



MIXED REVIEWS:

Positive Developments and Negative Trends in 2021 ATT Annual Reports

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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

States Parties to the Arms Trade Treaty (ATT) are required to report on their conventional arms exports and imports each year. Under Article 13(3) of the ATT, States Parties must report annually to the treaty Secretariat “concerning authorized or actual exports and imports of conventional arms” that occurred during the previous calendar year. These reports have the potential to provide much-needed transparency in the notoriously opaque global arms trade.

States Parties first began reporting on their arms transfers in 2016 (capturing those imports and exports that occurred in 2015), yet ATT annual reporting has yet to live up to its full potential. Universal adherence to the treaty’s annual reporting requirement has remained elusive, with reporting compliance rates having declined nearly every year since the first year of reporting. The first seven years of ATT annual reporting have seen a proliferation of troubling reporting practices – including an increase in private reporting – that limit one of the ATT’s primary aims: to increase transparency around international arms transfers.

This report analyzes the 2021 ATT annual reports. These reports – though submitted in 2022 – cover authorized or actual arms transfers that occurred in 2021, and so will be referred to throughout this report as 2021 annual reports. This report highlights the key trends, transparency issues, and good practices exemplified by the 2021 annual reports and considers whether some of the negative transparency trends that have plagued reporting for years may finally be showing signs of reversing. The report is organized into three sections. The first section examines the status of 2021 ATT annual report submissions and places them into the context of compliance rates over time. The second section discusses practices and trends in how States Parties have prepared their 2021 annual reports. In particular, this section provides insights into private reporting, report formats, “nil” reporting, national definitions, withholding commercially sensitive and/or national security-related information, and whether and how States Parties reported on their arms exports and imports. The third section compares reporting patterns under the ATT and UN Register of Conventional Arms (UNROCA) and discusses how, by leveraging synergies between the ATT and UNROCA, these two frameworks can mutually reinforce one another and more effectively advance arms trade transparency.

METHODOLOGY

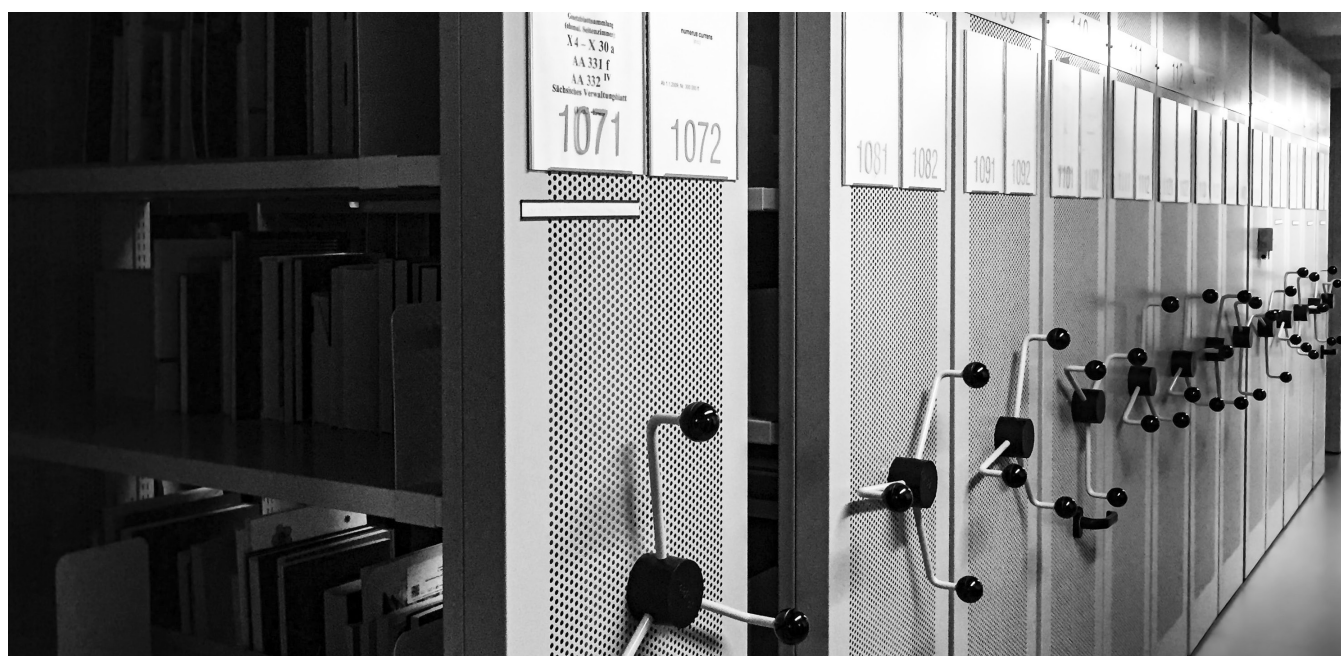
The ATT annual reporting data captured in this report is drawn from the ATT annual reports and annual reporting data available on the ATT Secretariat’s website as of 5 October 2022.¹ Where this report provides information on the content of these reports, it relies solely on those that are publicly available and, accordingly, does not reflect the content of reports submitted privately. In addition, and to facilitate comparative analyses, this report draws from UNROCA reports and reporting data as provided on the UNROCA website as of 5 October 2022.² Percentages in this report are rounded to the nearest whole number and, as a result, may not equate to 100 percent in all cases.

¹ ATT Secretariat, “Annual Reports,” <https://thearmstradetreaty.org/annual-reports.html?templateId=209826>.

² UN Office of Disarmament Affairs, “United Nations Register of Conventional Arms,” <https://www.unroca.org/>.

STATUS OF REPORTING

All but two of the 112 States Parties to the ATT were required to submit a report to the treaty Secretariat in 2022 on their arms exports and imports that occurred during the previous calendar year.³ As of 5 October 2022, 64 States Parties – or 58 percent of those due to report this year – have done so.⁴



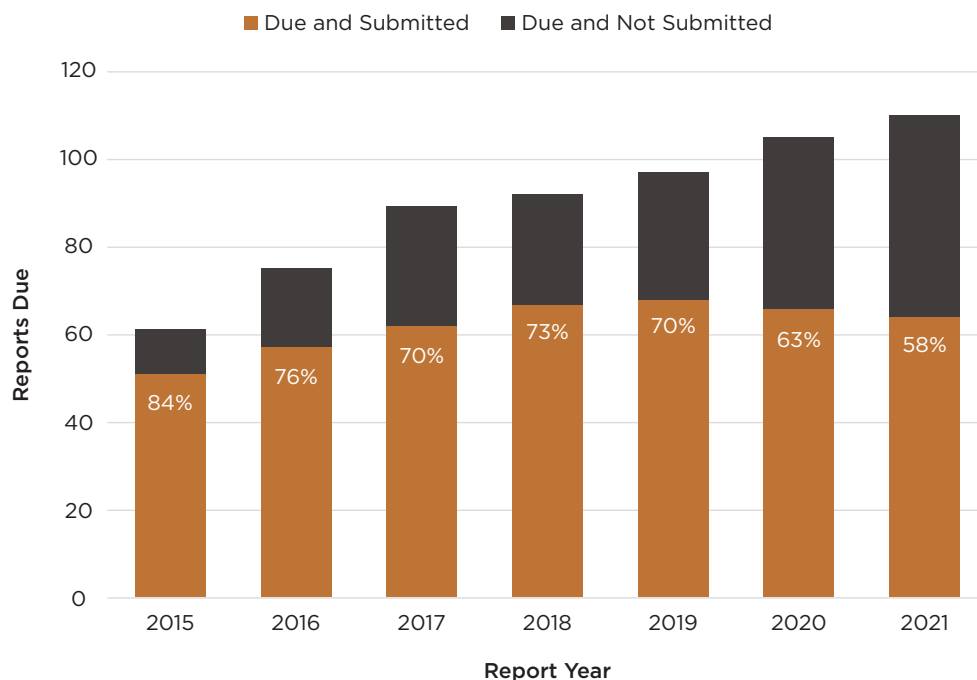
While this percentage is subject to change as additional reports are submitted, this currently represents the lowest rate of ATT annual reporting compliance in the treaty's history.⁵ Indeed, annual reporting compliance rates have steadily decreased over all but one of the first seven years of ATT reporting, with 84 percent of States Parties required to submit reports for the 2015 calendar year having done so compared to the record-low 58 percent that submitted required reports this year on their 2021 arms transfers (see Figure 1). The 2021 total represents a slight increase from the 56 percent of States Parties that submitted their 2020 annual reports at the equivalent point last year. And if past years are any indication, it is likely that this year's compliance rate will see a modest increase as additional States Parties belatedly submit their required reports over the coming months. Nevertheless, it is deeply troubling that a record-high percentage of States Parties have still not fulfilled their reporting obligations this year, particularly given the significant efforts undertaken over the past seven years to promote the importance of ATT annual reporting, identify and share good practices for reporting, and enhance national reporting capacities.

³ Only Gabon and the Philippines, the ATT's newest States Parties, are not yet required to submit an annual report.

