, both to fulfill their treaty obligations and to facilitate full and timely analyses of arms trade dynamics, belatedly submitted reports remain useful in helping close information gaps, strengthening transparency over time, and reinforcing the legal obligation of States Parties to submit annual reports, even when the reporting deadlines have passed. The submission of reports by State Parties despite missing their original deadlines is an example of good practice that should be encouraged.

**TRANSPARENCY**

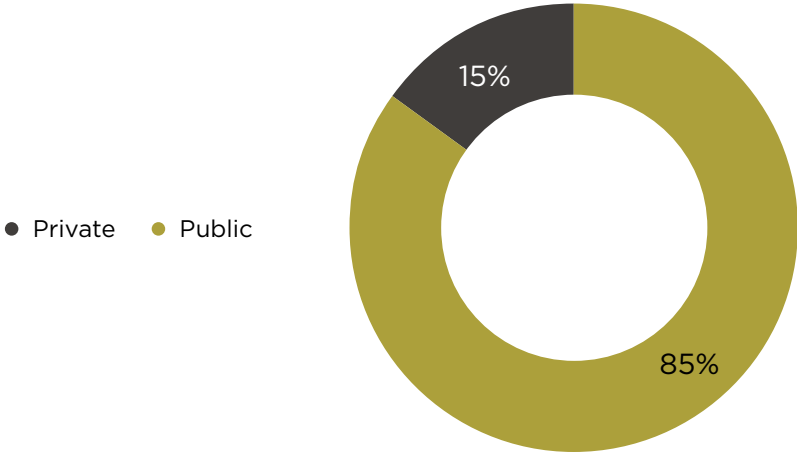
To fulfill the object and purpose of the treaty, it is important that States Parties comply with their annual reporting obligations under the ATT in a way that meaningfully contributes to greater understandings of their role in the global arms trade. Two aspects of ATT annual reporting serve as important indicators for assessing States Parties' commitments to transparent reporting: (1) decisions to make completed annual reports public or private and (2) how information is presented in completed reports.

**PRIVATE REPORTING**

While the ATT requires that annual reports “be made available, and distributed to States Parties by the Secretariat,” it does not explicitly mandate that States Parties make their reports public. Accordingly, when submitting reports to the ATT Secretariat, States Parties may indicate whether they intend for their reports to be publicly available – in which case the reports are posted publicly on the Secretariat’s website – or if they wish to make reports available only to the ATT Secretariat and other States Parties.

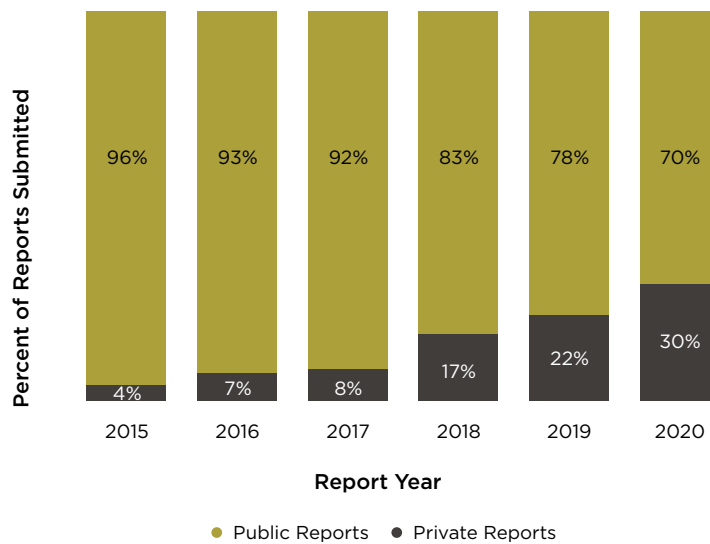
Overall, the majority of submitted annual reports are publicly available on the ATT Secretariat’s website (see Figure 7). Of the 357 annual reports that have been submitted over the last six years, 303 (approximately 85 percent) are public. The remaining 54 annual reports (approximately 15 percent) are private, meaning States Parties that submitted these reports elected to make them available only to the ATT Secretariat and to other States Parties.

