



**Arms  
Trade  
Treaty**  
Baseline Assessment Project

# 2022 Arms Trade Treaty Annual Reporting: In the Shadow of Ukraine

**NOVEMBER 2023**

**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, Implementation Checklist and Assistance Assessment, the ATT-BAP Baseline Assessment Survey, guidance for completing initial and annual reports, and numerous analytical reports.

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## INTRODUCTION

The continuing war in Ukraine has had profound implications for international peace and security, including for the global arms trade. The massive influx of arms transfers to Ukraine has brought renewed attention to the global arms trade and reinvigorated discussions around the importance of—and challenges to—arms trade transparency. The Arms Trade Treaty (ATT) is the first global, legally binding instrument to regulate the international trade in conventional arms. Transparency is at the core of the treaty, which explicitly includes “promoting cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties,” in its Article 1: Object and Purpose.

To fulfill its transparency objectives, the ATT establishes a framework for national reporting on conventional arms transfers and transfer control systems. States Parties are required under Article 13(1) of the treaty to provide the ATT Secretariat with an initial report on measures undertaken to implement the treaty as well as to report to the Secretariat, when appropriate, on any new implementation measures undertaken. Additionally, States Parties are required under Article 13(3) to provide the Secretariat with annual reports concerning their authorized or actual exports and imports of conventional arms covered under Article 2(1) that occurred during the previous calendar year.

### **ATT Annual Reporting Obligation**

**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.

ATT annual reporting can significantly enhance transparency around the global trade in conventional arms, the precise contours of which are traditionally shrouded in secrecy. Annual reports can enhance awareness of regional and global arms flows, assist in detecting potentially destabilizing weapons accumulations, and facilitate assessments of international law compliance. Moreover, with the ATT serving as the only global instrument<sup>1</sup> under which ATT States Parties are legally required to report on their conventional arms transfers, the treaty is uniquely well-positioned to advance arms trade transparency beyond the levels achieved by other, voluntary international reporting frameworks.

<sup>1</sup> There are, however, legal obligations for reporting/information exchange under regional instruments, such as the Economic Community of Central African States, Economic Community of West African States, European Union, and Organization of American States.



This report identifies recent ATT reporting trends, transparency challenges, and good practices, and highlights opportunities to assist States Parties in fulfilling their ATT reporting obligations. The report is based on an analysis of the 2022 ATT annual reporting, which covers arms transfers that occurred during the 2022 calendar year.

The report is organized into four sections. The first section examines the number of reports submitted over the past year and their implications for reporting compliance. The second section discusses the content and public availability of 2022 annual reports and highlights notable trends in States Parties' reporting practices over time. The third section compares ATT annual reports to reports submitted to the UN Register of Conventional Arms reports for the 2022 calendar year and discusses recent efforts to leverage synergies between the two frameworks. The fourth and final section reflects on the progress made to advance reporting over the past year, the challenges that remain, and the opportunities that exist to support more widespread and robust reporting in the years ahead.

## METHODOLOGY

Unless otherwise noted, the ATT reporting data reflected in this report are based on data provided by the ATT Secretariat's website as of 5 October 2023.<sup>2</sup> Where this report provides information on the content of these reports, it does so based solely on those that are publicly available, and so does not reflect the content of reports that States Parties chose to make available only to the Secretariat and other States Parties. To facilitate comparative analyses, this report also relies on UN Register of Conventional Arms (UNROCA) reporting data as provided on the UNROCA website as of 5 October 2023.<sup>3</sup> Percentages in this report are rounded to the nearest whole number and, as a result, may not equate to 100 percent in all cases.



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<sup>2</sup> ATT Secretariat, "Annual Reports," <https://thearmstradetreaty.org/annual-reports.html?templated=209826>.

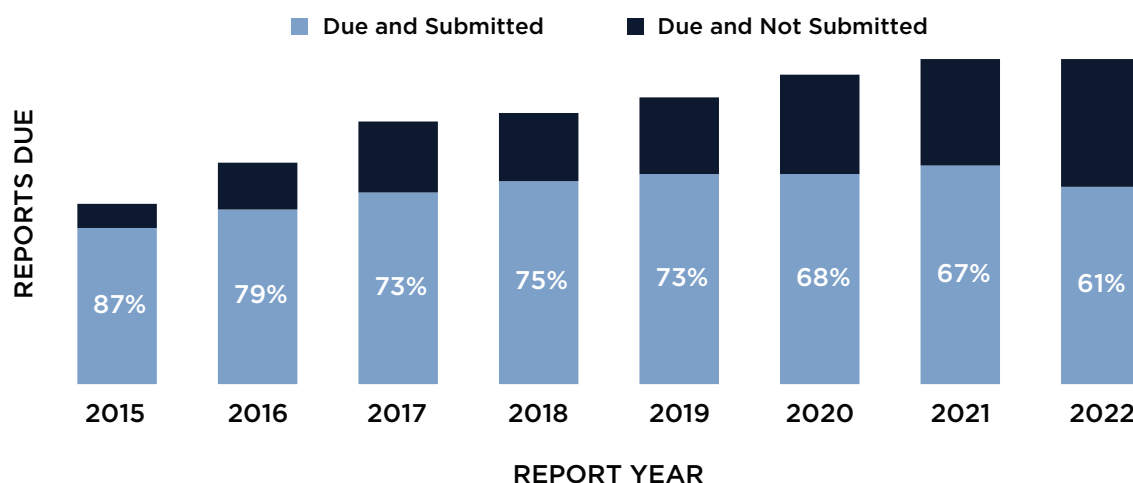
<sup>3</sup> UN Office of Disarmament Affairs, "United Nations Register of Conventional Arms," <https://www.unroca.org/>.

## STATUS OF REPORTING

Just over half of the States Parties due to submit their required 2022 annual reports have done so. Of the current 113 States Parties to the ATT, 110 were due to report to the treaty Secretariat on their arms exports and imports that occurred in 2022.<sup>4</sup> Sixty-seven of them have done so as of 5 October 2023, according to the Secretariat’s website, reflecting a compliance rate of 61 percent for the 2022 reporting period. This is a slight increase from the 58 percent of required 2021 annual reports that were submitted by 5 October 2022. However, with the 2021 report compliance rate having since risen to 67 percent with the submission of additional reports, the current 61 percent rate of compliance for the 2022 reporting period represents a current record low.<sup>5</sup>

Reporting compliance remains far lower than should be expected from a mandatory treaty obligation. Moreover, the percentage of required reports that have been submitted has decreased nearly every year, from a high of 87 percent with respect to the 2015 annual reports to the current record low of 61 percent with respect to the 2022 reports (see Figure 1). However, States Parties are likely to submit additional 2022 reports in the coming months, and it remains to be seen whether reporting will remain lower than previous years.

**Figure 1: Annual Reports Due and Submitted**



<sup>4</sup> Only the ATT’s three newest States Parties (Andorra, Gabon, and the Philippines) were not required to submit an annual report this year. Gabon and the Philippines are required to submit their first annual report in 2024, with respect to their 2023 arms transfers, while Andorra’s first annual report is due in 2025, with respect to its 2024 arms transfers.

<sup>5</sup> The 67 States Parties that submitted 2022 annual reports as of 5 October 2023 are: Albania, Argentina, Australia, Austria, Barbados, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Costa Rica, Côte D’Ivoire, Croatia, Cyprus, the Czech Republic, the Dominican Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Jamaica, Japan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Mauritius, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Norway, Palau, Peru, Poland, Portugal, the Republic of Korea, the Republic of North Macedonia, Romania, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, the State of Palestine, Sweden, Switzerland, the United Kingdom, and Uruguay.

States Parties are required not only to submit annual reports, but to do so on time. The ATT requires that reports be submitted by 31 May each year. In practice, however, the Secretariat extends a seven-day grace period, creating a de facto reporting deadline of 7 June. As of this year's de facto deadline of 7 June 2023, 38 States Parties (or 35 percent of those due to report) had submitted a 2022 annual report.<sup>6</sup>

This represents the lowest rate of on-time annual reporting in the treaty's history. It marks a significant reduction in on-time reporting compared to last year, when 48 (or 44 percent) of States Parties due to report on their 2021 arms transfers did so on time. Notably, this year's on-time reporting rate is even lower than it was in 2020—the first year of the COVID-19 pandemic—when pandemic-related resource and personnel shortages contributed to just 38 percent of required 2019 annual reports having been submitted on time.

Developing and least developed States Parties were among the first to report this year. Of the first four 2022 annual reports to appear on the Secretariat's website, two were from least developed countries (Madagascar and Sierra Leone) and one was from a small island developing State (Mauritius), according to United Nations classifications.<sup>7</sup> In total, six of the 35 States Parties with annual reports posted to the Secretariat's website by 7 June 2023 were States Parties classified by the UN as either least developed countries or small island developing States.<sup>8</sup> Given that capacity and resource constraints are among the most commonly cited challenges to preparing annual reports, it is encouraging to see developing and least developed States leading the way in early annual reporting this year.<sup>9</sup> Additionally, it would be useful to engage with these early reporters to better understand their reporting experiences and identify any lessons learned that other, similarly situated States Parties could utilize to enhance their own reporting practices.