⁴ The 64 States Parties that submitted their required 2021 annual reports are: Albania, Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Belgium, Bosnia and Herzegovina, Botswana, Burkina Faso, Canada, Chile, China, Côte D'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, El Salvador, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Mauritius, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Niger, Norway, Peru, Poland, Portugal, the Republic of Korea, Romania, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, the State of Palestine, Sweden, Switzerland, and the United Kingdom.

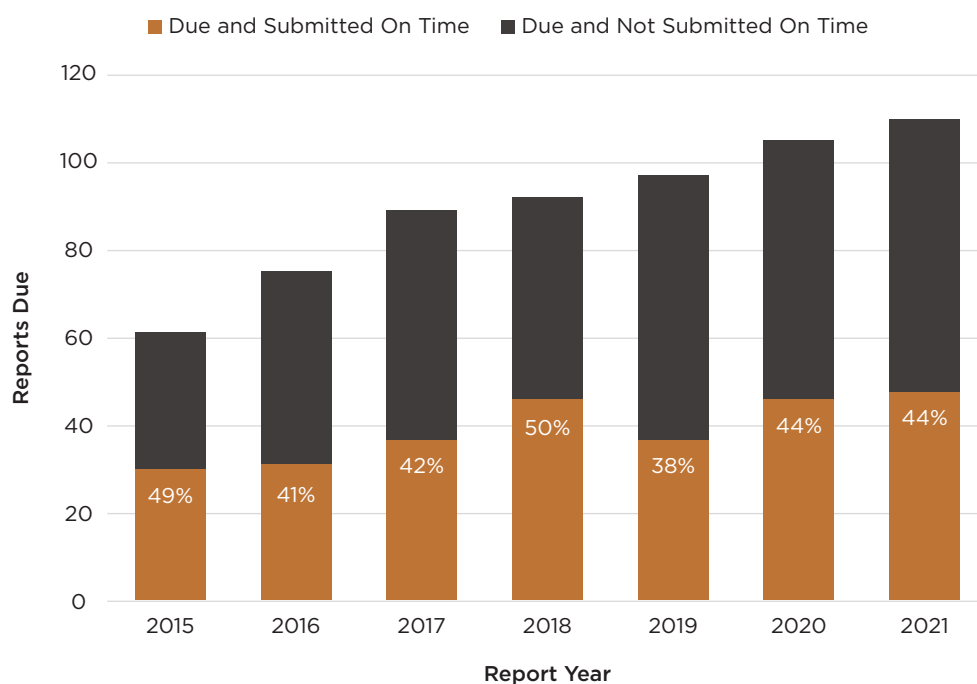
⁵ It can be challenging to compare compliance rates over time, as the rates change as additional reports are submitted. Stimson chose a cut-off date of 5 October 2022 for this report to be as inclusive as possible of reports submitted after this year's reporting deadline. Stimson does not always use the same cut-off date when assessing compliance rates each year, and its data may vary from year to year as a result.

Figure 1: Annual Reports Due and Submitted



Annual reports are due by 31 May each year, although in practice the ATT Secretariat extends a seven-day grace period, creating a de facto deadline of 7 June. This year, only 48 of the 110 States Parties due to report to the ATT Secretariat on their 2021 arms transfers did so by 7 June 2022, representing an on-time annual reporting compliance rate of 44 percent. While it is regrettable that less than half of States Parties due to report are submitting their annual reports on time, it is somewhat encouraging that the level of on-time annual reporting has been maintained year-on-year (see Figure 2).

Figure 2: Annual Reports Due and Submitted On Time





Five States Parties were required to submit their first ATT annual reports in 2022 (Afghanistan, China, Namibia, Niue, and Sao Tome and Principe). At the time of writing, only one of these States Parties (China) has done so. China fully complied with its annual reporting obligation this year by submitting its required 2021 annual report by the Secretariat's de facto deadline. However, China elected to restrict public access to its 2021 annual report, thereby preventing non-States Parties, civil society organizations, and other stakeholders from reviewing and analyzing its contents.

Of the 64 States Parties that submitted a 2021 annual report, 56 (or 88 percent) have submitted an annual report for each year they were required to do so (excluding China, which was not required to report until this year).⁶ This trend seems to indicate that once a State begins submitting reports they continue to do so.

Six States Parties (Botswana, Côte D'Ivoire, Guatemala, Iceland, Niger, and Seychelles) submitted annual reports for the first time this year after one or more years of non-compliance with the ATT's annual reporting requirement. These States range from relatively new States Parties to early ratifiers that were required to submit their first reports several years ago. Botswana was first due to report in 2021, Guatemala and Seychelles in 2018, Côte D'Ivoire and Niger in 2017, and Iceland in 2016. These new reporters serve as encouraging examples of progress towards fulfilling reporting obligations and advancing the ATT's transparency aims.

⁶ The 56 States Parties that have submitted all of their required ATT annual reports (not including those required to report for the first time this year) are: Albania, Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Belgium, Bosnia and Herzegovina, Canada, Chile, Côte D'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, El Salvador, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mauritius, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, the Republic of Korea, Romania, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, the State of Palestine, Sweden, Switzerland, and the United Kingdom.

REPORTING PRACTICES AND TRENDS

In the last year, 27 States Parties submitted overdue annual reports. Twenty-four of these submitted overdue 2020 annual reports, six submitted overdue 2019 reports, four submitted overdue 2018 reports, two submitted overdue 2017 reports, and two submitted overdue 2016 reports.⁷ Barbados and Côte D'Ivoire's report submissions are particularly noteworthy. After years of non-reporting, Barbados reported for the first time with the submission of its 2020 annual report, and this year submitted all of its past-due 2016-2017 reports as well as its required 2021 annual report. Similarly, Côte D'Ivoire submitted all of its required reports this year (covering 2016 through 2021) after years of non-reporting. Regrettably, both States Parties elected to submit all of these reports privately, making them available only to the ATT Secretariat and other States Parties. Still, States Parties yet to submit all their required reports are encouraged to follow the example set by Barbados, Côte D'Ivoire, and the other 25 States Parties that submitted overdue reports this year. The submission of long-overdue reports can yield important insights into global weapons flows – even if, as in the case of Barbados and Côte D'Ivoire, these insights are not made public and only made available to States Parties and the Secretariat.

Forty-six States Parties, or 42 percent of those required to report this year, have yet to submit their required 2021 annual reports.⁸ While 19 of these States Parties have previously submitted at least one annual report under the ATT, 23 have yet to submit any of their required annual reports (not including those required to report for the first time this year).⁹ Of these 23 non-reporting States Parties, 11 (or 48 percent) are in Africa, 10 (or 43 percent) are in the Americas, one (or four percent) is in Asia, and one is in Europe.¹⁰ More than 82 percent of these non-reporting States Parties are among the world's least developed countries, are small island developing States, or both, according to United Nations classifications. Specifically, 10 of these 23 States Parties (or 43 percent) are small island developing States, eight (or 35 percent) are least developed countries, and one (or four percent) is both a small island developing State and a least developed country.¹¹

⁷ The 24 States Parties that submitted 2020 annual reports after the de facto 7 June 2021 reporting deadline are: Australia, Austria, Bulgaria, Cameroon, Chile, Côte D'Ivoire, Cyprus, Estonia, France, Honduras, Hungary, Italy, Lithuania, Luxembourg, Madagascar, Malta, Monaco, the Netherlands, Nigeria, Norway, Panama, Senegal, South Africa, and the United Kingdom. The six that submitted overdue 2019 reports are: Barbados, Cameroon, Côte D'Ivoire, Madagascar, South Africa, and Trinidad and Tobago. The four that submitted overdue 2018 reports are: Barbados, Côte D'Ivoire, El Salvador, and Trinidad and Tobago. The two that submitted overdue 2017 and 2016 reports are: Barbados and Côte D'Ivoire.

⁸ The 46 States Parties that have yet to submit their required 2021 annual reports are: Afghanistan, Bahamas, Belize, Benin, Brazil, Bulgaria, Cabo Verde, Cameroon, Central African Republic, Chad, Costa Rica, Dominica, Dominican Republic, Estonia, Ghana, Grenada, Guinea, Guinea Bissau, Guyana, Honduras, Lebanon, Lesotho, Liberia, Mali, Mauritania, Mozambique, Namibia, Nigeria, Niue, Palau, Panama, Paraguay, the Republic of Moldova, the Republic of North Macedonia, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Suriname, Togo, Trinidad and Tobago, Tuvalu, Uruguay, and Zambia.

⁹ The 19 States Parties that have submitted at least one ATT annual report but have yet to submit their required 2021 annual reports are: Benin, Bulgaria, Cameroon, Costa Rica, Dominican Republic, Estonia, Honduras, Liberia, Mali, Nigeria, Palau, Panama, Paraguay, the Republic of Moldova, the Republic of North Macedonia, Samoa, Trinidad and Tobago, Tuvalu, and Uruguay. The 23 States Parties that have yet to submit any of their required annual reports (not including those required to report for the first time this year) are: Bahamas, Belize, Brazil, Cabo Verde, Central African Republic, Chad, Dominica, Ghana, Grenada, Guinea, Guinea Bissau, Guyana, Lebanon, Lesotho, Mauritania, Mozambique, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Suriname, Togo, and Zambia.