**Figure 7: Public vs. Private Annual Reports**



There is, unfortunately, a growing trend in private reporting and the reasonings behind decisions to report privately deserve greater scrutiny. While just 4 percent of annual reports submitted for 2015 arms exports and imports were private, 30 percent of those submitted for the 2020 calendar year were private (see Figure 8).

**Figure 8: Public vs. Private ATT Annual Reporting Rates** (as a percentage of reports submitted)



Twenty-Six States Parties have submitted at least one private ATT annual report, representing approximately 35 percent of the 75 States Parties that have reported. Ten of these States Parties have only ever submitted private annual reports, while the remaining 16 have shifted between public and private reporting over the last six years. At least eight of these States Parties – Albania, Georgia, Greece, Liberia, Lithuania, Malta, Mauritius, and the Republic of North Macedonia – appear to be shifting towards private reporting; all eight began reporting publicly but have exclusively submitted private annual reports in recent years. Forty-Nine States Parties, or approximately 65 percent of those that have reported, have only ever reported publicly.

## **WITHHOLDING AND AGGREGATING INFORMATION**

Withholding and aggregating data represents a worrying trend that undermines efforts to promote arms trade transparency and fulfill the ATT's object and purpose. Submitting reports privately or with information withheld or aggregated to the point that it becomes impossible to determine how much of a given item was transferred to or from a given State limits understanding of global weapons flows. This, in turn, prevents accurate assessments of whether States Parties are complying with the ATT's provisions and makes it difficult to evaluate whether the treaty is contributing towards a reduction in human suffering; strengthening international and regional peace, security, and stability; and promoting cooperation, transparency, and responsible action, thereby building confidence among States Parties.

### **WITHHOLDING INFORMATION**

Each year, some States Parties submit annual reports with information omitted or withheld, often without explanation. Under Article 13(3) of the ATT, States Parties may “exclude commercially sensitive or national security information.” While many States Parties have indicated that such information was withheld from their annual reports by checking the relevant box in the annual report template, and at times have written “classified” or “withheld” under certain sections of their report to indicate the types of information withheld, many have also omitted information without explanation. Examples of information that States Parties have omitted from their annual reports include the number or value of weapons imported or exported, the importing or exporting State, and whether the information contained within the report reflects actual or authorized transfers.

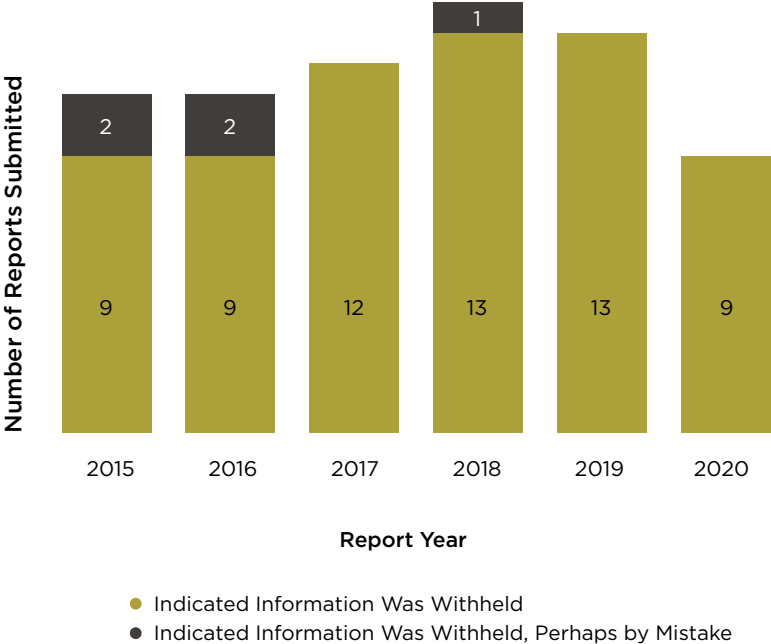
Figure 9: Excerpt of the Reporting Template’s Cover Page