### The War in Ukraine: Impact on On-Time Reporting

States Parties have described how constraints imposed by their own national reporting processes can prevent them from submitting their annual reports on time.<sup>10</sup> These constraints may have posed a particular challenge this year, with some States Parties now subject to additional internal reporting requirements concerning their arms transfers to Ukraine. The United Kingdom, for example, explained that it submitted its 2022 annual report late because it was “required to report to the UK Parliament on the equipment and support provided [to Ukraine] in advance of [its] wider reporting obligations.”<sup>11</sup>

<sup>6</sup> Dumisani Dladla, “Arms Trade Treaty: Status of Reporting,” ATT Secretariat, 23 August 2023, [https://thearmstradetreaty.org/hyper-images/file/ATT\\_CSP9\\_ATT\\_Status%20of%20Reporting/ATT\\_CSP9\\_ATT\\_Status%20of%20Reporting.pdf](https://thearmstradetreaty.org/hyper-images/file/ATT_CSP9_ATT_Status%20of%20Reporting/ATT_CSP9_ATT_Status%20of%20Reporting.pdf).

<sup>7</sup> These characterizations are based on United Nations classifications. For more information, see United Nations, Department of Economic and Social Affairs, Statistics Division, “Methodology,” <https://unstats.un.org/unsd/methodology/m49/>.

<sup>8</sup> Burkina Faso, Jamaica, Madagascar, Maldives, Mauritius, and Sierra Leone.

<sup>9</sup> For further discussion of the reporting challenges States Parties have described facing, see: Stimson Center, ATT-Baseline Assessment Project, *Taking Stock of ATT Reporting Trends and Challenges*, April 2022, <https://www.stimson.org/2022/taking-stock-of-att-reporting-trends-and-challenges/>.

<sup>10</sup> For further discussion of the war in Ukraine's impact on ATT transparency and reporting, see: Stimson Center, ATT-Baseline Assessment Project, “Arms Trade Transparency in Conflict: ATT Reporting on Arms Transfers to Ukraine,” August 2023, <https://www.stimson.org/wp-content/uploads/2023/08/Arms-Trade-Transparency-in-Conflict-ATT-Reporting-on-Arms-Transfers-to-Ukraine.pdf>.

<sup>11</sup> Statement of the Government of the United Kingdom at the Ninth Conference of States Parties to the Arms Trade Treaty, Agenda Item 8: Transparency and Reporting, <https://www.thearmstradetreaty.org/hyper-images/file/United%20Kingdom%20-%20Transparency%20and%20Reporting%20Intervention/United%20Kingdom%20-%20Transparency%20and%20Reporting%20Intervention.pdf>.





Three States Parties due to report in previous years submitted their first annual reports in the past year. Brazil, which was required to begin reporting in 2020, provided its first report this year with the submission of its 2022 annual report. Lesotho also reported for the first time this year. In an example of good practice, Lesotho submitted reports for all eight years of ATT annual reporting, covering the 2015 through 2022 calendar years, despite only being required to begin reporting in 2018. The third first-time reporter, Zambia, was also due to begin reporting in 2018, and over the past year submitted its 2018 through 2021 annual reports.<sup>12</sup>

A total of 33 States Parties submitted overdue reports since last year's 7 June 2022 reporting deadline.<sup>13</sup> This includes 30 States Parties that submitted 2021 reports, eight that submitted 2020 reports, five that submitted 2019 reports, four that submitted 2018 reports, four that submitted 2017 and 2016 reports, and three that submitted reports for 2015.<sup>14</sup> Together, these States Parties submitted a combined total of 58 past-due annual reports.

Notably, five States Parties (Côte D'Ivoire, Lesotho, Nigeria, Trinidad and Tobago, and Zambia) each submitted several overdue reports over the past year. As discussed in the previous section, Lesotho and Zambia submitted reports spanning seven and four years, respectively, of previous reporting periods. They are joined by Côte D'Ivoire, which submitted six overdue reports during the most recent reporting period (2016 through 2021), Nigeria, which submitted five (2015 through 2017, 2019, and 2021) and Trinidad and Tobago, which also submitted five (2015 through 2019).

<sup>12</sup> Notably, two of these first-time annual reporters (Brazil and Lesotho) also submitted their overdue ATT initial reports on measures undertaken to implement the treaty over the past year, further demonstrating their commitment to the ATT's reporting requirements.

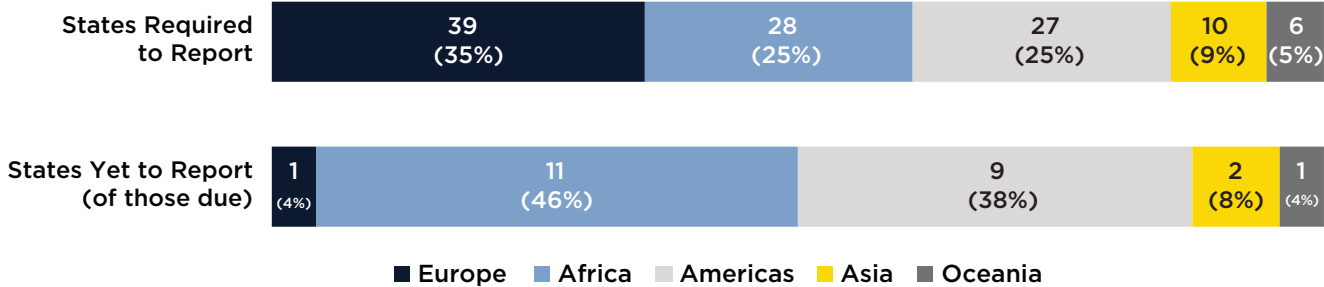
<sup>13</sup> Albania, Argentina, Austria, Benin, Botswana, Bulgaria, Costa Rica, Côte D'Ivoire, Cyprus, Denmark, the Dominican Republic, Estonia, Finland, France, Georgia, Iceland, Jamaica, Kazakhstan, Lesotho, Lithuania, Luxembourg, Mexico, Monaco, Nigeria, Norway, Palau, Senegal, Seychelles, Uruguay, and Zambia, Côte D'Ivoire, Honduras, and Trinidad and Tobago.

<sup>14</sup> The 30 States Parties that submitted 2021 reports since 7 June 2022 are: Albania, Argentina, Austria, Benin, Botswana, Bulgaria, Costa Rica, Côte D'Ivoire, Cyprus, Denmark, the Dominican Republic, Estonia, Finland, France, Georgia, Iceland, Jamaica, Kazakhstan, Lesotho, Lithuania, Luxembourg, Mexico, Monaco, Nigeria, Norway, Palau, Senegal, Seychelles, Uruguay, and Zambia. The eight that submitted 2020 reports are: Côte D'Ivoire, Zambia, Lesotho, Costa Rica, the Dominican Republic, Honduras, Uruguay, and Senegal. The five that submitted 2019 reports are: Côte D'Ivoire, Lesotho, Nigeria, Trinidad and Tobago, and Zambia. The four that submitted 2018 reports are: Côte D'Ivoire, Lesotho, Trinidad and Tobago, and Zambia. The four that submitted 2017 and 2016 reports are: Côte D'Ivoire, Lesotho, Nigeria, and Trinidad and Tobago. The three that submitted reports for 2015 are: Trinidad and Tobago, Lesotho, and Nigeria.

As of 5 October 2023, 43 States Parties have yet to submit their required 2022 annual reports, according to the Secretariat’s website.<sup>15</sup> While many of these States Parties have prior ATT annual reporting experience, 24 have never reported on their arms transfers under the treaty, despite now being required to do so for two or more years.<sup>16</sup>

Compliance with the ATT’s annual reporting obligation poses a particular challenge in Africa and the Americas, as illustrated by Figure 2. Despite each of these regions accounting for just a quarter of the 110 States Parties due to report, non-reporters in Africa and the Americas make up the bulk of the 24 States Parties that have yet to submit any of their required annual reports (46 and 38 percent, respectively).<sup>17</sup> On a sub-regional level, West Africa and the Caribbean have particularly outsized rates of non-compliance. Although West Africa and the Caribbean account for just 14 and 10 percent, respectively, of all States Parties due to report, they each make up a quarter of all non-reporters.

**Figure 2: Regional Breakdown of States Parties Required and Yet to Report**



Annual reporting compliance is also a particular challenge among least developed and developing States. Of the 24 States Parties that have yet to submit a required annual report, 12 are small island developing States, eight are least developed countries, and one is both a small island developing State and least developed country.<sup>18</sup>

<sup>15</sup> The 43 States Parties that have yet to submit their required 2022 annual report are: Afghanistan, Antigua and Barbuda, Bahamas, Belize, Cabo Verde, Cameroon, the Central African Republic, Chad, Denmark, Dominica, Ghana, Grenada, Guatemala, Guinea, Guinea Bissau, Guyana, Honduras, Iceland, Kazakhstan, Lebanon, Liberia, Mali, Mauritania, Mozambique, Namibia, Niger, Nigeria, Niue, Panama, Paraguay, the Republic of Moldova, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Seychelles, Suriname, Togo, Trinidad and Tobago, Tuvalu, and Zambia.