¹⁰ The 11 non-reporting States Parties in Africa are: Cabo Verde, Central African Republic, Chad, Ghana, Guinea, Guinea Bissau, Lesotho, Mauritania, Mozambique, Togo, and Zambia. The 10 non-reporting States Parties in the Americas are: Bahamas, Belize, Brazil, Dominica, Grenada, Guyana, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and Suriname. The one non-reporting State Party in Asia is Lebanon. The one non-reporting State Party in Europe is San Marino.

¹¹ The ten non-reporting States Parties that are small island developing States are: Bahamas, Belize, Cabo Verde, Dominica, Grenada, Guyana, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname. The eight non-reporting States Parties that are least developed countries are: Central African Republic, Chad, Guinea, Lesotho, Mauritania, Mozambique, Togo, and Zambia. The one non-reporting State Party that is both a small island developing State and least developed country is Guinea Bissau. United Nations, Department of Economic and Social Affairs, Statistics Division, "Methodology," <https://unstats.un.org/unsd/methodology/m49/>.

PUBLIC VS. PRIVATE REPORTS

While a majority of the ATT annual reports submitted to date are publicly available on the Secretariat's website, States Parties may elect to restrict public access to their reports. The submission of private annual reports – which are available only to the Secretariat and other States Parties – poses several challenges, including limiting insights into weapons flows, complicating efforts to assess ATT compliance, and undermining the treaty's contributions to arms trade transparency.

Twenty of the States Parties that submitted 2021 annual reports as of 5 October 2022, or 33 percent, elected to submit their reports privately:

- | | | |
|-----------------------|---------------|----------------------|
| ▶ Antigua and Barbuda | ▶ El Salvador | ▶ Madagascar |
| ▶ Barbados | ▶ Georgia | ▶ Mauritius |
| ▶ Botswana | ▶ Greece | ▶ Niger |
| ▶ China | ▶ Guatemala | ▶ Senegal |
| ▶ Côte D'Ivoire | ▶ Kazakhstan | ▶ Seychelles |
| ▶ Croatia | ▶ Latvia | ▶ State of Palestine |
| ▶ Cyprus | ▶ Lithuania | |

Twelve of these 20 States Parties have a history of restricting public access to their annual reports. Of them, six have only ever submitted private annual reports (Antigua and Barbuda, Barbados, Cyprus, Kazakhstan, Madagascar, and the State of Palestine) and six had previously submitted at least one public annual report before shifting to private annual reporting in recent years (El Salvador, Georgia, Greece, Lithuania, Mauritius, and Senegal).

The remaining eight States Parties reported privately for the first time this year. Six of these States Parties (Botswana, China, Côte d'Ivoire, Guatemala, Niger, and Seychelles) submitted an annual report for the first time this year and chose to do so privately. The remaining two States Parties (Croatia and Latvia) had, until now, consistently submitted public annual reports. Both submitted public reports for each of the first six years of annual reporting under the ATT before electing to report privately this year.

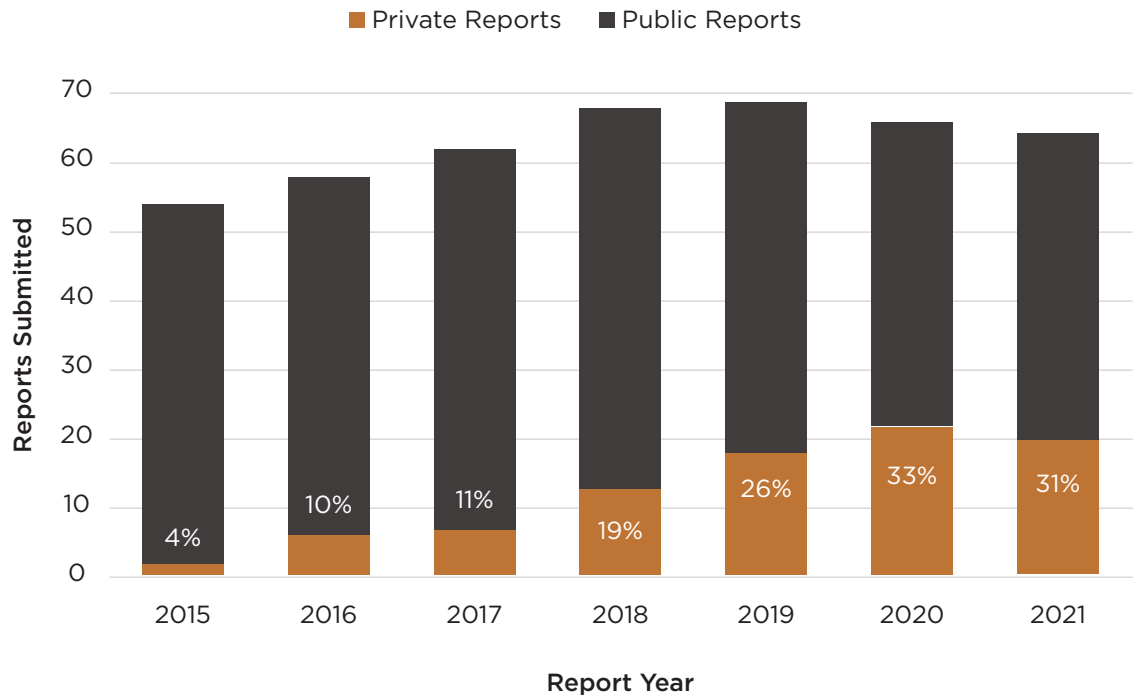
Two States Parties submitted private 2021 reports in addition to the 20 discussed above. Their reports, however, have since been made public, and so they are not considered private reporters for purposes of this analysis. When asked about the change, an official from one State Party explained that it was not their intention to submit a private report. The State Party's competent national authority mistakenly indicated a preference that the report be made private when preparing their report, but quickly changed the report to public when it became aware of the private status on the ATT Secretariat website. The steps taken to remedy this inadvertent private report submission represent laudable good practice. To ensure public access is not inadvertently or unnecessarily restricted, States Parties are encouraged to periodically review their previously submitted reports, ensure they are properly categorized as public vs. private, and promptly alert the ATT Secretariat if they discover any private reports that they wish to make public.

Encouragingly, four States Parties (Albania, Burkina Faso, Maldives, and Malta) reported publicly this year after one or more years of private reporting. Burkina Faso last reported in 2020 with the submission of its private 2019 annual report but elected to make its 2021 annual report publicly available. Similarly, Albania, Maldives, and Malta all submitted private 2019 and 2020 annual reports but chose to report publicly this year.

The trend of public reporting needs to be solidified. Of the 83 States Parties with ATT annual reporting experience, 49 (or 59 percent) have only ever submitted public annual reports, 20 (or 24 percent) have submitted both public and private annual reports, and 14 (or 17 percent) have exclusively submitted private annual reports. In total, 353 of the 441 annual reports that have been submitted as of 5 October 2022 (or 80 percent) are publicly available.

However, the past seven years have seen a worrying normalization of private annual reporting under the treaty. As a growing number of States Parties have shifted from public to private reporting, and as more first-time reporters have elected to report privately, private annual reporting rates have increased from year to year (see Figure 3). Between the 2015 and 2020 reporting periods, the private annual reporting rate grew nearly nine-fold, with private reports representing just under four percent of reports submitted for 2015 arms transfers compared to 33 percent for 2020. The 2021 reporting period, however, has so far seen a slight decline in private reporting rates compared to the previous year, with 31 percent of the 2021 annual reports having been submitted privately. If this trend holds, the 2021 reporting period will mark the first time in seven years of ATT reporting that private reporting rates have declined. While it is too soon to tell if this will remain the case, this is an encouraging trend and one that States Parties should endeavor to build momentum around.

Figure 3: Private Annual Reporting Rates Over Time



REPORT FORMATS

The ATT does not require States Parties to utilize any particular format when preparing their annual reports. In an effort to standardize reporting under the treaty, an informal working group on reporting developed initial and annual reporting templates, which were endorsed and recommended for use by the Second Conference of States Parties to the ATT (CSP2) in 2015. Revised versions of these templates were again endorsed and recommended for use by CSP7 in 2021. Additionally, the ATT Secretariat developed an online reporting tool that mirrors the content of the reporting templates. Since 2019, States Parties have had the option of using this online tool to submit their initial and annual reports.

States Parties used a variety of formats to submit their 2021 annual reports. Of the 44 States Parties that submitted public 2021 reports, 30 (or 68 percent) used a version of the reporting template, ten (or 23 percent) used the online reporting tool, three (or seven percent) used a version of their 2021 UNROCA report, and one (or 2 percent) used a national format.