<b>Contents of report (check as appropriate)</b>		Yes	No
i)	Nil report on exports of conventional arms	<input type="checkbox"/>	<input type="checkbox"/>
ii)	Nil report on imports of conventional arms	<input type="checkbox"/>	<input type="checkbox"/>
iii)	Annual report on exports of conventional arms	<input type="checkbox"/>	<input type="checkbox"/>
iv)	Annual report on imports of conventional arms	<input type="checkbox"/>	<input type="checkbox"/>
v)	National definitions of categories of conventional arms reported	<input type="checkbox"/>	<input type="checkbox"/>

<b>Scope of report (voluntary information)</b>		Yes	No
In the submitted report, some commercially sensitive and/or national security-related data has been withheld in accordance with Article 13.3 of the Treaty		<input type="checkbox"/>	<input type="checkbox"/>

An annual breakdown of the number of States Parties indicating that they withheld commercially sensitive and/or national security-related information from their annual reports is provided in Figure 10. These data include States Parties that may have ticked the box for “withholding information” by mistake; some States Parties answered “yes” to every question on the reporting template’s cover page, which leads to confusion about what States Parties actually reported or intended to report. While it is unclear why some States fill out the form in this way, the absence of these reporting irregularities in the 2019 and 2020 annual reports may represent a positive indication that States Parties are beginning to develop a better understanding of how to complete their annual reports.

Figure 10: Withholding Commercially Sensitive and/or National Security-Related Information



## AGGREGATING INFORMATION

In addition, during each of the past six years of ATT annual reporting, some States Parties have aggregated information in their reports in ways that prevent detailed analyses of weapons flows. This includes States Parties that report the aggregate number or value of a given category of weapon exported to or imported from a group of States, without indicating the number or value that was transferred to or from each State – a practice that is particularly common with respect to small arms and light weapons (SALW) transfers (see Figure 11). Relatedly, some States Parties have reported on their SALW transfers in aggregate, without utilizing the reporting template’s sub-categories of SALW to indicate the specific type of weapon that was imported or exported.

**Figure 11: Jamaica aggregated exporting States for its 2020 SALW imports<sup>12</sup>**

Category of arms <sup>4</sup> [I-VIII]	Authorised or actual imports <sup>5</sup>		Extent of imports <sup>6</sup> (choose one or both)		Exporting State <sup>9</sup>	State of origin (if not exporter) <sup>10</sup>	Remarks <sup>11</sup>	
	Auth.	Act.	Number of items <sup>7</sup>	Value <sup>8</sup>			Description of Item	Comments on the transfer
<b>B. VIII. Small Arms and Light Weapons<sup>14, 15</sup></b>								
<b>Small Arms (aggregated)<sup>16</sup></b>								
1.	Revolvers and self-loading pistols	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8,331		Canada, USA, Panama, Czech Republic, Uruguay		
2.	Rifles and carbines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,233		Canada, USA		
3.	Sub-machine guns	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4		Canada		
4.	Assault rifles	<input type="checkbox"/>	<input type="checkbox"/>					
5.	Light machine guns	<input type="checkbox"/>	<input type="checkbox"/>					
6.	Others	<input checked="" type="checkbox"/>	<input type="checkbox"/>	930 (shotguns)		Canada, USA		
<b>Light Weapons (aggregated)<sup>17</sup></b>								

<sup>12</sup> Government of Jamaica, “Annual Report on Exports and Imports of Conventional Arms, in Accordance with Article 13(3) of the Arms Trade Treaty,” (12 May 2021), <https://thearmstradetreaty.org/download/6daec9ef-0619-3dd5-bcbb-6d3986e369f8>.

## COMPARING ANNUAL REPORTING TO THE ATT AND UNROCA

Annual reporting under the ATT is one of several mechanisms that States Parties can use to report on their arms exports and imports. States Parties may also report on their arms transfers through national reporting mechanisms; through regional frameworks, such as the European Union or the Organization for Security and Cooperation in Europe, Inter-American Convention on Transparency in Conventional Weapons Acquisitions, and the Economic Community of West African States (ECOWAS) Convention; as well as mechanisms established by multilateral institutions, such as the Wassenaar Arrangement; or by international instruments, including the United National Register of Conventional Arms (UNROCA).