<sup>16</sup> The 24 States Parties that have yet to submit any of their required annual reports are: Afghanistan, Bahamas, Belize, Cabo Verde, the Central African Republic, Chad, Dominica, Ghana, Grenada, Guinea, Guinea Bissau, Guyana, Lebanon, Mauritania, Mozambique, Namibia, Niue, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Suriname, and Togo.

<sup>17</sup> Of the non-reporters, 11 are in Africa (Cabo Verde, the Central African Republic, Chad, Ghana, Guinea, Guinea Bissau, Mauritania, Mozambique, Namibia, Sao Tome and Principe, and Togo), nine are in the Americas (Bahamas, Belize, Dominica, Grenada, Guyana, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and Suriname), two are in Asia (Afghanistan and Lebanon) one is in Europe (San Marino), and one is in Oceania (Niue).

<sup>18</sup> The 12 non-reporting States Parties that are small island developing States are: Bahamas, Belize, Cabo Verde, Dominica, Grenada, Guyana, Niue, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, and Suriname. The eight non-reporting States Parties that are least developed countries are: Afghanistan, the Central African Republic, Chad, Guinea, Mauritania, Mozambique, Sao Tome and Principe, and Togo. The one non-reporting State Party that is both a small island developing State and least developed country is Guinea Bissau.



## REPORTING PRACTICES AND TRENDS

### PUBLIC VS. PRIVATE REPORTS

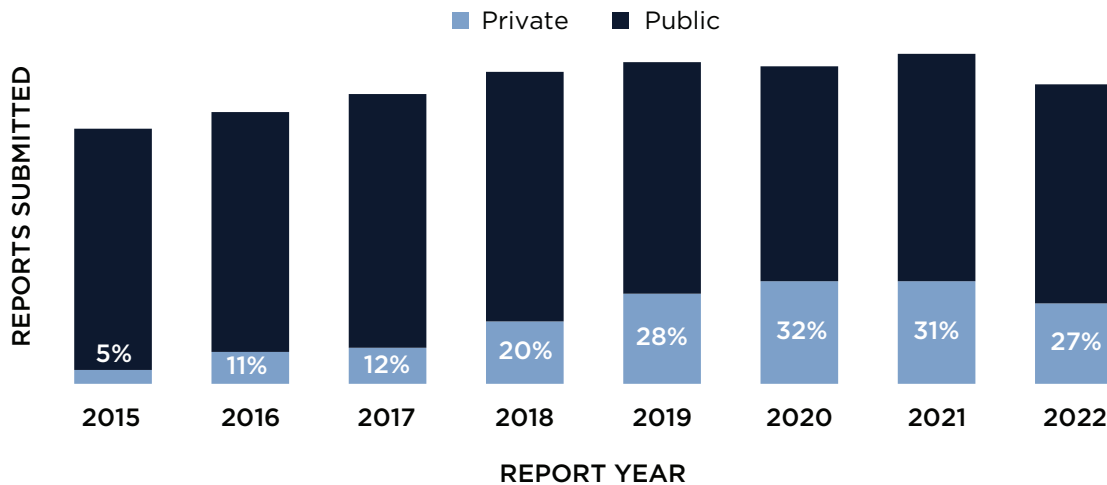
Although the ATT requires that annual reports “be made available, and distributed to States Parties by the Secretariat,” it does not require that the reports be made publicly available. As such, some States Parties have elected to make their reports available only to the Secretariat and other States Parties. The submission of these private reports is problematic, however, as it can limit public insights into global arms flows, undermine efforts to assess ATT compliance, and stand in the way of realizing the treaty’s transparency aims.

Eighteen (or 27 percent) of the States Parties that submitted 2022 annual reports as of 5 October 2023 elected to report privately this year, according to the Secretariat’s website:

- ▶ Albania
- ▶ Barbados
- ▶ Botswana
- ▶ Brazil
- ▶ China
- ▶ Côte D’Ivoire
- ▶ Croatia
- ▶ Finland
- ▶ Georgia
- ▶ Greece
- ▶ Latvia
- ▶ Lithuania
- ▶ Madagascar
- ▶ Maldives
- ▶ Mauritius
- ▶ Senegal
- ▶ Slovenia
- ▶ State of Palestine

Despite a significant portion of States Parties electing to restrict public access to their 2022 annual reports, this year’s private reporting rate reflects an encouraging and long-overdue shift towards more transparent reporting. The first six years of ATT annual reporting were characterized by significant and steady increases in private reporting, with the share of reports submitted privately growing from 5 to 32 percent between the 2015 and 2020 reporting periods. Additionally, some States Parties elected to restrict public access to their newly submitted overdue reports (including Nigeria, which over the past year submitted private reports for the 2015 through 2017, 2019, and 2021 calendar years). However, with the private reporting rate having fallen to 31 percent for the 2021 reporting period and now to 27 percent with respect to this year’s 2022 annual reports, this trend appears to be reversing.

**Figure 2: Private Report Submissions**



And in a welcome move, several States Parties with histories of private reporting elected to report publicly this year. This includes Cyprus, which submitted its first-ever public annual report this year after five consecutive years of private reporting. It also includes Bulgaria, El Salvador, and the Republic of North Macedonia, all of which returned to public reporting this year after submitting their previous two annual reports privately.

Most of the 18 States Parties that submitted their 2022 annual reports privately have reported privately in the past. This includes six States Parties that have exclusively submitted private annual reports; five that submitted their first annual report publicly before submitting most, if not all, of their subsequent reports privately; two that have alternated between public and private reporting over the years; and two that reported privately for the first time last year, with the submission of their 2021 reports, after six consecutive years of public reporting.<sup>19</sup>

One of this year's private reporters (Brazil) had never previously reported on its arms transfers under the ATT before submitting its 2022 report privately this year.

The remaining two private reporters (Finland and Slovenia) had long histories of public ATT reporting prior to this year. Both Finland and Slovenia had previously reported publicly for seven consecutive years before submitting private reports this year.

Of the 86 States Parties that submitted at least one annual report in the past eight years, 38 (or 44 percent) reported privately at least once. These States Parties submitted a combined total of 116 private reports, representing 22 percent of all 537 reports submitted as of 5 October 2023.

<sup>19</sup> The six private reporters that have exclusively submitted private annual reports are: Barbados, Botswana, China, Côte D'Ivoire, Madagascar, and the State of Palestine. The five that submitted their first annual report publicly before submitting most, if not all, of their subsequent reports privately are: Georgia, Greece, Lithuania, Mauritius, and Senegal. The two that have alternated between public and private reporting over the years are: Albania and the Maldives. The two that reported privately for the first time last year are: Croatia and Latvia.



### The War in Ukraine: Impact on Private Reporting

While States Parties may restrict public access to their reports for any number of reasons, some may have done so this year to avoid releasing potentially sensitive information regarding their arms exports to Ukraine. This appears particularly likely with respect to Croatia, Finland, Latvia, and Slovenia, each of which exported Article 2(1) conventional arms to Ukraine in 2022, according to estimates from the Stockholm International Peace Research Institute (SIPRI), and each of which had—until recently—long histories of public reporting.<sup>20</sup> This was the first year that either Finland or Slovenia submitted a private report, and it was only the second year that either Croatia or Latvia had done so (the other being in 2022, with respect to their 2021 arms transfers). With Several States—including Finland—having voiced concerns around the security risks that could arise from disclosing details concerning arms transfers to Ukraine, it may well be the case that Ukraine-related security concerns contributed to at least some States Parties reporting privately this year.<sup>21</sup>

## REPORT FORMATS

States Parties may choose to use any format they would like to submit their annual reports. States Parties are encouraged, however, to prepare their reports using the standardized reporting template, which is available in all six official languages of the United Nations. The most recent version of the template was endorsed and recommended for use by the Seventh Conference of States Parties (CSP7) in 2021. The ATT Secretariat also launched an online tool, which mirrors the content of the annual reporting template, that States Parties may use to prepare their annual reports. Use of the recommended reporting template (or the online reporting tool) allows for more comprehensive analysis and comparisons of annual reports and their trends and contributes to a more consistent approach to reporting across States Parties and over time.

The recommended reporting template continued to be the most widely used annual reporting format this year (at least among public reporters), with 37 (or 76 percent) of public reporting States Parties having used a version of it to prepare their 2022 reports.<sup>22</sup> Thirty-one of these States Parties used the revised version of the template while the remaining six used an older version.<sup>23</sup> By comparison, just seven (or 14 percent) of this year's publicly reporting States Parties used the online reporting tool, four (or 8 percent) used a version of their UNROCA report or the UNROCA reporting form, and one (or 2 percent) used a national format.<sup>24</sup>

<sup>20</sup> SIPRI, "SIPRI Arms Transfers Database," accessed 17 August 2023, <https://www.sipri.org/databases/armstransfers>.