Many States Parties exemplified good reporting practices by formatting their 2021 reports in ways that promote arms trade transparency. For example, one State Party (Norway) not only submitted a report prepared using the annual reporting template but also provided the Secretariat with a second and far more comprehensive national report that includes a breakdown of its 2021 defense-related exports – the scope of which extends far beyond the arms and ammunition covered by the ATT – as well as information on its transfer control system and international non-proliferation cooperation. In another example of good practice, 19 of the 30 States Parties that used a version of the reporting template to submit their 2021 annual reports used the most recently revised version of the template.¹²

The Revised Annual Reporting Template

The revised annual reporting template endorsed by CSP7 includes a number of changes that may encourage more transparent reporting practices, address reporting uncertainties, and leverage synergies with other reporting frameworks. These include:

- ▶ Asking States Parties whether their report “may be made publicly available,” rather than whether it “is available only to States Parties.” Reframing the question around public, rather than private reporting, may encourage more States Parties to report publicly.
- ▶ Providing 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 certain sections, which may encourage States Parties to provide more information than they otherwise would.
- ▶ Adding references to a guidance document developed by the Working Group on Transparency and Reporting, which may assist States Parties in completing certain sections of their report.
- ▶ Adding space for States Parties to provide 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.
- ▶ Inviting 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),” which may increase the number of UNROCA report submissions.

¹² The 19 States Parties that used the most recently revised version of the annual reporting template to prepare their 2021 annual reports are: Australia, Burkina Faso, Germany, Iceland, Japan, Liechtenstein, Luxembourg, Maldives, Malta, Mexico, Monaco, New Zealand, Norway, Peru, Portugal, the Republic of Korea, Sierra Leone, Slovakia, and Spain.

This was the fourth year that States Parties could submit their annual reports using the online reporting tool. According to the ATT Secretariat's data, the online tool has seen relatively little use over the years. Use of the tool peaked the first year it was available, with 19 percent of reporting States Parties using it to prepare their 2018 annual reports. This year, just 17 percent of 2021 annual reports (including private reports) submitted as of 24 August 2022 were prepared using the tool.¹³ Of the ten States Parties that submitted public 2021 annual reports using the online tool, six (Chile, the Czech Republic, Italy, Romania, Sweden, and Switzerland) have used it consistently since it was first made available in 2019, two (Argentina and Finland) used it for three of their four most recent reports, one (Poland) used it for the first time this year, and another (Belgium) used it once before. In total, 15 States Parties have used the online tool to report on arms transfers under the ATT, including six that used it every year it was available, six that have oscillated between the online tool and other report formats, and three that used it once.¹⁴ Given that use of the online tool has not been particularly widespread or consistent, it may be worth more closely examining why States Parties have not elected to use it to prepare their annual reports, and if there are any changes that could be made to enhance its utility.

NIL REPORTS

States Parties are required to submit annual reports to the ATT Secretariat even if they do not engage in arms transfers. These States Parties can submit “nil reports” indicating that they did not have any authorized and/or actual arms exports and/or imports during the reporting period. States may complete a nil report for exports only, a nil report for imports only, or a nil report for both exports and imports. Of the 44 States Parties that submitted public 2021 annual reports, two States Parties (Iceland and Peru) indicated that they submitted a nil report for arms exports only and three States Parties (Maldives, Monaco, and Sierra Leone) indicated that they submitted nil reports for arms exports and imports.

An additional three States Parties (Albania, Burkina Faso, and Chile) did not report any arms exports but did not indicate that they submitted nil reports for arms exports. Albania and Burkina Faso omitted the arms exports section from their 2021 annual reports while Chile left the fields in that section blank. Relatedly, two States Parties (Austria and the United Kingdom) did not report any arms imports but did not indicate that they submitted nil reports for arms imports, with Austria omitting that section from its 2021 annual report and the United Kingdom leaving it blank. This is the seventh consecutive year that Austria and the United Kingdom did not include any import data in their ATT annual report – a frustrating and troublesome trend given the ATT's explicit requirement that States Parties report both on their arms exports and imports.

COMMERCIALLY SENSITIVE AND NATIONAL SECURITY INFORMATION

Article 13(3) of the ATT expressly permits States Parties to “exclude commercially sensitive or national security information” from their annual reports. As the Working Group on Transparency and Reporting notes, however, “this exception should be read in line with the Treaty purpose in Article 1 of promoting transparency” and “States Parties should therefore assess on a case-by-case basis whether or not an omission is in the public interest.”¹⁵ The original annual reporting template invites States Parties to indicate if commercially sensitive and/or national security information has been withheld. In the revised reporting template, States Parties that withheld information are also asked to “please consider providing more information on a voluntary basis.”

¹³ ATT Secretariat, “Arms Trade Treaty: Status of Reporting,” 24 August 2022, https://thearmstradetreaty.org/hyper-images/file/ATT_CSP8_ATT_Status%20of%20Reporting/ATT_CSP8_ATT_Status%20of%20Reporting.pdf.

¹⁴ The six States Parties that have consistently used the online tool to prepare their annual reports are: Chile, the Czech Republic, Italy, Romania, Sweden, and Switzerland. The six that have oscillated between the online tool and other report formats are: Argentina, Belgium, Finland, Hungary, Norway, and Japan. The three that have used the online tool once are: Luxembourg, the Netherlands, and Poland.

¹⁵ Working Group on Transparency and Reporting, “Reporting Authorized or Actual Exports and Imports of Conventional Arms Under the ATT,” 26 July 2019, p. 18, [https://thearmstradetreaty.org/hyper-images/file/ATT_CSP5_WGTR_Guide%20to%20Reporting%20\(Annex%20B%20to%20WGTR%20Report%20to%20CSP5\)/ATT_CSP5_WGTR_Guide%20to%20Reporting%20\(Annex%20B%20to%20WGTR%20Report%20to%20CSP5\).pdf](https://thearmstradetreaty.org/hyper-images/file/ATT_CSP5_WGTR_Guide%20to%20Reporting%20(Annex%20B%20to%20WGTR%20Report%20to%20CSP5)/ATT_CSP5_WGTR_Guide%20to%20Reporting%20(Annex%20B%20to%20WGTR%20Report%20to%20CSP5).pdf).

Twelve States Parties indicated that some commercially sensitive and/or national security-related information was withheld from their 2021 reports.¹⁶ Some States Parties provided helpful indications as to the types of information they withheld, including information surrounding the number or value of items transferred under certain weapons categories. For example, Australia indicated that the number of missiles and bombs it imported was “withheld”; Sweden noted that the number of MANPADS, recoilless rifles, and portable anti-tank missile launchers and rocket systems it exported was “classified”; and Burkina Faso explained that it withheld data relating to the value of transferred items. In addition to these 12 States Parties, the Netherlands – which submitted its ATT annual report using its 2021 UNROCA report, which does not ask whether commercially sensitive and/or national security-related information was withheld – indicated that the number of light machine guns it imported in 2021 was “not declared.”

Nearly all these States Parties had previously indicated that information was withheld from some of their ATT annual reports. Three of these States Parties (Burkina Faso, the Republic of Korea, and Sweden) indicated that information was withheld in each of their previously submitted public reports, while nine (Australia, Bosnia and Herzegovina, Finland, Hungary, Ireland, Mexico, Montenegro, Norway, and South Africa) indicated that information was withheld in some, but not all, of their previous public reports. By contrast, the Netherlands’ decision to omit the number of light machine guns it imported during the previous year is a departure from the State Party’s usual reporting practices. The Netherlands has never before indicated that information was withheld from its annual reports and all six of its previous reports included the number of light machine guns it imported.

NATIONAL DEFINITIONS

The annual reporting template invites States Parties to indicate whether their report contains national definitions of categories of conventional arms reported. It also includes an annex in which States Parties may provide “specific (diverging or more detailed) national definitions” of the categories of conventional arms covered by the ATT as well as “definitions of additional national categories.”

Five States Parties (Albania, Belgium, New Zealand, South Africa, and Switzerland) indicated that their 2021 annual reports contain national definitions of categories of conventional arms reported. However, only three of these States Parties (Albania, Belgium, and New Zealand) provided information on their national definitions in Annex 2 of their annual reports. Albania wrote “EU Common Military List 2020” in the “Description” column for categories I-VIII in Annex 2 of its annual report. Similarly, Belgium used Annex 2 to provide a definition of an additional national category under which it reported exports and imports – namely, “European Common Military List ML1,” a sub-category of small arms and light weapons (SALW). New Zealand also used Annex 2 to define an additional national category under which it reported exports and imports – namely, “shotguns” – as well as to provide “diverging or more detailed” national definitions of SALW. An additional State Party (Norway) did not indicate that its report contained national definitions but did report on SALW and major weapons exports under EU Common Military List classifications in the national report that it submitted as a supplement to its ATT annual report.

¹⁶ The 12 States Parties that indicated that some commercially sensitive and/or national security-related information was withheld from their 2021 reports are: Australia, Bosnia and Herzegovina, Burkina Faso, Finland, Hungary, Ireland, Mexico, Montenegro, Norway, the Republic of Korea, South Africa, and Sweden.



ANNUAL ARMS EXPORTS AND IMPORTS

EXPORTS

► Actual and/or Authorizations for Exports

Of the 44 States Parties that submitted publicly available 2021 annual reports, 24 reported exports of major conventional weapons – including one State Party (Norway) that did so in a supplementary national report, rather than in the reporting template itself.¹⁷ Six of these States Parties reported authorized major weapons exports and 15 States Parties reported actual exports, though not all did so consistently.¹⁸ Specifically, three States Parties (Finland, South Africa, and the Czech Republic) did not always indicate whether they reported authorized or actual exports – a practice that can complicate analysis. Furthermore, an additional three States Parties (Bosnia and Herzegovina, Ireland, and Portugal) did not indicate whether any of the major weapons exports they reported were authorized or actual transfers.