Under the terms of the treaty, States may submit their UNROCA report as their ATT annual report. However, there are important differences between the two reporting frameworks. While States Parties to the ATT have a legal obligation to report annually on their arms exports and imports, reporting under UNROCA is voluntary. Additionally, while States Parties may report on actual or authorized arms transfers in the ATT annual reports, States are requested to report on actual arms transfers in their UNROCA reports – and to clearly indicate if they report on authorized transfers (though not all do so). Finally, while ATT annual reporting covers arms exports and imports, States are also invited to report to UNROCA on their military holdings, procurement, and relevant laws and policies.

While not an exact replica, there are notable similarities between ATT annual and UNROCA reporting. The scope of reporting under the ATT and UNROCA is similar in that the first seven categories of arms listed in Article 2(1) of the ATT and subject to the treaty's annual reporting requirement are nearly the same categories of conventional arms covered by UNROCA, with just slight variations. Since 2016, the combat aircraft category in UNROCA now includes “armed UAV” – an explicit change that is not reflected in the text of the ATT, but which has been incorporated into the ATT's annual reporting template, along with reporting on “unmanned” attack helicopters, which are not explicitly mentioned in UNROCA. Since 2003, States have also been invited to provide background information on international transfers of SALW in their UNROCA reports – a category of weapons that is also covered by the ATT. In 2016, the Group of Government Experts on UNROCA recommended that States provide SALW information in their UNROCA reports, known as the “7 + 1 formula” during the ATT negotiations.

A comparison between UNROCA and ATT reporting reveals the extent to which annual reporting under the ATT, despite its limitations, has contributed to an increase in the number of States regularly submitting annual arms transfer reports, and suggests the importance of the ATT's mandatory reporting requirement. UNROCA reporting has fallen from a peak of 124 States submitting reports for 2001 transfers to an average of just 42 States for transfers undertaken during 2013-2020. By comparison, an average of 60 States have submitted ATT annual reports each year since 2016. Notably, three States Parties (Liberia, Nigeria, and the State of Palestine) that have never reported to UNROCA have submitted ATT annual reports. While all of the annual reports submitted to date by these three States Parties are private, these reports are still accessible by other ATT States Parties and the treaty Secretariat, helping to demonstrate that such States have the will and capacity to collect and “share” information on their arms exports and imports on an annual basis.

The ATT's reporting requirement may also have had a positive influence on the broader reporting practices of certain States, as several States Parties reported to UNROCA following extended gaps in reporting. Kazakhstan, which submitted its first ATT annual report in 2020, with respect to its 2019 arms transfers, also submitted a 2019 report to UNROCA – the first time it had done so since it submitted its 2012 UNROCA report. Similarly, within three years of submitting their first ATT annual reports, Senegal and the Dominican Republic submitted UNROCA reports for 2017 and 2018, respectively, following years of non-reporting under that framework.



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At the same time, it is worth noting that for other States Parties, there appears to be a pattern of ceasing to report to UNROCA following the entry into force of the ATT. Croatia, for example, has not reported to UNROCA since 2015, capturing information on its 2014 arms exports and imports. However, Croatia has submitted ATT annual reports for every year since 2015.