<sup>21</sup> In May 2023, for example, Finnish officials declined to disclose certain details of pending arms transfers to Ukraine "for operational reasons and in order to ensure the safe delivery of assistance." DW, "Ukraine updates: Wagner starts withdrawing from Bakhmut," 25 May 2023, <https://www.dw.com/en/ukraine-updates-wagner-starts-withdrawing-from-bakhmut/a-65728823>.

<sup>22</sup> Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Chile, Costa Rica, Dominican Republic, El Salvador, Germany, Hungary, Ireland, Jamaica, Japan, Lesotho, Liechtenstein, Luxembourg, Malta, Mexico, Monaco, Montenegro, New Zealand, Norway, Palau, Peru, Portugal, the Republic of Korea, the Republic of North Macedonia, Serbia, Sierra Leone, Slovakia, South Africa, Spain, Sweden, and Uruguay.

<sup>23</sup> The 31 States Parties that used the revised annual reporting template to submit their public 2022 reports are: Australia, Austria, Belgium, Benin, Burkina Faso, Chile, Costa Rica, the Dominican Republic, Germany, Hungary, Ireland, Jamaica, Japan, Lesotho, Liechtenstein, Luxembourg, Malta, Mexico, Monaco, Montenegro, New Zealand, Norway, Palau, Peru, Portugal, the Republic of Korea, Sierra Leone, Slovakia, Spain, Sweden, and Uruguay.

<sup>24</sup> The seven States Parties that submitted a public 2022 report using the online reporting tool are: Argentina, Cyprus, the Czech Republic, Italy, Poland, Romania, and Switzerland. The four that did so using a version of their UNROCA report or the UNROCA reporting form are: Canada, Estonia, the Netherlands, and the United Kingdom. The one that did so using a national format is France.



There was a notable increase in use of the recommended annual reporting template this year among public reporters. Reports for the 2021 calendar year that were prepared using a version of the recommended reporting template accounted for 68 percent of all publicly available reports submitted by 5 October 2022. By comparison, 76 percent of the publicly available 2022 reports submitted as of 5 October 2023 were prepared using a version of the template. This shift is due in part to eight States Parties that had not submitted their 2021 reports by this time last year having now submitting their 2022 reports, which were prepared using the template;<sup>25</sup> three States Parties that used the online tool to prepare their 2021 reports but chose to instead use the template to prepare their 2022 reports;<sup>26</sup> and one State Party that reported privately last year but submitted a public report using the template this year.<sup>27</sup>

The share of States Parties that reported publicly using the revised reporting template, as opposed to an older version, also increased considerably this year. Sixty-three percent of States Parties that submitted public 2021 reports by 5 October 2022 using a version of the annual reporting template used the revised version of the template. By comparison, 84 percent States Parties that used a version of the template to submit their public 2022 reports by 5 October 2023 did so using the most recent version.

These increases coincide with a decrease in the use of the online reporting tool. Twenty-three percent of States Parties that submitted public 2021 reports by 5 October 2022 did so using the online tool, compared to the 14 percent of public reporters that used the tool to submit their 2022 reports as of 5 October 2023.

By contrast, use of UNROCA reports (or the UNROCA reporting form) and national formats remains largely unchanged compared to this time last year. Eight percent of public 2022 reports submitted by 5 October 2023 were prepared using a version of the UNROCA report or UNROCA reporting form, compared to seven percent of public 2021 reports submitted by 5 October 2022. For both years, just two percent of public reports submitted by 5 October were prepared using a national format.



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<sup>25</sup> Benin, Bulgaria, Costa Rica, the Dominican Republic, Lesotho, Palau, the Republic of North Macedonia, and Uruguay.

<sup>26</sup> Belgium, Chile, and Sweden.

<sup>27</sup> El Salvador.

## NIL REPORTS

The ATT's annual reporting obligation applies irrespective of whether a State Party has any authorized or actual arms transfers from the previous calendar year. States Parties that did not conduct any transfers can and should fulfill their annual reporting obligation by submitting a "nil report." Nil reports can be filed for imports, exports, or both. To assist States Parties in submitting nil reports, the recommended reporting template includes boxes States Parties can check to indicate whether they are submitting a nil report for exports and/or imports.

Of the 49 States Parties that submitted public 2022 annual reports as of 5 October 2023, five submitted nil reports for both exports and imports, five submitted nil reports for exports only, and one submitted a nil report for imports only.<sup>28</sup>

There were discrepancies in how some States Parties addressed nil reporting this year. Of the public reporting States Parties, three did not report either arms exports or imports but did not indicate they were submitting nil reports (Chile, the Republic of North Macedonia, and Sweden). Chile and Sweden checked boxes at the beginning of their reports indicating that they were not submitting nil reports, despite Chile not reporting any exports and Sweden not reporting any imports. The Republic of North Macedonia left the section of its report concerning nil reporting blank but did not report any exports.

Conversely, other States Parties with histories of nil reporting discrepancies adopted a clearer approach to reporting this year. For example, although Austria has never reported any arms imports under the ATT and Burkina Faso has yet to report any arms exports, neither State Party had previously indicated that it was submitting a nil report. In their 2022 reports, however, Austria and Burkina Faso indicated for the first time that they were submitting nil reports for imports and exports, respectively.

## COMMERCIALLY SENSITIVE AND NATIONAL SECURITY INFORMATION

ATT Article 13(3) explicitly allows States Parties to exclude "commercially sensitive or national security information" from their annual reports. The ATT does not define these terms, which affords States Parties discretion to determine what information is withheld due to its commercial sensitivity or relevance to national security. However, States Parties should apply this exception narrowly, in good faith, and in line with the ATT's transparency aims.<sup>29</sup> Additionally, it is helpful for States Parties to indicate whether they withheld any commercially sensitive or national security information from their reports and, if so, what type of information was withheld so as to clarify the scope of information provided.

Nineteen States Parties indicated some commercially sensitive and/or national security-related information was withheld from their 2022 reports.<sup>30</sup> Seventeen of these States Parties checked the corresponding box in their annual reports to indicate that such information was withheld. The remaining two States Parties (Belgium and the Netherlands) explained that national security-related information was withheld from their reports at ATT meetings and in other contexts.

In comparison to last year, this represents a significant increase in the share of public reporting States Parties that indicated they withheld information from their reports. Twenty-seven percent of States Parties that submitted public 2021 reports by 5 October 2022 reported withholding information from their reports,

<sup>28</sup> The five States Parties that submitted a public nil report for both exports and imports are: the Dominican Republic, Lesotho, Monaco, Palau, and Sierra Leone. The five that submitted a nil report for exports only are: Benin, Burkina Faso, El Salvador, Peru, and Uruguay. The only that submitted a nil report for imports only was Austria.

<sup>29</sup> Andrew Clapham, Stuart Casey-Maslen, Gilles Giacca, Sarah Parker, *The Arms Trade Treaty: A Commentary*, Oxford: Oxford University Press, 2016, para. 13.48.

<sup>30</sup> Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Chile, Hungary, Lesotho, Malta, Mexico, Montenegro, the Netherlands, Norway, Poland, the Republic of Korea, Romania, Slovakia, South Africa, and Sweden.

compared to the 39 percent that did so in their public 2022 reports as of 5 October 2023. While this could be seen as a worrying development, it may in fact reflect a positive shift when viewed alongside recent declines in private annual reporting rates. It may be the case that States Parties with concerns around the release of potentially sensitive information are increasingly deciding to submit public reports, albeit with certain information withheld, as an alternative to restricting public access to their reports in their entirety. This shift, and the reasons behind it, merit further exploration given its potential transparency implications.

States Parties withheld several types of information from their reports. At least two States Parties withheld the number of items they imported or exported under certain categories. This includes Australia—which indicated it “withheld” the number of missiles and air-to-ground weapons it imported from the United States—and Sweden—which stated that the number of man-portable air-defense systems (MANPADS) and small arms and light weapons (SALW) it exported was “classified.” This is consistent with Australia and Sweden’s approaches to reporting on these transfers in previous years. Additionally, and as discussed in more detail below, some States Parties specifically withheld information concerning their arms exports to Ukraine (including the number or description of items exported) or omitted their transfers to Ukraine altogether.



### **The War in Ukraine: Impact on Withholding Information**

Several States Parties indicated that they withheld information concerning their arms transfers to Ukraine from their 2022 annual reports. In the case of at least three States Parties (Belgium, the Netherlands, and Poland), all of which reported on arms transfers to Ukraine in their 2022 reports, this information was only partially withheld. Belgium chose to omit descriptions of the items it exported to Ukraine due to “security imperatives linked to the current war taking place on the European continent.”<sup>31</sup> Poland’s report notes that it does not include “donations” to Ukraine. The Netherlands, for its part, withheld most, but not all, information concerning the quantity of its arms exports to Ukraine on national security grounds.