Thirty-six States Parties reported SALW exports in their 2021 annual reports.¹⁹ Thirteen of these States Parties reported authorized exports of SALW, 17 reported actual exports, one (Austria) reported some actual and some authorized SALW exports, and another (Montenegro) indicated that all of its reported SALW exports represented both authorized and actual transfers.²⁰ However, four of these States Parties (Ireland, Italy, Serbia, and Sweden) did not consistently indicate whether the SALW exports they reported represent actual or authorized transfers. Four additional States Parties (Bosnia and Herzegovina, the Czech Republic, Finland, and Portugal) did not indicate whether any of their reported SALW exports were actual or authorized transfers.

¹⁷ The 24 States Parties that reported exports of major conventional weapons are: Australia, Belgium, Bosnia and Herzegovina, Canada, the Czech Republic, Finland, France, Germany, Hungary, Ireland, Italy, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, and the United Kingdom.

¹⁸ The six States Parties that reported authorized major weapons exports are: Australia, Belgium, Italy, the Republic of Korea, South Africa, and the United Kingdom. The 15 States Parties that reported actual major weapons exports are: Canada, the Czech Republic, Finland, France, Germany, Hungary, the Netherlands, Norway, Poland, Serbia, Slovakia, Slovenia, Spain, Sweden, and Switzerland.

¹⁹ The 36 States Parties that reported exports of SALW are: Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Canada, the Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Italy, Jamaica, Japan, Liechtenstein, Luxembourg, Malta, Mexico, Montenegro, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, and the United Kingdom.

²⁰ The 13 States Parties that reported authorized SALW exports are: Australia, Belgium, Denmark, Germany, Ireland, Italy, Jamaica, Malta, New Zealand, the Republic of Korea, South Africa, Switzerland, and the United Kingdom. The 17 States Parties that reported actual SALW exports are: Argentina, Canada, France, Hungary, Japan, Liechtenstein, Luxembourg, Mexico, the Netherlands, Norway, Poland, Romania, Serbia, Slovakia, Slovenia, Spain, and Sweden.

There were variations in how several States Parties reported on major conventional weapons exports as compared to SALW exports. For instance, Germany reported actual exports of major conventional weapons but reported authorized SALW exports. Additionally, the Czech Republic and Finland indicated whether at least some of their reported major exports were authorized or actual transfers but did not indicate whether any of their reported SALW exports were actual or authorized. Likewise, Ireland indicated that some of its reported SALW exports represented actual transfers or authorizations but did not indicate whether any of the major weapons exports it reported were actual or authorized transfers.

► **Number of Items Exported and/or Value of Exports**

Twenty-four States Parties reported only the number of items exported while one (Austria) reported only the value.²¹ One State Party (Sweden) tended to report only the value of items exported, although for some transfers it provided neither the number nor value. Two other States Parties (Finland and Norway) provided the number for some of its exports and the value for others. Seven States Parties generally reported both the number and value of their exports, though in some instances one of these States Parties (Belgium) reported only the value, just as another (Ireland) reported only the number in some cases.²² Finally, one State Party (Portugal) reported both the number and value of the major weapons it exported but provided only the number for its reported SALW exports.

► **Information on Importing State**

All but one of the 24 States Parties that reported exports of major conventional weapons provided information on the final importing State, which can provide valuable information regarding the lifecycle of transferred weapons. Ireland, the one State Party that did not explicitly identify the final importing State of its reported major weapons exports, did however write “Donation of non serviceable aircraft to UK Museum” in the “Comments on the transfer” column, providing an indication as to the final importing State.

Similarly, all but one of the 36 States Parties that reported exports of SALW provided information on the final importing State. The one State Party that did not do so (Denmark) simply wrote “Multiple states,” which obscures the actual destination of the exported items. Several States Parties that did provide information on the final importing State did so in ways that complicate analysis, including Ireland – which did not report the final importing State in all cases – and Jamaica – which listed multiple final importing States for certain transfers, without indicating how many items were exported to each State.

► **Origin of Conventional Arms, If Not Exporting State**

Three of the 24 States Parties that reported exports of major conventional weapons (the Netherlands, Serbia, and Slovenia) provided information on the State(s) of origin other than the exporting State for at least some of their major weapons exports.

Eight of the 36 States Parties that reported exports of SALW (Hungary, Ireland, Luxembourg, Malta, Montenegro, Romania, Serbia, and Slovenia) provided information on the State(s) of origin other than the exporting State for at least some of their SALW exports. However, two of these States Parties (Hungary and Ireland) wrote “various” as the State(s) of origin for certain items, which does not have much analytical value.

²¹ The 24 States Parties that reported only the number of items exported are: Argentina, Canada, the Czech Republic, Denmark, France, Germany, Hungary, Italy, Jamaica, Liechtenstein, Luxembourg, Mexico, Montenegro, the Netherlands, New Zealand, Poland, the Republic of Korea, Romania, Serbia, Slovakia, South Africa, Spain, Switzerland, and the United Kingdom.

²² The seven States Parties that reported both the number and value of items exported are: Australia, Belgium, Bosnia and Herzegovina, Ireland, Japan, Malta, and Slovenia.

► Description of Conventional Arms

Nineteen of the 24 States Parties that reported exports of major conventional weapons provided descriptions of at least some of these items, as did 19 of the 36 States Parties that reported exports of SALW. Among other things, these descriptions included information on the type of weapons exported as well as, in some cases, their manufacturer.

► Comments on Transfer

Thirteen of the 24 States Parties that reported exports of major conventional weapons provided comments on at least some of these exports. Likewise, 13 of the 36 States Parties that reported exports of SALW provided comments on at least some of their reported exports. Information provided in these comments includes the purpose of the transfer, the intended end-use, or the details of the corresponding export license.

IMPORTS

► Actual and/or Authorizations for Imports

Twenty-one of the 44 States Parties that submitted public 2021 annual reports reported imports of major conventional weapons.²³ Two of these States Parties (Belgium and Chile) reported authorized imports of major conventional weapons, 15 States Parties reported actual imports, one (Peru) reported a combination of the two, and another (Burkina Faso) indicated that all of the major weapons imports it reported were both actual and authorized transfers.²⁴ Two States Parties (the Czech Republic and Finland) did not indicate whether they reported actual or authorized major conventional weapons imports.

Thirty-seven States Parties reported SALW imports.²⁵ Eleven of these States Parties reported authorized SALW imports, 18 reported actual imports, two (Denmark and Peru) reported a combination of the two, and two (Burkina Faso and Montenegro) indicated that all of their reported SALW imports were both actual and authorized imports.²⁶ However, this includes four States Parties (Australia, Belgium, Hungary, and Romania) that did not always indicate whether the transfer data reflected actual or authorized SALW imports. An additional four States Parties (Bosnia and Herzegovina, the Czech Republic, Ireland, and Portugal) did not indicate whether any of their reported SALW imports were authorized or actual transfers.

Three States Parties (Denmark, Germany, and Switzerland) reported differently on imports of major conventional weapons and of SALW. While all three States Parties reported actual imports of major conventional weapons, Germany and Switzerland reported authorized SALW imports and Denmark reported a combination of actual and authorized SALW imports.

²³ The 21 States Parties that reported imports of major conventional weapons are: Argentina, Australia, Belgium, Burkina Faso, Chile, the Czech Republic, Denmark, Finland, Germany, Japan, Mexico, the Netherlands, Norway, Peru, Poland, Romania, Serbia, Slovakia, Slovenia, Spain, and Switzerland.

²⁴ The 15 States Parties that reported actual imports of major conventional weapons are: Argentina, Australia, Denmark, Germany, Japan, Mexico, the Netherlands, Norway, Poland, Romania, Serbia, Slovakia, Slovenia, Spain, and Switzerland.

²⁵ The 37 States Parties that reported imports of SALW are: Albania, Argentina, Australia, Belgium, Bosnia and Herzegovina, Burkina Faso, Canada, the Czech Republic, Denmark, France, Germany, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Liechtenstein, Luxembourg, Malta, Mexico, Montenegro, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, the Republic of Korea, Romania, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, and Switzerland.

²⁶ The 11 States Parties that reported authorized SALW imports are: Belgium, Germany, Iceland, Italy, Jamaica, Liechtenstein, Malta, New Zealand, the Republic of Korea, South Africa, and Switzerland. The 18 States Parties that reported actual SALW imports are: Albania, Argentina, Australia, Canada, France, Hungary, Japan, Luxembourg, Mexico, the Netherlands, Norway, Poland, Romania, Serbia, Slovakia, Slovenia, Spain, and Sweden.