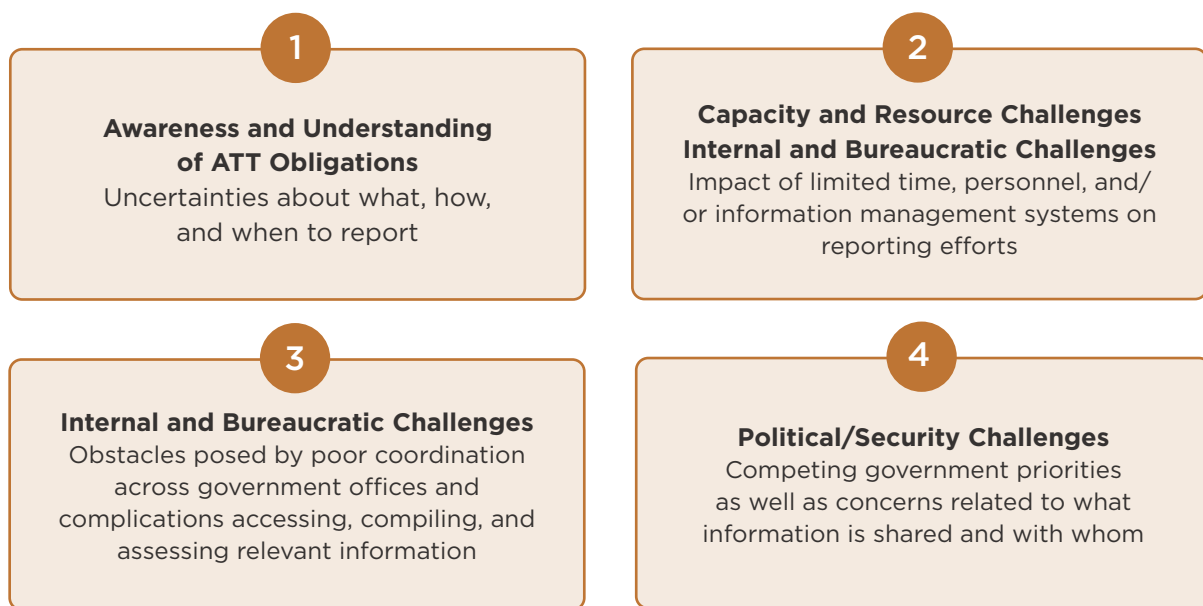
Curiously, three States Parties (the Republic of Moldova, Suriname, and Uruguay) that have yet to submit ATT annual reports for 2020, despite being required to do so, have submitted UNROCA reports for 2020. These represent the only three States Parties that have failed to submit a required ATT annual report despite reporting voluntarily to UNROCA for the same calendar year. By contrast, 58 States Parties – or nearly three-quarters of those that have submitted an annual report – have, at least once, reported on arms transfers to the ATT without also submitting a UNROCA report for the same calendar year. This disparity is not surprising given the legal obligation States Parties have to report to the ATT as compared to UNROCA's voluntary reporting framework. Nevertheless, States Parties should endeavor to report consistently under both frameworks and to leverage the synergies between the two instruments to facilitate these efforts.

In short, although ATT reporting still has room for significant improvement, reflecting on ATT reporting against the broader backdrop of “reporting fatigue” and “reporting burdens” alongside the dramatic decline in UNROCA reporting demonstrates that the ATT is making a positive impact in slowly enhancing transparency over the global arms trade.

## NATIONAL CHALLENGES TO FULFILL THE ATT ANNUAL REPORTING OBLIGATION

Several challenges to ATT annual reporting have contributed to missing or delayed reports as well as limited transparency for those reports that have been submitted. These challenges have become evident both through analyses of ATT reporting patterns and testimonials from States Parties themselves. Indeed, through independent surveys and interviews the Stimson Center has conducted over several years, as well as discussions within the Working Group on Transparency and Reporting, ATT States Parties have indicated a range of obstacles that impede their efforts to fully comply with the treaty's annual reporting requirement and to help advance the global standard of transparency that the ATT aims to strengthen. Based on the insights shared by States Parties, the Stimson Center has identified four key types of ATT reporting challenges: awareness and understanding of ATT obligations; capacity and resource challenges; internal and bureaucratic challenges; and political and/or security challenges.

Figure 12: Challenges to ATT Reporting



Over the first six years of ATT annual reporting, the most frequently cited reporting challenges have been those relating to the internal and bureaucratic obstacles that government officials face in accessing, compiling, and assessing the information required for annual reporting and in relaying this information to the ATT Secretariat. States Parties often have multiple ministries, agencies, and private companies involved in contributing to their annual reports, which can create a host of challenges to timely, comprehensive, and consistent reporting. Additionally, many States Parties have indicated that they lack the time, personnel, expertise, and/or resources necessary to fulfill the ATT's annual reporting requirement more fully and expeditiously. For example, several States Parties indicated that the personnel responsible for preparing or contributing to their annual reports have retired or been replaced in recent years, particularly during the COVID-19 pandemic. In some cases, this has introduced discrepancies in how data are compiled and required additional time and resources be spent training staff on reporting processes and deadlines. Competing government priorities or concerns



surrounding the release of information regarded as sensitive can also undermine reporting compliance and transparency by contributing to delayed reporting, private reporting, or reports with information omitted or withheld. Furthermore, States Parties have also expressed uncertainties surrounding what, how, and when to report, including confusion around the difference between public and private reporting and around the various reporting requirements and deadlines that States Parties face outside of the ATT context.<sup>13</sup>