Other States Parties appear to have withheld any mention of their arms exports to Ukraine. According to SIPRI estimates, Estonia, the Republic of North Macedonia, Slovakia, and Sweden exported Article 2(1) major arms to Ukraine in 2022. However, none of these four States Parties reported transferring any conventional arms to Ukraine in their 2022 annual reports. While Slovakia and Sweden both indicated that some commercially sensitive and/or national security-related information was withheld from their reports—which may account for these omissions—Estonia and the Republic of North Macedonia did not.

<sup>31</sup> Statement of the Government of Belgium at the Ninth Conference of States Parties to the Arms Trade Treaty, Agenda Item 8: Transparency and Reporting, <https://www.thearmstradetreaty.org/hyper-images/file/Belgium - Transparency and Reporting/Belgium - Transparency and Reporting.pdf>.



## NATIONAL DEFINITIONS

The recommended 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.” This information provides useful insights into how States Parties categorize the items they transfer and operationalize the ATT into their national control systems.

Seven States Parties that submitted 2022 annual reports by 5 October 2023 indicated they provided information in their reports on national definitions.<sup>32</sup> One of these States Parties (New Zealand) utilized Annex 2 of its report to provide information on its national definitions and two (Belgium and Sweden) utilized it to provide information on their definitions of additional national categories. An additional State Party (the Dominican Republic) also provided information on its definitions of additional national categories in Annex 2 but did not check the box in its report to indicate that it provided information on its national definitions.

## ANNUAL ARMS EXPORTS AND IMPORTS

This section examines how States Parties reported on conventional arms exports and imports in their 2022 annual reports based on a review of the 49 reports that were publicly available on the ATT Secretariat’s website as of 5 October 2023. It focuses in particular on whether these publicly reporting exporters and importers provided information that, while not explicitly required by the ATT, provides critically important insights into the nature of these transfers—namely:

- ▶ an indication to whether the information provided reflect actual and/or authorized transfers;
- ▶ the number and/or value of the items transferred;
- ▶ information on the importing and/or exporting State;
- ▶ information on the State of origin;
- ▶ descriptions of the arms transferred; and
- ▶ comments on the transfer.

<sup>32</sup> Belgium, Bosnia and Herzegovina, Costa Rica, New Zealand, South Africa, Sweden, and Switzerland.

## EXPORTS

Thirty-seven of the 49 States Parties that submitted public 2022 annual reports as of 5 October 2023 reported exports of conventional arms.<sup>33</sup> All 37 of these States Parties reported small arms and light weapons exports (SALW), including at least 23 that also reported exports of major arms.<sup>34</sup>

An additional public reporter (Norway) may have also reported major arms exports, though it is unclear if that is the case. While Norway provided information on its SALW exports in its 2022 report, the section concerning exports of major arms contains only a reference to an “attached white paper” on its 2022 defense exports—a similar version of which was included as an attachment to its 2021 report and contains information on its major arms exports that year. The white paper referenced in Norway’s 2022 report, however, was not available on the Secretariat’s website as of 5 October 2023, and so it is unclear whether it was submitted and what information it contains.

### ► Actual and/or Authorizations for Exports

Annual reports under ATT Article 13(3) may reflect “authorized or actual” arms transfers. This option affords States Parties a degree of flexibility in deciding what type of transfer data they provide and reflects an understanding that, in some cases, one type of data may be more readily available than the other. Regardless of how States Parties choose to report, it is important that they indicate whether the data provided reflect actual and/or authorized transfers to avoid confusion as to the status of these transactions.

Most of the 23 States Parties that reported major arms exports in their public 2022 annual reports indicated that they reported on actual, as opposed to authorized, major arms exports. Specifically, 13 of these States Parties reported actual exports, six reported authorized exports, and one reported a combination of the two—though one of these States Parties (South Africa) did not always indicate whether the major arms exports it reported were authorized or actual exports.<sup>35</sup> The remaining three States Parties (Bosnia and Herzegovina, Sweden, and the United Kingdom) did not indicate whether any of the transfer data included throughout their reports reflect actual or authorized transfers.

Similarly, most States Parties that reported publicly on their 2022 SALW exports indicated that the SALW export data provided reflect actual exports. Of the 37 States Parties that reported SALW exports in their public 2022 reports, 17 reported actual exports, 11 reported authorized exports, and five reported both actual and authorized exports.<sup>36</sup> The remaining four States Parties (Bosnia and Herzegovina, Mexico, Sweden, and the United Kingdom) did not indicate whether they provided information on actual or authorized SALW exports.

<sup>33</sup> Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Cyprus, the Czech Republic, Estonia, 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, South Africa, Spain, Sweden, Switzerland, and the United Kingdom.

<sup>34</sup> The 23 States Parties that reported major arms exports in their public 2022 annual reports are: Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, the Czech Republic, France, Germany, Hungary, Italy, Montenegro, the Netherlands, New Zealand, Poland, Portugal, the Republic of Korea, Serbia, Slovakia, South Africa, Spain, Sweden, Switzerland, and the United Kingdom.

<sup>35</sup> The 13 publicly reporting States Parties that reported actual exports of major arms are: Bulgaria, Canada, the Czech Republic, France, Germany, Hungary, the Netherlands, New Zealand, Poland, Portugal, Serbia, Slovakia, and Spain. The six that reported authorized major arms exports are: Italy, Montenegro, the Republic of Korea, South Africa, and Switzerland. Belgium was the only publicly reporting State Party to report a combination of authorized and actual major arms exports.

<sup>36</sup> The 17 public reporting States Parties that reported actual exports of SALW are: Bulgaria, the Czech Republic, Estonia, France, Hungary, Japan, Liechtenstein, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Canada, Serbia, and Spain. The 11 that reported authorized SALW exports are: Australia, Cyprus, Germany, Ireland, Italy, Jamaica, Malta, New Zealand, the Republic of Korea, South Africa, and Switzerland. The five States Parties that reported a combination of the two are: Argentina, Belgium, Austria, Costa Rica, and Montenegro.

At least three States Parties (Germany, Montenegro, and New Zealand) provided different types of transfer data on their exports of major arms as compared to SALW. Germany and New Zealand both reported actual exports of major arms and authorized exports of SALW, while Montenegro reported authorized major arms exports and a combination of actual and authorized SALW exports.

### ▶ **Number of Items Exported and/or Value of Exports**

It is important for States Parties to not only report on their conventional arms transfers, but to report the number and/or value of items transferred. Doing so provides an important insight into the scale of their arms exports and imports.

Most States Parties that reported exporting conventional arms in their publicly 2022 annual reports provided the number of items exported. Of the 37 exporters that reported publicly, 29 (or 78 percent) provided the number, as opposed to the value, of items exported while eight (or 22 percent) provided a combination of numbers and values.<sup>37</sup>

In some cases, States Parties either did not provide the number of items exported or provided only an approximate figure. The United Kingdom, for example, did not report the number of light weapons it exported to Brunei, Japan, Malaysia, and Sweden. Additionally, the United Kingdom did not report the exact number of portable anti-tank missile launchers and rocket systems it exported to Ukraine, instead indicating that it exported over 12,000 such missile launchers and rocket systems with “anti-armour capabilities” and over 2,500 with “anti-structure capabilities.” And as discussed earlier, at least two States Parties withheld the number of items exported in some cases, with the Netherlands indicating the quantity of some of its exports to Ukraine were “not declared,” and Sweden indicating that the number of MANPADS and SALW it exported was “classified.”

### ▶ **Information on Importing State**

Every State Party that reported publicly on their 2022 arms exports identified the importing State for these transfers. This is a positive development. In previous reporting periods, it was not uncommon for some exporters to omit information on importing States, which severely limits the ability of ATT annual reports to enhance understanding of global arms flows.

There is still room for improvement, however, with respect to how this information is provided. As in past years, several States Parties reported importing States in aggregate, making it difficult to determine how much of a given item was exported to each State. This includes at least two States Parties (Cyprus and Malta) that reported their SALW exports in aggregate without indicating the number of types of SALW exported to each importing State. It also includes two States Parties (Ireland and Jamaica) that reported some, but not all, of their SALW exports in aggregate without indicating the number exported to each importing State.

In an example of good practice, at least one State Party (Australia) did not limit itself to identifying importing States, *per se*. In its 2022 report, Australia identified the Australian territory of Norfolk Island and the French territory of New Caledonia as the final importers of some of its exported SALW.

<sup>37</sup> The 29 States Parties that provided the number of items exported in their public 2022 reports are: Argentina, Austria, Bulgaria, Canada, Costa Rica, the Czech Republic, Estonia, France, Germany, Hungary, Italy, Jamaica, Liechtenstein, Luxembourg, Mexico, Montenegro, the Netherlands, New Zealand, Norway, Poland, the Republic of Korea, Romania, Serbia, Slovakia, South Africa, Spain, Sweden, Switzerland, and the United Kingdom. The eight that provided a combination of numbers and values are: Australia, Belgium, Bosnia and Herzegovina, Cyprus, Ireland, Japan, Malta, and Portugal.