► Number of Items Imported and/or Value of Imports

Thirty-two States Parties provided only the number of items imported, one State Party (Belgium) reported either the number or the value of its imports, and five States Parties (Bosnia and Herzegovina, Finland, Japan, Peru, and Slovenia) generally reported both the number and value – with the exception of one State Party (Japan), which in some instances provided only the number.²⁷ Conversely, one State Party (Portugal) generally reported only the number of items imported except for certain transfers, for which it provided both the number and value.

► Information on Exporting State

All but two of the 21 States Parties that reported imports of major conventional weapons provided information on the exporting State. Curiously, the two State Parties that did not report the exporting State (Slovenia and Finland) did provide information on the State of origin of the imported weapons.

All but one of the 37 States Parties that reported imports of SALW provided information on the exporting State. Here again, one State Party (Norway) did not provide exporting State information but did provide information on the States of origin. As with exports, several States Parties aggregated information on the exporting States in problematic ways, including Denmark, Ireland, Jamaica, and Montenegro.

► Origin of Conventional Arms, If Not Exporting State

Eight of the 21 States Parties that reported imports of major conventional weapons (Australia, Burkina Faso, Chile, Norway, Peru, Romania, Serbia, and Slovenia) provided information on the State(s) of origin other than the exporting State for at least some of their report major weapons imports, as did nine of the 37 States Parties that reported SALW imports. Montenegro and Serbia, however, reported the State(s) of origin in aggregate for some of their reported SALW imports.

► Description of Conventional Arms

Sixteen of the 21 States Parties that reported imports of major conventional weapons provided descriptions of at least some of these items. Twenty-five of the 37 States Parties that reported imports of SALW provided descriptions of at least some of these items. In many cases, these descriptions included information on the type, caliber, and manufacturer of the items imported.

► Comments on Transfer

Ten of the 21 States Parties that reported imports of major conventional weapons provided comments on at least some of these imports, as did 17 of the 37 States Parties that reported imports of SALW. These comments provide insights into the nature of the transfer – with some noting that the items were gifts or that the transfers were temporary – as well as their intended end-use. In addition, some of these comments provide detailed information on each particular transaction, including contract numbers, transfer dates, and the names of companies involved in the transfer.

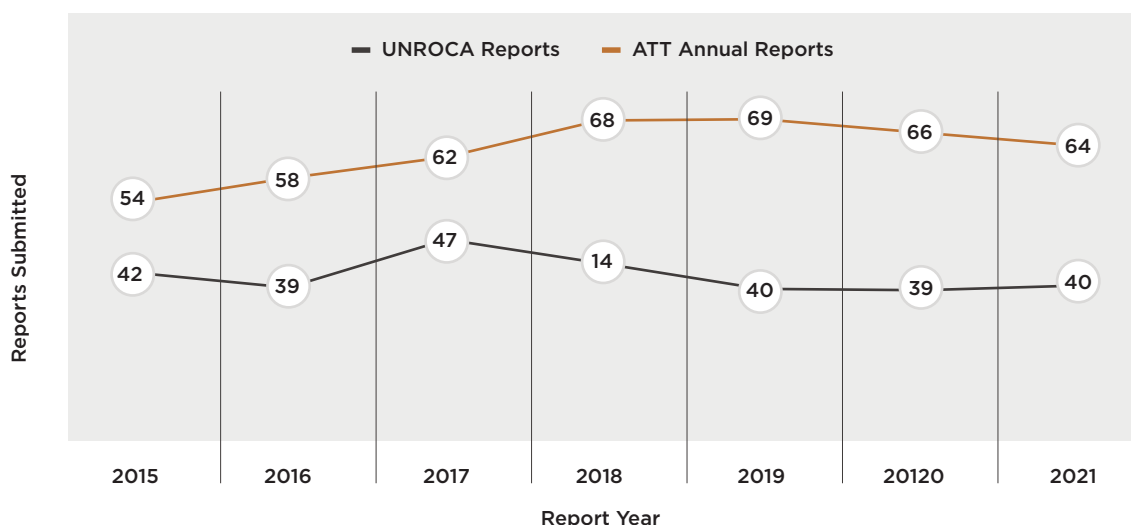
²⁷ The 32 States Parties that reported only the number of items imported are: Albania, Argentina, Australia, Burkina Faso, Canada, Chile, the Czech Republic, Denmark, France, Germany, Hungary, Iceland, Ireland, Italy, Jamaica, Liechtenstein, Luxembourg, Malta, Mexico, Montenegro, the Netherlands, New Zealand, Norway, Poland, the Republic of Korea, Romania, Serbia, Slovakia, South Africa, Spain, Sweden, and Switzerland.

LEVERAGING SYNERGIES BETWEEN ATT & UNROCA REPORTING

While the ATT is unique for establishing the first global, legally binding framework for reporting on the transfer of conventional arms, the treaty is one of several mechanisms that exist on an international, regional, and national level to facilitate transparency and reporting in the global arms trade. At the international level, UN Member States also have the option of submitting annual voluntary reports to the UN Register of Conventional Arms (UNROCA) on their conventional arms exports and imports.

Since reporting under the ATT began seven years ago, the number of annual reports submitted to the treaty Secretariat has consistently surpassed the number of UNROCA report submissions (see Figure 4). This most recent reporting period was no exception, with 40 States having submitted 2021 UNROCA reports compared to the 64 that submitted 2021 ATT annual reports. This continued trend seems to highlight the importance of the treaty's mandatory reporting framework.

Figure 4: UNROCA and ATT Annual Report Submissions Over Time



However, participation rates under both reporting frameworks have been far from universal. While the “low level of participation in the Register” may be “approaching crisis levels,” according to a report by the 2022 Group of Governmental Experts (GGE) on UNROCA, it is important to ensure that ATT annual reporting does not face a crisis of its own, particularly given the record-low 58 percent compliance rate during the most recent reporting period.²⁸ Moreover, similar challenges impact inconsistent reporting under both frameworks. National governments often face significant obstacles – including a lack of intragovernmental coordination, capacity constraints, and issues of political will – that can undermine ATT and UNROCA reporting efforts alike.²⁹

There are also concerns that both the ATT and UNROCA Secretariats are, or may soon be, facing resource constraints that may limit their ability to promote and support reporting. In its 2022 report, the UNROCA GGE expressed concern that the Register’s Secretariat lacked sufficient personnel to undertake core

²⁸ UN Group of Governmental Experts on the Register of Conventional Arms, “Continuing operation of the United Nations Register of Conventional Arms and its further development,” 30 June 2022, paras. 32 and 90, <https://digitallibrary.un.org/record/3984678?ln=en#record-files-collapse-header>.

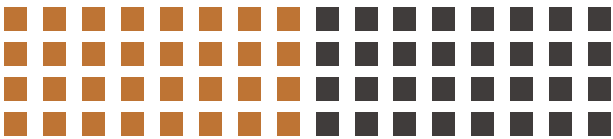
²⁹ Ibid., paras. 32-37. Stimson’s Arms Trade Treaty-Baseline Assessment Project, *Taking Stock of ATT Reporting Trends and Challenges*, pgs. 16-23.

tasks, such as promoting UNROCA reporting.³⁰ Likewise, with a decline in the percentage of ATT States Parties that have paid their assessed contributions, the ATT Secretariat has warned that the treaty is at risk of entering an “untenable” financial situation.³¹ Due to these shared challenges, it is vitally important to identify and leverage synergies between these two frameworks to ensure they mutually reinforce rather than undermine one another.

There are several ways in which ATT annual reporting can enhance reporting under UNROCA, particularly in light of the recent changes to the ATT annual reporting template endorsed by CSP7. The revised template includes a new field that a State Party can use to indicate whether the UN Office for Disarmament Affairs (UNODA) may use the State Party’s ATT annual report as the basis for its UNROCA report. This field is also now included in the online reporting tool that States Parties can use to submit their annual reports.

<p>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)</p>	<input type="checkbox"/>
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Explicitly inviting States Parties to indicate whether UNODA may use their ATT annual reports for their UNROCA reports is a welcome addition that has several potential benefits. Reporting on arms transfers under multiple frameworks can be challenging, particularly for States Parties with limited capacity. By making it easy for States Parties to permit UNODA to use ATT annual reports for UNROCA submissions, this field could significantly reduce the burdens often associated with reporting under both frameworks. The use of this field by States Parties that do not regularly report under UNROCA, or that have never done so, may also serve to increase UNROCA reporting levels, which have consistently lagged behind ATT annual reporting levels over the past seven years. This year, for example, half of the 64 States Parties that submitted annual reports under the ATT for the 2021 calendar year have not submitted 2021 UNROCA reports. If these States Parties authorized UNODA to use their ATT reports for UNROCA submissions, this could also reduce inconsistencies between ATT and UNROCA transfer data, thereby making them more useful tools for comparative analyses.