Moreover, the ATT annual reporting template itself has posed several challenges for transparent reporting by all States Parties. For example, the original version of the reporting template, which was endorsed by the Second Conference of States Parties and recommended for use by States Parties in compiling their annual reports, includes shaded sections for States Parties to report on transfers of sub-categories of SALW, indicating that inclusion of this type of information is “voluntary.” This may discourage States Parties from providing the level of detail on their SALW transfers that is necessary to fully understand the type and scope of weapons exported and imported.<sup>14</sup> At the Seventh Conference of States Parties to the ATT, States Parties endorsed revised versions of the ATT reporting templates and these revisions may help address some of the transparency and reporting issues associated with the previous version of the reporting template going forward.<sup>15</sup> These changes include:

- ▶ A section that States Parties can use to indicate whether the report “may be made publicly available” – rather than whether it “is available only to States Parties.” By reframing the question around public, rather than private reporting, the revised template may encourage more States Parties to submit their annual reports publicly. The revised template also includes additional guidance on the distinction between public and private reporting, which may help address uncertainties some States Parties have around private reporting.
- ▶ Removing the word “voluntary” from the section that invites States Parties to indicate whether information was withheld from the annual report as well as from shaded columns and rows – including those that invite States Parties to report on SALW transfers by sub-category, rather than simply in aggregate. Removing this designation may encourage States Parties to provide information in sections they otherwise might have skipped over.
- ▶ Adding references throughout the report to specific sections of the Working Group on Transparency and Reporting’s ‘FAQ’-type guidance document to assist States Parties in completing particular sections of the annual report template.
- ▶ Adding a row to indicate the position or job title of the person completing the report, which may assist in efforts to follow up, if necessary, to ask clarifying questions about the report.
- ▶ Adding a section that invites States Parties to indicate whether “the United Nations Office for Disarmament Affairs (UNODA) may use the relevant information in this Annual Report as a basis for the reporting State’s report to the United Register on Conventional Arms (UNROCA).”

<sup>13</sup> See Stimson’s forthcoming report, *Taking Stock of ATT Reporting Trends and Challenges* (April 2022), for a detailed analysis of the initial and annual reporting challenges States Parties identified in surveys and interviews with Stimson researchers.

<sup>14</sup> For a more detailed examination of the challenges posed by the previous versions of the ATT initial and annual reporting templates and the changes that could be made to better support comprehensive, transparent reporting see: Arms Trade Treaty Baseline Assessment Project, *The ATT Reporting Templates: Challenges and Recommendations*, January 2020, [http://www.armstrade.info/wp-content/uploads/2014/10/Reporting-Templates-Challenges-and-Recommendations\\_Web-Version.pdf](http://www.armstrade.info/wp-content/uploads/2014/10/Reporting-Templates-Challenges-and-Recommendations_Web-Version.pdf).

<sup>15</sup> Arms Trade Treaty, Seventh Conference of States Parties, *Final Report*, 2 September 2021, [https://thearmstradetreaty.org/hyper-images/file/CSP7%20Final%20Report%20\(ATT.CSP7.2021.SEC.681.Con.FinRep.Rev1\)%20-%2002%20September%202021/CSP7%20Final%20Report%20\(ATT.CSP7.2021.SEC.681.Con.FinRep.Rev1\)%20-%2002%20September%202021.pdf](https://thearmstradetreaty.org/hyper-images/file/CSP7%20Final%20Report%20(ATT.CSP7.2021.SEC.681.Con.FinRep.Rev1)%20-%2002%20September%202021/CSP7%20Final%20Report%20(ATT.CSP7.2021.SEC.681.Con.FinRep.Rev1)%20-%2002%20September%202021.pdf).