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

Of the 37 States Parties that reported publicly on their conventional arms exports in 2022, six reported the State of origin of their exported major arms while 11 reported the State of origin of their exported SALW.<sup>38</sup>

However, some of this information was provided in ways that do not facilitate meaningful analysis. For example, two States Parties (Hungary and Ireland) simply listed “various” as the States of origin for some of their reported SALW exports. Another State Party (Malta) reported all its small arms exports as a single aggregated line item, making it unclear which of the more than 50,000 shotguns, pistols, and semi-automatic rifles it exported originated from each of the five reported States of origin.

## ► Description of Conventional Arms

Most public reporting exporters provided descriptions of at least some of the items they exported. Eighteen (or 78 percent) of the 23 States Parties that reported major arms exports in their public 2022 reports provided descriptions of the exported items, as did 23 (or 62 percent) of the 37 States Parties that reported SALW exports.<sup>39</sup>

States Parties used these descriptions to provide useful insights into the items they exported. In many cases, these descriptions included the make, model, type, or caliber of an exported item. Several States Parties provided additional details, including whether vehicles were exported with, or without, weapons systems (New Zealand, Slovakia, and the United Kingdom); whether the items were previously used (Bosnia and Herzegovina) and, if so, by whom (the United Kingdom); as well as which specific parts or components were exported (Ireland and Slovakia).

**Figure 3: Example of Item Descriptions in Slovakia’s 2022 Annual Report**

Category of arms <sup>6</sup> [I-VIII]		Authorised or actual exports <sup>7</sup>		Extent of exports <sup>8</sup> (choose one or both)		Final importing State <sup>11</sup>	State of origin (if not exporter) <sup>12</sup>	Remarks <sup>13</sup>	
		Auth.	Act.	Number of items <sup>9</sup>	Value <sup>10</sup>			Description of Item	Comments on the transfer
1		2	3	4	5	6	7	8	9
I.	Battle tanks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	13		Czech Republic		T-72	After overhaul
II.	Armoured combat vehicles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1		Austria		ASCOD	Return after exhibition
II.	Armoured combat vehicles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1		Austria		OT-62R2 without weapon system	For exhibition

## ► Comments on Transfer

Relatively fewer public reporting exporters provided comments, as opposed to descriptions, on their conventional arms exports. Fourteen (or 61 percent) of the 23 States Parties that reported publicly on their 2022 major arms exports provided comments on at least some of these transfers, as did 16 (or 43 percent) that reported publicly on SALW exports.<sup>40</sup>

<sup>38</sup> The six States Parties that reported publicly on the State of origin of the major arms exported in 2022 are: Canada, Germany, Hungary, Montenegro, the Netherlands, and Serbia. The 11 that did so with respect to their SALW exports are: Canada, Costa Rica, Estonia, Hungary, Ireland, Luxembourg, Malta, Montenegro, the Netherlands, Romania, and Serbia.

<sup>39</sup> The 18 States Parties that provided descriptions of exported major arms in their public 2022 reports are: Australia, Bosnia and Herzegovina, Bulgaria, Canada, France, Germany, Hungary, Montenegro, the Netherlands, New Zealand, Poland, Portugal, the Republic of Korea, Slovakia, South Africa, Spain, Sweden, and the United Kingdom. The 23 that did so with respect to exported SALW are: Argentina, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, the Czech Republic, France, Germany, Hungary, Ireland, Luxembourg, Malta, Mexico, Montenegro, the Netherlands, Portugal, the Republic of Korea, Romania, Slovakia, South Africa, Spain, Sweden, and the United Kingdom.

<sup>40</sup> The 14 States Parties that provided comments on major arms exports in their public 2022 reports are: Australia, Belgium, Bulgaria, Canada, France, Germany, Hungary, the Netherlands, Portugal, Serbia, Slovakia, South Africa, Switzerland, and the United Kingdom. The 16 that did so with respect to SALW exports are: Belgium, Canada, Costa Rica, France, Hungary, Ireland, Liechtenstein, Montenegro, the Netherlands, Norway, Portugal, Romania, Serbia, Slovakia, South Africa, and the United Kingdom.

States Parties typically used these comments to offer additional information on the transfers themselves. In many cases, these comments clarify the purpose of the transfer (e.g., for testing, repair, or reexport) or the item's intended end-user (e.g., military, police, or civilians). In other cases, these comments include information on the nature of the transfer (e.g., the ministries or companies involved, whether the items were sourced from government stockpiles, or whether the transfer is commercial or non-commercial in nature). However, some States Parties included other types of information in their comments, including details of the types of items imported (Bulgaria and Norway), their rationale for withholding certain transfer data (the Netherlands), or the time period that the data cover (the United Kingdom).

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## IMPORTS

Forty-two of the 49 States Parties that submitted public 2022 annual reports as of 5 October 2023 reported imports of conventional arms.<sup>41</sup> Of them, 41 reported imports of SALW while 23 reported imports of major arms.<sup>42</sup>

Notably, this was the first year that the United Kingdom reported, at least in part, on its conventional arms imports under the ATT. The United Kingdom had not previously provided information on its arms imports in its reports covering the 2015 through 2021 calendar years. The United Kingdom's 2022 report, by contrast, includes details of major arms imports that occurred that year. In keeping with its previous reporting practice, however, the report does not include information on its SALW imports, despite the United Kingdom ranking among the top ten SALW importers in recent years.<sup>43</sup>

<sup>41</sup> Argentina, Australia, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, El Salvador, Estonia, France, Germany, Hungary, Ireland, Italy, Jamaica, Japan, Liechtenstein, Luxembourg, Malta, Mexico, Montenegro, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, the Republic of Korea, the Republic of North Macedonia, Romania, Serbia, Slovakia, South Africa, Spain, Switzerland, the United Kingdom, and Uruguay.

<sup>42</sup> All but one of the 42 publicly reporting importers (the United Kingdom) reported imports of SALW. The 23 publicly reporting States Parties that reported imports of major arms are: Argentina, Australia, Benin, Bulgaria, Burkina Faso, Canada, the Czech Republic, Estonia, Germany, Hungary, Italy, Jamaica, Japan, Montenegro, the Netherlands, Norway, Peru, Romania, Serbia, Slovakia, Switzerland, the United Kingdom, and Uruguay.

<sup>43</sup> According to a December 2020 analysis by the Small Arms Survey, the United Kingdom was the world's tenth leading importer of SALW based on the value of its SALW imports. Nicolas Florquin, Elodie Hainard, and Benjamin Jongleux, *Trade Update 2020: An Eye on Ammunition Transfers to Africa*, Small Arms Survey, December 2020, p. 26, <https://www.smallarmssurvey.org/resource/trade-update-2020-eye-ammunition-transfers-africa>.

## ▶ Actual and/or Authorizations for Imports

Most of the 23 States Parties that reported major arms imports in their public 2022 reports indicated this information reflects actual, as opposed to authorized, transfers. Eighteen States Parties reported actual major arms imports, one reported authorized imports (Italy) and three reported both authorized and actual imports (Argentina, Montenegro, and Peru)—though in some cases, three of States Parties (Argentina, the Czech Republic, and Peru) did not indicate whether certain transfers reflect authorized or actual imports. One additional State Party (the United Kingdom) reported publicly on its major arms imports but failed to indicate whether any of these transfers represent authorized or actual imports.

There was more variation in the types of transfer data States Parties provided on their SALW imports. Of the 41 States Parties that reported publicly on their 2022 SALW imports, 22 reported actual SALW imports, 10 reported import authorizations, and four reported a combination of the two (Argentina, Montenegro, Peru, and Costa Rica)—though this includes two States Parties (Argentina and Australia) that did not always indicate whether the transfer data provided reflect authorized or actual imports.<sup>44</sup> An additional four States Parties (Bosnia and Herzegovina, Ireland, Malta, and Mexico) failed to indicate whether any of the SALW imports they reported were actual or authorized transfers.

At least three States Parties (Germany, Jamaica, and Switzerland) reported differently on their major arms as opposed to SALW imports. All three reported actual imports of major arms and authorized imports of SALW.

## ▶ Number of Items Imported and/or Value of Imports

As with exports, most States Parties that reported importing conventional arms in their public 2022 annual reports provided the number, as opposed to the value, of items imported. Of the 42 publicly reporting importers, 36 (or 86 percent) provided only the number of items imported, one (or 2 percent) reported only the value, and five (or 12 percent) reported a combination of numbers and values.<sup>45</sup>

At least two States Parties (Australia and Malta) indicated that certain information concerning the number or value of items imported was withheld or unavailable. In their 2022 reports, Australia indicated that the number of missiles and air-to-ground weapons it imported from the United States was “withheld.” For its part, Malta reported the quantity of small arms it imported but indicated that the value of these items was “not available.”