Half of the 64 States Parties that submitted annual reports under the ATT for the 2021 calendar year have not submitted 2021 UNROCA reports

As this was the first year that this new field was included in the reporting template and online tool, it is too soon to tell how widely it will be used and what its impact will be. However, some preliminary and encouraging observations can be made based on the publicly available 2021 annual reports submitted to date. Most of this year’s publicly reporting States Parties that were presented with the option of permitting UNODA to use their ATT annual reports as a basis for their UNROCA reports answered in the affirmative. Specifically, 21 of the 29 States Parties that submitted a public 2021 annual report using either the revised reporting template or online tool, or 72 percent, checked the relevant box in their report.³² While all 21 of these States Parties have experience reporting under UNROCA, many have not done so in several years,

³⁰ UN Group of Governmental Experts on the Register of Conventional Arms, “Continuing operation of the United Nations Register of Conventional Arms and its further development,” para. 40.

³¹ Control Arms, “8th Conference of States Parties to the Arms Trade Treaty, Daily Summary Analysis Report, 25 August 2022,” p. 5, https://reach-ingcriticalwill.org/images/documents/Disarmament-fora/att/csp8/documents/Day4_CSP8_CA.pdf.

³² The 21 States Parties that indicated that UNODA may use their 2021 annual reports to prepare their 2021 UNROCA reports are: Australia, Belgium, Burkina Faso, Iceland, Italy, Japan, Liechtenstein, Luxembourg, Maldives, Malta, Mexico, Monaco, New Zealand, Norway, Peru, Portugal, the Republic of Korea, Sierra Leone, Slovakia, Sweden, and Switzerland.

including six that have not reported under UNROCA since at least 2016 (the first year of ATT annual reporting).³³ This suggests that the use of this new field could serve as a viable means for increasing UNROCA report submissions from States Parties that do not regularly report under the framework. Indeed, this year, four of these 21 States Parties (Burkina Faso, New Zealand, Norway, and Sierra Leone) submitted UNROCA reports for the first time in seven or more years.³⁴ It is unclear whether or how the decision by these States Parties to permit UNODA to use their ATT annual reporting information as the basis for their UNROCA reports may have facilitated their return to UNROCA reporting this year. Nevertheless, the ease with which States Parties can make this transition by leveraging their ATT annual reports is certainly a positive development with great potential to bolster UNROCA reporting rates in the years to come.

The ATT and UNROCA Secretariats have yet to operationalize this new reporting option. Putting in place practical measures to ensure that transfer data is included in the Register should a State Party check the corresponding box in their ATT annual report was described by the 2022 UNROCA GGE as an issue of “particular urgency.”³⁵ For its part, the UNROCA Secretariat indicated it would explore ways to align the ATT and UNROCA reporting templates to facilitate the submission of reporting data that can be used to prepare reports under both frameworks.³⁶

A second and related way that ATT annual reporting can enhance UNROCA reporting is by facilitating more robust reporting on SALW transfers. At present, UNROCA reports cover seven categories of major conventional arms. Starting in 2017, States could report on transfers of SALW in what is referred to as the “7+1 formula.” The option resulted in several States providing information on SALW transfers for the first time – including States that are major SALW exporters but not ATT States Parties, such as the United States. Over time, some major exporters of SALW that provided SALW information to UNROCA stopped reporting to the Register but continue to provide such data in their ATT annual reports.

In 2022, the UNROCA GGE considered “the long-standing proposal to elevate reporting on the import and export of small arms and light weapons into a formal eighth category.”³⁷ In its report, the GGE noted that this addition would add to States’ reporting burdens by expanding the scope of information they are expected to provide. However, the GGE concluded that “the transition [...] should be a simple administrative task” given that “many Member States were already accustomed to reporting on international transfers of small arms and light weapons to other instruments, including the legally binding Arms Trade Treaty.” The GGE also anticipated that the revised annual reporting template could further alleviate the challenges associated with reporting on SALW transfers under UNROCA by allowing States Parties to report on these transfers once, under the ATT, and to permit UNODA to use this information for their UNROCA reports.

Indeed, a comparison of SALW reporting under the two frameworks lends support to the idea that allowing ATT annual reports to be used as the basis for UNROCA reports will enhance SALW reporting under the Register. Some of the leading exporters or importers of SALW – including Croatia and Italy – have not submitted UNROCA reports in several years but have provided information on their SALW transfers in reports submitted to the ATT Secretariat.³⁸ Even when States Parties submit reports under both the ATT and UNROCA, they may only include SALW transfer data in their ATT report. For example,

³³ The six States Parties that have not submitted a UNROCA report since at least 2016 are: Iceland, Italy, Maldives, Malta, Mexico, and Monaco.

³⁴ Prior to reporting to UNROCA on their 2021 arms transfers this year, Norway had not submitted a UNROCA report since 2013, New Zealand since 2010, and Burkina Faso and Sierra Leone since 2007.

³⁵ UN Group of Governmental Experts on the Register of Conventional Arms, “Continuing operation of the United Nations Register of Conventional Arms and its further development,” para. 116.

³⁶ Ibid., para. 81.

³⁷ Ibid., para. 66.

³⁸ According to Small Arms Survey estimates, Croatia was among the top 25 exporters of SALW and Italy was among the top 25 exporters and importers of SALW in 2017. Neither State Party has submitted a UNROCA report since 2015, but both have submitted ATT annual reports since then, which include information on their SALW transfers. Small Arms Survey, “Trade Update 2020, An Eye on Ammunition Transfers to Africa,” December 2020, Annex – Tables A1 and A2 – Major exporters and importers, <https://www.smallarmssurvey.org/sites/default/files/2021-09/SAS-Trade-Update-2020-Tables-A1-A2.pdf>.

at least two States Parties that submitted ATT and UNROCA reports for 2021 – Belgium and Japan – included SALW transfers in their 2021 ATT annual report but did not include any such transfers in their UNROCA reports for the same year. This is unsurprising given the legal obligation States Parties have to report on their SALW transfers under the ATT. Moreover, the differences in reporting also relate to how States classify weapons in their reports. Belgium and Japan, for example, report on the financial value in ATT reports, while UNROCA only permits the submission of information on units. Consequently, making it easier for this data to be included in UNROCA reports could significantly increase the number of SALW transfers that are included in the Register’s data.

Just as the ATT has the potential to enhance UNROCA reporting, so too can UNROCA reporting bolster annual reporting under the ATT. First, States Parties can take advantage of the fact that the ATT explicitly permits them to submit their UNROCA submission to the ATT Secretariat to fulfill their annual reporting obligation under the treaty. Several States Parties have elected to do so. Of the 44 States Parties that submitted public annual reports on their 2021 arms transfers, three did so using a version of their 2021 UNROCA reports (Canada, the Netherlands, and the United Kingdom). Two of these States Parties had previously used their UNROCA reports to report on their arms transfers under the ATT. The Netherlands did so once before, in its 2020 annual report, and the United Kingdom did so in four of its six previous annual reports. The third State Party that submitted a version of its UNROCA report to the ATT Secretariat this year (Canada) was a first-time annual reporter. Unlike the Netherlands and the United Kingdom, Canada used a slightly modified version of its UNROCA report to submit its ATT annual report, with the only discernable difference being the addition of a page at the start of the report that contains many of the same fields that are included in the first page of the ATT annual reporting template, including fields for providing details on the national point of contact, indicating what definition of the term “exports” was used in the report, and indicating whether information was withheld. It is useful to remind new States Parties with experience reporting under UNROCA that they do not necessarily need to establish entirely new processes in order to fulfill their reporting requirements under the ATT.

Second, a mechanism could be developed whereby data provided in UNROCA reports are transmitted to the ATT Secretariat to fulfill a State Party’s ATT annual reporting requirement, similar to the option States Parties now have to allow UNODA to generate a UNROCA report using their ATT annual report. This possibility is discussed in greater detail in the UNROCA GGE’s 2022 report and was raised by the GGE in discussions with the UNROCA Secretariat. This proposal could be useful in addressing instances in which States Parties submit a UNROCA report but fail to submit their required ATT annual report for the same year. For example, one of the States Parties that submitted a UNROCA report this year (the Republic of Moldova), has yet to submit its 2021 ATT annual report – a curious choice, given the legally obligatory nature of ATT reporting compared to the entirely voluntary UNROCA.

There are other noteworthy reporting practices that are also worth exploring in more detail, including the tendency of some States Parties to report privately under the ATT despite reporting publicly under UNROCA. This year, four States Parties (China, Greece, Latvia, and Lithuania) submitted UNROCA reports – which are public – on their 2021 arms transfers but elected to restrict public access to their 2021 ATT annual reports. For each of the past several years, two of these States Parties (Greece and Lithuania) have submitted private ATT annual reports despite reporting publicly on their arms transfers under UNROCA, with Greece first doing so in 2018, with respect to its 2017 reports, and Lithuania first doing so the following year. This practice has become somewhat more common in recent years, due in part to generally increasing rates of private ATT reporting. Three States Parties reported privately under the ATT but publicly under UNROCA for the 2019 report year, compared to the four States Parties that did so for 2020 and 2021 (see Figure 5). For some States Parties, this practice may be a result of differences in scope between the two reporting frameworks. Because States Parties are required to include information on SALW transfers in their ATT reports but can choose to omit this information from their UNROCA reports, they may be more inclined to restrict access to their ATT reports as compared to their UNROCA reports.