## CONCLUSION AND WAYS FORWARD

While the ATT has succeeded in expanding the number of States that report annually on arms transfers under a global transparency framework, annual reporting under the ATT has, to date, not lived up to its full potential. Declining compliance rates, increases in private reporting, and the continued practice by some States Parties of withholding and aggregating key data have severely limited the utility of ATT annual reporting to promote arms trade transparency, build global confidence, and ultimately mitigate the harm caused by illicit and irresponsible arms transfers. While sincere efforts have been made to reverse these negative trends, States Parties continue to face significant challenges to consistent and comprehensive annual reporting.

Fortunately, there are concrete steps States Parties can take to overcome these challenges, including by leveraging synergies that exist across reporting frameworks to simplify and streamline their reporting processes as well as by promoting interagency coordination and cooperation to facilitate the completion and submission of their annual reports. States Parties can also take advantage of the various tools and resources that exist to assist them in overcoming their annual reporting challenges. For example, the ATT Working Group on Transparency and Reporting has developed an FAQ document and working paper to assist States Parties in completing their ATT annual reports.<sup>16</sup> Civil society organizations have also developed guidance designed to enhance ATT annual reporting. This includes an *Annual Report Guidance Booklet* developed by Stimson's Arms Trade Treaty-Baseline Assessment Project, which offers insights on transparency instruments and the synergies that exist between them, data collection sources and methods, and weapons identification and categorization.<sup>17</sup>

Several opportunities also exist for States Parties to request assistance to help develop and strengthen their reporting processes. The ATT Voluntary Trust Fund (VTF) has provided assistance aimed at strengthening interagency cooperation and establishing internal reporting processes and procedures to enhance national reporting. For example, the VTF provided financial support for an August 2019 workshop organized by the Government of Antigua and Barbuda in collaboration with the Caribbean Coalition for Development and the Reduction of Armed Violence. At the workshop, the Caribbean Community (CARICOM) Member States Parties to the ATT pledged to submit their annual reports by October 2019. In 2021, Antigua and Barbuda and Barbados submitted their first annual reports, which were due in 2016 and 2020, respectively. States Parties may also request assistance from regional organizations or partner States. This includes assistance provided by the European Union's ATT-Outreach project, which provides trainings to non-EU countries aimed at supporting ATT implementation and strengthening national transfer controls. Notably, following an April 2021 decision adopted by the Council of the European Union, the EU will support the work of the ATT Secretariat by providing new funding that will:

- ▶ Create a database to match implementation needs and resources;
- ▶ Train local and regional ATT experts in delivering ATT implementation assistance; and

<sup>16</sup> Arms Trade Treaty, Working Group on Transparency and Reporting, *Reporting Authorized or Actual Exports and Imports of Conventional Arms Under the ATT*, July 2019, [https://thearmstradetreaty.org/hyper-images/file/ATT\\_CSP5\\_WGTR\\_Guide\\_to\\_Reporting\\_\(Annex\\_B\\_to\\_WGTR\\_Report\\_to\\_CSP5\).pdf?templateId=1280266](https://thearmstradetreaty.org/hyper-images/file/ATT_CSP5_WGTR_Guide_to_Reporting_(Annex_B_to_WGTR_Report_to_CSP5)/ATT_CSP5_WGTR_Guide_to_Reporting_(Annex_B_to_WGTR_Report_to_CSP5).pdf?templateId=1280266); *Working Paper on National-Level Measures to Facilitate Compliance with International Reporting Obligations and Commitments*, July 2017, [https://thearmstradetreaty.org/hyper-images/file/WGTR - National level measures \(Annex B to WGTR Report to CSP3\) - EN/WGTR - National level measures \(Annex B to WGTR Report to CSP3\) - EN.pdf?templateId=1265194](https://thearmstradetreaty.org/hyper-images/file/WGTR - National level measures (Annex B to WGTR Report to CSP3) - EN/WGTR - National level measures (Annex B to WGTR Report to CSP3) - EN.pdf?templateId=1265194).