## ▶ Information on Exporting State

Nearly all 42 States Parties that reported conventional arms imports in their public 2022 reports provided information on exporting States for each of these transfers. Two exceptions are Australia and Norway, which often left the exporting State column of their reports empty. Both States utilized the States of origin columns, however. Given that these columns appear side-by-side in the reporting template, it is possible that Australia and Norway intended to list these States as exporters but inadvertently listed them as States of origin instead. However, Australia did not identify any importing States (or, for that matter, States of origin) for its commercial SALW imports, which are captured in a separate table annexed to its report. Another exception is Montenegro, which did not identify the exporting State for two categories of SALW imports involving “natural persons.”

<sup>44</sup> The 22 States Parties that reported actual SALW imports in their public 2022 reports are: Australia, Benin, Bulgaria, Burkina Faso, Canada, Cyprus, the Czech Republic, Estonia, France, Hungary, Japan, Liechtenstein, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Spain, and Uruguay. The 10 that reported authorized imports are: Belgium, Chile, El Salvador, Germany, Italy, Jamaica, New Zealand, the Republic of Korea, South Africa, and Switzerland.

<sup>45</sup> The 36 States Parties that provided the number of items imported in their public 2022 reports are: Argentina, Australia, Benin, Bulgaria, Burkina Faso, Canada, Chile, Costa Rica, the Czech Republic, El Salvador, Estonia, France, Germany, Hungary, Ireland, Italy, Jamaica, Liechtenstein, Luxembourg, Malta, Mexico, Montenegro, the Netherlands, New Zealand, Norway, Poland, the Republic of Korea, the Republic of North Macedonia, Romania, Serbia, Slovakia, South Africa, Spain, Switzerland, the United Kingdom, and Uruguay. The one that reported only the value is Belgium. The five that reported a combination of numbers and values are: Bosnia and Herzegovina, Cyprus, Japan, Peru, and Portugal.



As was the case with exports, some States Parties provided aggregated information on exporting States, thereby obscuring key details of their arms imports. This includes four States Parties that only reported exporting States in aggregate (El Salvador, Ireland, Malta, and the Republic of North Macedonia) as well as two that reported most, but not all, exporting States in aggregate (Burkina Faso and Jamaica).

In an example of good practice, at least one State Party (the Netherlands) went beyond reporting on arms imported from other States. In its 2022 report, the Netherlands reported importing a rifle or carbine from the Dutch territory of Bonaire and listed itself as the exporting State.

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

Of the 42 States Parties that reported publicly on their conventional arms imports in 2022, five provided information on the States of origin for their major arms imports and 12 did so with respect to their SALW imports.<sup>46</sup> This includes Australia and Norway, which, as noted previously, may have intended to list these States as exporting States instead.

Several States Parties were not transparent in how they reported States of origin. Malta and the Republic of North Macedonia, for example, provided aggregated SALW transfer data that obscures the number and type of arms that originated in each State. Additionally, Serbia and Montenegro simply wrote “more” and “Various origin,” respectively, in the States of origin column for some of their reported imports, providing very little insight into where these items originated.

### ► **Description of Conventional Arms**

Most States Parties that reported conventional arms imports in their public 2022 annual reports provided descriptions of at least some of the items imported. Of the 23 public reporters that reported major arms imports, seventeen (or 74 percent) provided descriptions, as did 29 (or 71 percent) of the 41 States Parties that reported publicly on SALW imports.<sup>47</sup>

States Parties provided several different types of information in these descriptions. Many used these descriptions to provide information concerning an item’s make, model, type, or caliber. Some States Parties provided additional information, including whether vehicles were imported with, or without, weapons systems (Slovakia); the name given to a newly acquired patrol vessel (Argentina); as well as which specific parts or components were imported (Ireland and Liechtenstein).

### ► **Comments on Transfer**

Less than half of the publicly reporting importers provided comments on some, or all, of their 2022 arms imports. Ten (or 43 percent) of the 23 States Parties that reported publicly on 2022 major arms imports provided comments on at least some of these transfers, as did 15 (or 37 percent) of the 41 States Parties that reported publicly on SALW imports.<sup>48</sup>

<sup>46</sup> The five States Parties that reported publicly on the States of origin of their 2022 major arms imports are: Australia, Burkina Faso, Norway, Peru, and Serbia. The 12 States Parties that did so with respect to their SALW imports are: Australia, Costa Rica, Germany, Hungary, Luxembourg, Malta, Montenegro, Norway, Peru, the Republic of North Macedonia, Romania, and Serbia.

<sup>47</sup> The 17 States Parties that provided descriptions of imported major arms in their public 2022 reports are: Argentina, Australia, Benin, Bulgaria, Canada, Estonia, Germany, Hungary, Japan, Montenegro, the Netherlands, Norway, Peru, Romania, Serbia, Slovakia, and the United Kingdom. The 29 that did so with respect to SALW imports are: Argentina, Australia, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, France, Germany, Hungary, Ireland, Japan, Liechtenstein, Luxembourg, Mexico, Montenegro, the Netherlands, Norway, Peru, the Republic of Korea, the Republic of North Macedonia, Romania, Slovakia, South Africa, Spain, and Uruguay.

<sup>48</sup> The ten States Parties that provided comments on major arms imports in their public 2022 reports are: Argentina, Australia, Canada, Hungary, the Netherlands, Peru, Serbia, Slovakia, the United Kingdom, and Uruguay. The 15 States Parties that did so with respect to SALW imports are: Burkina Faso, Canada, Chile, Costa Rica, Cyprus, Germany, Hungary, Liechtenstein, Mexico, Montenegro, the Netherlands, Peru, Romania, Serbia, and Slovakia.

The information included in these comments helps contextualize the arms imports States Parties carried out in 2022. Many of these comments describe the purpose of the transfer (e.g., for storage, export, or reclamation) or the item’s intended end-user (e.g., police, hunters, or National Guard). These comments were also commonly used to describe the nature of the transfer (e.g., the parties involved, the procurement programs used, the status of an authorized import, or whether the import was temporary in nature).

**Figure 4: Example of Comments in Montenegro’s 2022 Annual Report**

Category of arms <sup>4</sup> [I-VIII]		Authorized 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
4.	Assault rifles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 940 pcs		Bosnia and Herzegovina	Republic of Serbia	M70A 7,62x39mm	The importer withdrew from the import and returned the license in accordance with the law



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## ATT REPORTING IN THE CONTEXT OF UNROCA

The ATT is not the only international framework for reporting on conventional arms transfers. Since 1992, UN Member States have been invited to submit voluntary annual reports on their conventional arms exports and imports (among other things) to the UN Register of Conventional Arms (UNROCA). This section compares ATT and UNROCA reporting for the 2022 calendar year—both in terms of the number of reports submitted and the types of information provided—and provides an update on recent efforts to leverage synergies between these two important transparency frameworks.

### COMPARING ATT AND UNROCA REPORTING LEVELS

The number of ATT annual report submissions has consistently outpaced the number of UNROCA report submissions since ATT reporting began, and this most recent reporting period was no exception. As of 5 October 2023, 67 States Parties had submitted ATT annual reports covering the 2022 calendar year, compared to the 55 States that had submitted 2022 UNROCA reports, according to the UNROCA and ATT Secretariat websites.

However, UNROCA reporting has increased in recent years. The number of UNROCA reports submitted to date for the 2021 and 2022 reporting periods (59 and 55, respectively) is higher than the number submitted for any of the previous six reporting periods. This encouraging increase is likely attributable, in part, to renewed efforts by the UN Office of Disarmament Affairs (UNODA) to encourage and support UNROCA reporting, which in 2023 included holding virtual training workshops for 65 government representatives, publishing updated reporting guidance, and engaging in government outreach.<sup>49</sup> At the same time, this increase may also have been driven by recent efforts to leverage synergies between ATT and UNROCA reporting, as discussed in more detail in the next section.

Most States Parties that reported to either the ATT or UNROCA this year submitted reports under both frameworks. Of the 71 States Parties that submitted either an ATT or UNROCA report covering the 2022 calendar year as of 5 October 2023, 44 of them (62 percent) submitted reports under both frameworks, while 23 (32 percent) reported under the ATT but not UNROCA. Four States Parties (Paraguay, the Republic of Moldova, Saint Vincent and the Grenadines, and San Marino) submitted 2022 UNROCA reports but had yet to submit their required 2022 ATT annual reports as of 5 October 2023. This includes Saint Vincent and the Grenadines and San Marino, two States Parties that had not reported under UNROCA in several years, and which have never submitted an ATT annual report, despite being required to begin reporting in 2017. Their return to UNROCA reporting this year is an encouraging development, as it may indicate a willingness and ability on the part of Saint Vincent and the Grenadines and San Marino to fulfill their ATT annual reporting obligations in the near future.

<sup>49</sup> United Nations, General Assembly, United Nations Register of Conventional Arms: Report of the Secretary-General, A/78/165, 12 July 2023, paras. 5-8.