Figure 5: Submissions of Private ATT Reports and Public UNROCA Reports

State Party	Report Year						
	2015	2016	2017	2018	2019	2020	2021
Argentina			X				
Bulgaria						X	
China							X
Cyprus			X	X		X	
Greece			X	X	X	X	X
Kazakhstan					X		
Latvia							X
Lithuania				X	X	X	X
Slovakia	X						
Total:	1	0	3	3	3	4	4

Relatedly, there are often notable discrepancies between the information States Parties provide in their ATT annual reports compared to their UNROCA reports. This year, 32 States Parties submitted both ATT annual reports and UNROCA reports for 2021.³⁹ At least seven of these States Parties (Belgium, the Czech Republic, Hungary, Ireland, Romania, Sweden, and Serbia) indicated whether the data in their UNROCA reports reflect actual or authorized transfers but did not always do so for the data in their ATT annual reports. An additional State Party (Bosnia and Herzegovina) indicated whether its UNROCA data reflect actual or authorized transfers but did not do so for any of its ATT annual report data. By contrast, at least one State Party (Australia) consistently indicated whether its ATT report data reflect actual or authorized transfers, but only did so for some of its UNROCA report data.

While most of the States Parties that submitted both an ATT and UNROCA report for 2021 indicated that the data in both reports reflect the same type of transfers (i.e., actual or authorized), at least six States Parties (Belgium, Denmark, Ireland, Liechtenstein, Switzerland, and Slovakia) indicated that they provided different types of transfer data in the two reports. Belgium, for example, included the import of one non-operational F-16 from the United States in both reports but indicated that this reflects an authorized transfer in its ATT report and an actual transfer in its UNROCA report.

At least Four States Parties (Australia, Belgium, Ireland, and Japan) included transfers in their ATT report that are not captured in their UNROCA report. Conversely, at least one State Party (Hungary) included transfers in its UNROCA report that are not reflected in its ATT report. An additional two States Parties (Denmark and Hungary) provided more detailed information for certain transfers in their UNROCA reports as compared to their ATT reports.

Taking advantage of the synergies between ATT annual reports and UNROCA reporting provides an opportunity to both increase meaningful transparency in international arms transfers while also alleviating the burden faced by States in reporting under multiple frameworks. Supporting initiatives that help facilitate the leveraging of those synergies can help bolster the efficacy of reporting under both frameworks.

³⁹ The 32 States Parties that submitted ATT annual reports and UNROCA reports for the 2021 calendar year are: Argentina, Australia, Belgium, Bosnia and Herzegovina, Burkina Faso, Canada, China, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Japan, Latvia, Liechtenstein, Lithuania, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, Sweden, Switzerland, and the United Kingdom.

CONCLUSION

Regrettably, the 2021 ATT annual reporting period has seen a continuation of many of the same reporting trends and practices that have undermined the treaty's transparency potential for years.

NEGATIVE TRENDS



- With less than half of the required 2021 annual reports submitted on time and overall reporting compliance at a record low, ensuring that States Parties fulfill their reporting obligations remains a crucial challenge. Reporting provides an indicator to gauge fulfillment of treaty obligations. Thus, the continued decline in reporting compliance could present a worrying trend for treaty implementation more broadly.
- A significant percentage of States Parties continue to report privately, a practice which undermines transparency. Nearly a third of the States Parties that submitted 2021 annual reports elected to do so privately, and several chose to do so for the first time this year after exclusively reporting publicly.
- Several States Parties continued to report in ways that limit the insights their reports could provide, including those that aggregate or omit data to the point that key details of a transfer are obscured or unknown.

At the same time, the 2021 annual report submissions show signs of important progress towards fulfilling the ATT's transparency aims.

- ▶ Several negative reporting trends may be slowing – though time will tell if that remains the case.

SIGNS OF PROGRESS



- For the first time in the history of ATT reporting, private annual reporting rates have declined – a trend which, if it holds, would be a significant boon to arms trade transparency.
- The on-time compliance rate for 2021 annual reports currently matches that of the 2020 annual reports, suggesting that late reporting may, at the very least, not be increasing.
- A slightly higher percentage of required 2021 annual reports have been submitted at the time of writing compared to this point last year.
- Several States Parties elected to make their reports public for the first time this year, and two made their 2021 annual reports public after initially restricting access.

- ▶ The 2021 annual reporting period also saw a flurry of overdue report submissions, with several States Parties submitting multiple past-due reports and providing insight into several years of their arms exports and imports.

- ▶ Finally, promising efforts are underway to leverage synergies between ATT and UNROCA reporting to enhance transparency and alleviate reporting burdens, including the use of the newly revised annual reporting template and its option of allowing UNODA to use the ATT annual report for a State Party's UNROCA submission as well as the UNROCA GGE's recommendations to, discussions with, and commitments received from the UNROCA Secretariat aimed at deepening the Register's linkages with the ATT.

A range of resources to help ensure ATT reporting compliance, efficiency, and efficacy are available. For example, implementation assistance provided by the ATT Secretariat – including in the area of reporting – has benefited greatly from the additional funding provided by the European Union.⁴⁰ Assistance may also be provided by the ATT Voluntary Trust Fund, which has already funded several projects aimed at enhancing national reporting practices.⁴¹ The ATT Sponsorship Program could also be used to support reporting insofar as it facilitates the participation of State representatives in ATT meetings, many of which are aimed at sharing good practices for reporting, discussing reporting challenges, and identifying assistance opportunities. Of the 26 States Parties that were sponsored to attend CSP8, 15 submitted annual reports for 2021, including one that reported for the first time this year after years of non-compliance with the treaty's annual reporting requirement. In addition, several practical tools have been developed by the Working Group on Transparency and Reporting, including a working paper with advice on measures States Parties can take to advance ATT reporting compliance and its "FAQ"-style document with guidance on the preparation of annual reports.⁴² States Parties can also receive support from outside the formal ATT structure, including from other multilateral institutions (including the European Union, which provides ATT implementation assistance through its ATT-Outreach Project);⁴³ other States, many of which offer bilateral assistance around issues of ATT implementation;⁴⁴ and from civil society organizations (such as the Stimson Center, the ATT Monitor, and the Stockholm International Peace Research Institute) that develop resources to support transparency and reporting under the ATT.⁴⁵

ATT annual reporting has significant untapped potential. Significant barriers still stand in the way of fully realizing the treaty's transparency aims, though we can identify progress and good practice during the 2021 annual reporting period. Given the wealth of research, tools, and good practice that have been developed over the past seven years to assist States Parties in fulfilling the treaty's reporting requirements, States Parties are well-equipped to reverse the negative transparency trends that have long plagued reporting under the ATT and significantly enhance our understanding of the global trade in conventional arms.

⁴⁰ Council Decision (CFSP) 2021/2309 on Union outreach activities in support of the implementation of the Arms Trade Treaty, 22 December 2021, OJ L461/78, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021D2309&qid=1649448031371>.

⁴¹ Arms Trade Treaty Secretariat, "Voluntary Trust Fund," <https://thearmstradetreaty.org/voluntary.html>.

⁴² ATT Working Group on Transparency and Reporting, "Working Paper on National-Level Measures to Facilitate Compliance with International Reporting Obligations and Commitments," July 2017, [https://thearmstradetreaty.org/hyper-images/file/WGTR%20-%20National%20level%20measures%20\(Annex%20B%20to%20WGTR%20Report%20to%20CSP3\)%20-%20EN/WGTR%20-%20National%20level%20measures%20\(Annex%20B%20to%20WGTR%20Report%20to%20CSP3\)%20-%20EN.pdf?templateId=1265194](https://thearmstradetreaty.org/hyper-images/file/WGTR%20-%20National%20level%20measures%20(Annex%20B%20to%20WGTR%20Report%20to%20CSP3)%20-%20EN/WGTR%20-%20National%20level%20measures%20(Annex%20B%20to%20WGTR%20Report%20to%20CSP3)%20-%20EN.pdf?templateId=1265194); "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%20to%20Reporting%20\(Annex%20B%20to%20WGTR%20Report%20to%20CSP5\)/ATT_CSP5_WGTR_Guide%20to%20Reporting%20\(Annex%20B%20to%20WGTR%20Report%20to%20CSP5\).pdf?templateId=1280266](https://thearmstradetreaty.org/hyper-images/file/ATT_CSP5_WGTR_Guide%20to%20Reporting%20(Annex%20B%20to%20WGTR%20Report%20to%20CSP5)/ATT_CSP5_WGTR_Guide%20to%20Reporting%20(Annex%20B%20to%20WGTR%20Report%20to%20CSP5).pdf?templateId=1280266).

⁴³ Federal Office of Economic Affairs and Export Controls, "Foreign Trade – Outreach," https://www.bafa.de/EN/Foreign_Trade/Outreach_Projects/outreach_projects_node.html.

⁴⁴ Stockholm International Peace Research Institute, "Mapping ATT-Relevant Cooperation and Assistance Activities Database," <https://att-assistance.org/>.

⁴⁵ See for example: Stimson's 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; United Nations Institute for Disarmament Research, *Reporting on Conventional Arms Trade: Synthesis Handbook*, 2018, <https://unidir.org/publication/reporting-conventional-arms-trade-synthesis-handbook>.



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