<sup>17</sup> Arms Trade Treaty Baseline Assessment Project, *Annual Report Guidance Booklet*, 2017, [http://www.armstrade.info/wp-content/uploads/2015/10/ATT-BAP\\_Annual-Report-Guidance-Booklet\\_2017.pdf](http://www.armstrade.info/wp-content/uploads/2015/10/ATT-BAP_Annual-Report-Guidance-Booklet_2017.pdf).

- ▶ Enhance cooperation between States Parties and the ATT Secretariat, including by developing a practical guide for national points of contact with information on the ATT's reporting obligations and how to fulfill them.

Additionally, during the Sixth Conference of States Parties (CSP), the ATT Secretariat initiated a project to facilitate the voluntary exchange of reporting assistance between States Parties with extensive reporting experience and those with relatively little experience. While COVID-related limitations prevented States Parties from repeating this exercise during CSP7, the Secretariat plans to repeat and expand it during the CSP8 process in hopes that these “reporting assistance clinics” will become a constant feature of future CSP processes.<sup>18</sup>

Finally, States, the ATT Secretariat, the ATT Working Group on Transparency and Reporting, and civil society can continue to work collaboratively towards more comprehensive and transparent annual reporting.

- ▶ States Parties should periodically reevaluate their previously submitted reports to determine whether any of their private reports should be made public – for instance, in the case of reports submitted privately by mistake, or if it is no longer deemed necessary to restrict public access to a report. Similarly, States Parties should periodically reevaluate their previously submitted reports to ensure their accuracy. If a State Party wishes to make a change to its annual report, they should avail themselves of the opportunity to submit an amended annual report to the ATT Secretariat.
- ▶ With encouragement from the ATT Secretariat, States Parties that have yet to submit one or more annual reports can use 2023 – the 10<sup>th</sup> anniversary of the ATT's adoption – along with the newly revised reporting template as an occasion to submit their past-due reports and demonstrate their renewed commitment to the treaty's transparency objectives.
- ▶ The ATT Working Group on Transparency and Reporting and other key stakeholders can monitor annual reporting patterns and experiences over the coming years to evaluate the use and impact of the revised recommended annual reporting template. Doing so would assist stakeholders in determining whether and to what extent the revised templates improve reporting practices as well as whether there are additional changes worth pursuing in order to further enhance the template's utility and advance the treaty's transparency aims.
- ▶ The ATT Secretariat, along with States Parties, regional organizations, the Working Group on Transparency and Reporting, and civil society groups can redouble their efforts to promote widespread and representative annual reporting. Through coordinated, targeted outreach to the 30 States Parties that have yet to submit a required annual report, key stakeholders can assist these States Parties in identifying and implementing practical solutions to the unique reporting challenges they face. To ensure that annual reporting contributes to an accurate, representative accounting of the global arms trade, these outreach efforts could focus on non-reporting States Parties in Africa and the Americas, as well as those that are small island developing States or are among the world's least developed countries – which make up the majority of States Parties that have yet to submit a required annual report. As part of this process, it would be valuable for small island developing States and least developed countries to share their reporting practices and lessons learned with one another, potentially with financial support from the VTF.
- ▶ The ATT Secretariat, the Working Group on Transparency and Reporting, and civil society groups should continue to investigate why some States Parties that have submitted annual reports have failed to do so in recent years, or have shifted from public to private annual reporting, and should work to address the circumstances motivating these negative transparency trends.

ATT annual reporting can serve as a powerful tool for furthering our understanding of global weapons flows and promoting more responsible and transparent approaches to arms exports and imports. Identifying opportunities to assist States Parties in more comprehensively and transparently fulfilling their annual reporting requirement is, therefore, a vitally important component of ensuring the ATT lives up to its full potential.

<sup>18</sup> Sarah Parker, “Transparency in the Arms Trade: Examining the Role and Efforts of the Arms Trade Treaty,” Stimson, 28 October 2021, <https://www.stimson.org/event/transparency-in-the-arms-trade-examining-the-role-and-efforts-of-the-arms-trade-treaty/>.



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For more information, visit the Arms Trade Treaty-Baseline Assessment Project Portal at [www.armstrade.info](http://www.armstrade.info) or contact us at [ATT@stimson.org](mailto:ATT@stimson.org).

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