## DIFFERENCES IN INFORMATION PROVIDED IN ATT AND UNROCA REPORTS

There were several notable variations in the information States Parties provided in their 2022 ATT annual reports as compared to their 2022 UNROCA reports. For example, seven States Parties elected to restrict public access to their 2022 ATT annual reports but opted to report publicly on their arms transfers in their 2022 UNROCA reports.<sup>50</sup>

Additionally, at least five States Parties reported on a wider range of arms transfers in their 2022 ATT annual reports as compared to their UNROCA reports. This includes New Zealand, which reported major arms exports in its ATT annual report but not in its UNROCA report; Belgium and Japan, which reported SALW imports and exports, respectively, in their ATT reports but not in their UNROCA reports; and Cyprus, which reported both exports and imports of SALW in its 2022 ATT annual report but submitted a ‘nil’ report to UNROCA, indicating it did not carry out any arms transfers in 2022. This also includes Estonia, which reported SALW exports and imports in its 2022 ATT annual report—which it prepared using the UNROCA standardized reporting form—but did not report on SALW transfers in its actual UNROCA report.

Based on a review of the publicly available ATT reports, the 2022 ATT and UNROCA reporting data provided by at least 12 States Parties also differ in terms of whether they reflect authorized or actual arms transfers. Of the States Parties that reported on actual transfers in their 2022 UNROCA reports and submitted public 2022 ATT reports, three exclusively reported authorized transfers in their 2022 ATT reports,<sup>51</sup> six reported a combination of authorized and actual transfers,<sup>52</sup> and two (Bosnia and Herzegovina and Sweden) did not indicate whether their ATT reporting data reflect actual transfers or authorizations. Of those the public reporters that provided information on authorized arms transfers in their 2022 UNROCA reports, one (Germany) reported both actual and authorized transfers in its ATT annual report.



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<sup>50</sup> The seven States Parties that submitted 2022 UNROCA reports and private 2022 ATT annual reports are Albania, China, Finland, Greece, Latvia, Lithuania, and Madagascar.

<sup>51</sup> Chile, Ireland, and South Africa indicated that the data in their 2022 UNROCA reports reflect actual transfers while the data in their 2022 ATT annual reports reflect authorized transfers.

<sup>52</sup> Australia, Cyprus, Montenegro, New Zealand, Peru, and Switzerland indicated that the data in their 2022 UNROCA reports reflect actual transfers while the data in their 2022 ATT annual reports reflect a combination of actual and authorized transfers.



## RECENT EFFORTS TO LEVERAGE REPORTING SYNERGIES

States Parties, the ATT Secretariat, and UNODA leveraged synergies between the ATT and UNROCA reporting frameworks in various ways over the past year. One example of this was the decision by four publicly-reporting States Parties (Canada, Estonia, the Netherlands, and the United Kingdom) to prepare their 2022 annual reports using a version of their UNROCA report or the UNROCA reporting form. The ATT explicitly allows States Parties to include the same information submitted to UNROCA in their ATT annual reports. Taking advantage of this option can help States Parties streamline their reporting efforts under these two frameworks and alleviate reporting burdens.

A second way in which ATT and UNROCA synergies were leveraged over the past year stems from a recent change to the ATT annual reporting template. The revised template includes a new option for States Parties to indicate whether UNODA may use the information provided as a basis for their UNROCA report. This option has seen fairly widespread use. According to the ATT Secretariat, 29 (or 40 percent) of States Parties that submitted 2021 annual reports as of 23 August 2023 authorized these reports for use by UNODA, as did 31 (or 48 percent) of States Parties that submitted 2022 annual reports by this date.<sup>53</sup> This is encouraging, as this new option could facilitate more frequent UNROCA report submissions from States Parties that report under the ATT but do not regularly report to UNROCA. Use of this new option could also lessen reporting burdens by eliminating the need for States Parties that report on their arms transfers under the ATT to report separately on these transfers to UNROCA.

The ATT Secretariat and UNODA have implemented an information exchange agreement to operationalize the use of ATT reporting data in UNROCA reports. However, the ATT Secretariat had only transmitted 15 ATT annual reports to UNODA as of 12 July 2023, compared to the 60 reports that States Parties had authorized for use by UNODA as of 23 August 2023.<sup>54</sup> This backlog may be partly attributable to the Secretariat needing to resolve discrepancies or uncertainties in the reports prior to transmitting them to UNODA.

Despite its delayed implementation, the new information exchange system has already contributed to the preparation of numerous UNROCA reports. Of the 15 ATT annual reports transmitted to UNODA as of 12 July 2023, nine were from States Parties that had not already submitted a corresponding UNROCA report. While it is unclear which States Parties submitted these nine reports, it is possible that they are States Parties that do not regularly report to UNROCA, in which case their use of this new information exchange system will have resulted in the preparation of UNROCA reports that might otherwise not have been submitted.

Lesotho may provide an example of a State Party whose use of the new information exchange system was responsible for its recent UNROCA report submissions. Lesotho not only submitted ATT annual reports covering 2015 through 2022 over the past year, but also submitted reports covering the same eight years to UNROCA—the first time it had reported to UNROCA in nearly two decades. Given that Lesotho indicated in each of its ATT annual reports that UNODA may use the information provided as a basis for its UNROCA reports, it is possible that Lesotho's return to UNROCA reporting this year came as a direct result of its ATT annual report submissions.

<sup>53</sup> Dumisani Dladla, "Arms Trade Treaty: Status of Reporting".

<sup>54</sup> United Nations, General Assembly, United Nations Register of Conventional Arms: Report of the Secretary-General, para. 9.

## CONCLUSION

The 2022 ATT annual reports have demonstrated many of the trends and problematic reporting practices that have undermined the ATT's transparency potential for years.

On the positive side, significant progress was made over the past year to strengthen ATT annual reporting and enhance its contributions to arms trade transparency. During the most recent reporting period, three States Parties demonstrated their commitment to the treaty's reporting requirements by submitting their first-ever annual reports, and significant reporting gaps were closed thanks to the submission of dozens of overdue reports. Private reporting rates declined for the second consecutive year, representing an encouraging and long-overdue shift towards more transparent reporting. Additionally, important progress was made to leverage synergies between the ATT and UNROCA reporting frameworks, including through use of the new information exchange system.

Still, widespread non-compliance with the treaty's annual reporting obligations remains a critical challenge. The 2022 reports had the lowest on-time compliance rate and reporting compliance remains frustratingly low. The submission of private reports—which represent more than a quarter of the 2022 reports submitted to date—also continues to serve as a significant impediment to arms trade transparency. In addition, several States Parties continue to omit or aggregate key information in ways that severely limit the insights their reports are able to provide.

The war in Ukraine also gave rise to new transparency challenges over the past year. In at least one case, a State Party was delayed in submitting its ATT annual report due to constraints imposed by additional national reporting requirements surrounding its arms transfers to Ukraine. In other cases, sensitivities around the release of Ukraine-related transfer data contributed to States Parties withholding information or reporting privately, in some cases for the first time.

States Parties, the ATT Secretariat, Working Group on Transparency and Reporting (WGTR), and other stakeholders all have a role to play in enhancing ATT annual reporting compliance and robustness. Outreach to non-reporting States Parties to assist them in identifying and overcoming their reporting challenges remains of critical importance. The Secretariat's voluntary peer-to-peer reporting assistance project—which provides a forum for States Parties to exchange reporting advice and assistance with one another—could be particularly useful in this regard, and the Secretariat's efforts to enhance the project by identifying “regional reporting champions” to assist with outreach are encouraging.<sup>55</sup> States Parties should also seek out additional assistance opportunities, including through the ATT's Voluntary Trust Fund and through civil society organizations that have experience supporting government reporting efforts. Additionally, the WGTR should analyze ways in which to strengthen synergies with UNROCA to determine whether steps can be taken to more efficiently transmit ATT annual reports to UNODA and assess the system's impact on ATT and UNROCA reporting.

As we approach the tenth anniversary of the ATT's entry into force, progress continues to be made to enhance ATT annual reporting and advance the treaty's transparency aims. Yet, much needs to be done to strengthen reporting as was intended by treaty negotiators. Overcoming the persistent challenges to transparency and reporting that have continued into this most recent reporting period, however, will require significant and concerted efforts in the years ahead.

<sup>55</sup> ATT Working Group on Transparency and Reporting, Draft Report to CSP9, 21 July 2023, para. 16, [https://thearmstradetreaty.org/hyper-images/file/ATT\\_CSP9\\_WGTR\\_Chair\\_Draft%20Report%20to%20CSP9\\_EN/ATT\\_CSP9\\_WGTR\\_Chair\\_Draft%20Report%20to%20CSP9\\_EN.pdf](https://thearmstradetreaty.org/hyper-images/file/ATT_CSP9_WGTR_Chair_Draft%20Report%20to%20CSP9_EN/ATT_CSP9_WGTR_Chair_Draft%20Report%20to%20CSP9_EN.pdf).







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For more information, visit the Stimson website at [www.stimson.org](http://www.stimson.org) or contact us at [ATT@stimson.org](mailto:ATT@stimson.org).

Rachel Stohl: [rstohl@stimson.org](mailto:rstohl@stimson.org)

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