

Arms Trade Treaty

Baseline Assessment Project



ATT Annual Reports in Review: Living up to Expectations?

OCTOBER 2018

The Arms Trade Treaty-Baseline Assessment Project (ATTBAP)

aims to assist States in understanding the obligations of the ATT and to promote effective implementation. ATTBAP supports efforts to assist States in implementing the treaty and to ensure that reporting on the ATT is comprehensive and robust. ATTBAP 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 ATTBAP Baseline Assessment Survey, the ATTBAP Portal and country profile database, guidance for completing initial and annual reports, and a national transfer controls database.



INTRODUCTION

The Arms Trade Treaty (ATT), the first legally binding instrument that regulates the global transfer of conventional weapons, has, at its very core, a focus on transparency. Indeed, reporting is an essential component of State Party obligations, with an entire treaty article dedicated to specific reporting obligations (see Box 1). Though this report focuses on Article 13(3), full reporting of national processes and annual arms transfers are essential to treaty implementation and effectiveness.

Box 1: Article 13 - Reporting

Reporting 1. Each State Party shall, within the first year after entry into force of this Treaty for that State Party, in accordance with Article 22, provide an initial report to the Secretariat of measures undertaken in order to implement this Treaty, including national laws, national control lists and other regulations and administrative measures. Each State Party shall report to the Secretariat on any new measures undertaken in order to implement this Treaty, when appropriate. Reports shall be made available, and distributed to States Parties by the Secretariat.

2. States Parties are encouraged to report to other States Parties, through the Secretariat, information on measures taken that have been proven effective in addressing the diversion of transferred conventional arms covered under Article 2 (1).

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

The ATT does not contain a specific verification mechanism. Thus, reporting is an essential component to understand how the treaty is being implemented and to develop a clearer picture of the application of ATT articles 6, 7, 8, and 12 (prohibitions, export and export assessment, import, and record keeping). In 2016, ATT-BAP examined the first round of ATT annual reports, analyzing reports submitted by 45 States Parties. In 2017, ATT-BAP analyzed the second round of annual reports submitted by 47 States Parties. This report analyzes the third round of annual reports, covering arms transfers that occurred in the 2017 calendar year. In this third round of reporting, only 51 of the 89 States Parties required to report had done so as of 7 September 2018, more than four months past the 31 May report deadline. This represents a low of 57 percent of States Parties completing their reporting requirements and indicates a worrying trend that States Parties are ignoring their reporting obligations.

In its 2017 report on ATT reporting compliance, ATT-BAP looked at whether ATT reporting represented an increase in transparency. The report demonstrated worrying trends moving away from transparency of the arms trade. While some States Parties do report to the ATT, the ATT has not provided an impetus for greater reporting. Stagnant reporting levels appear to demonstrate that States Parties are less committed to the value of arms transfer transparency than they were three years ago. With some notable exceptions, the core group of States Parties that have been committed to transparency in the arms trade and have reported to either the ATT or UN Register of Conventional

Arms (UNROCA) continue to report. But States Parties that do not report to the UNROCA still do not report to the ATT. This report addresses the question:

Is ATT reporting living up to expectations?

This report is divided into four main sections. The first section examines the current status of reporting for the ATT's annual reports on arms exports and imports. The second section identifies trends in annual reporting. The third section looks at the specific information provided in the annual reports on arms exports and imports over the last three years. The fourth section compares the information in the ATT annual reports with information contained in UNROCA annual reports and identifies larger transparency trends.



STATUS OF REPORTING

As of 7 September 2018, 51 of the 89 States Parties required to submit annual reports on arms exports and imports that occurred in the 2017 calendar year had done so, reflecting a completion rate of approximately 57 percent. Thirty-Six States Parties, or 40 percent of those required to complete a 2017 annual report, submitted their reports on time. The ATT Secretariat extends a grace period of seven days following the 31 May deadline stipulated in the treaty text, creating a de facto deadline of 7 June.

Thus, there has been a slight decrease in the rate of on-time completion compared to previous years. Fifty-Eight percent of States Parties that were due to submit annual reports covering arms exports and imports in the 2015 calendar year did so on time (in accordance with the ATT Secretariat definition), according to statistics provided by the ATT Secretariat, and 63 percent of States Parties that were due to submit 2016 annual reports did so by the deadline. It is worth noting that on-time reporting rates have noticeably declined.

Moreover, although the total number of reports submitted to the ATT Secretariat has remained constant over the last three years, as a percentage of reports due, there has been a decline in reporting, as more States had annual reports due. Indeed, it is a core group of States Parties that fulfill their reporting requirements, with some only doing so occasionally, and others not providing reports at all. Forty-Nine States Parties have fulfilled their reporting obligations each time they have had an annual report due. Eleven States Parties have fulfilled their reporting obligation at least once. Twenty-Nine States Parties have never submitted an annual report that was due. And four States (Greece, Liberia, Paraguay, and Switzerland) provided a report in a year that a report was not required.

PHOTO: U.S. AIR FORCE VIA WIKIMEDIA COMMONS



Table 1: Regional Trends in ATT Annual Reporting

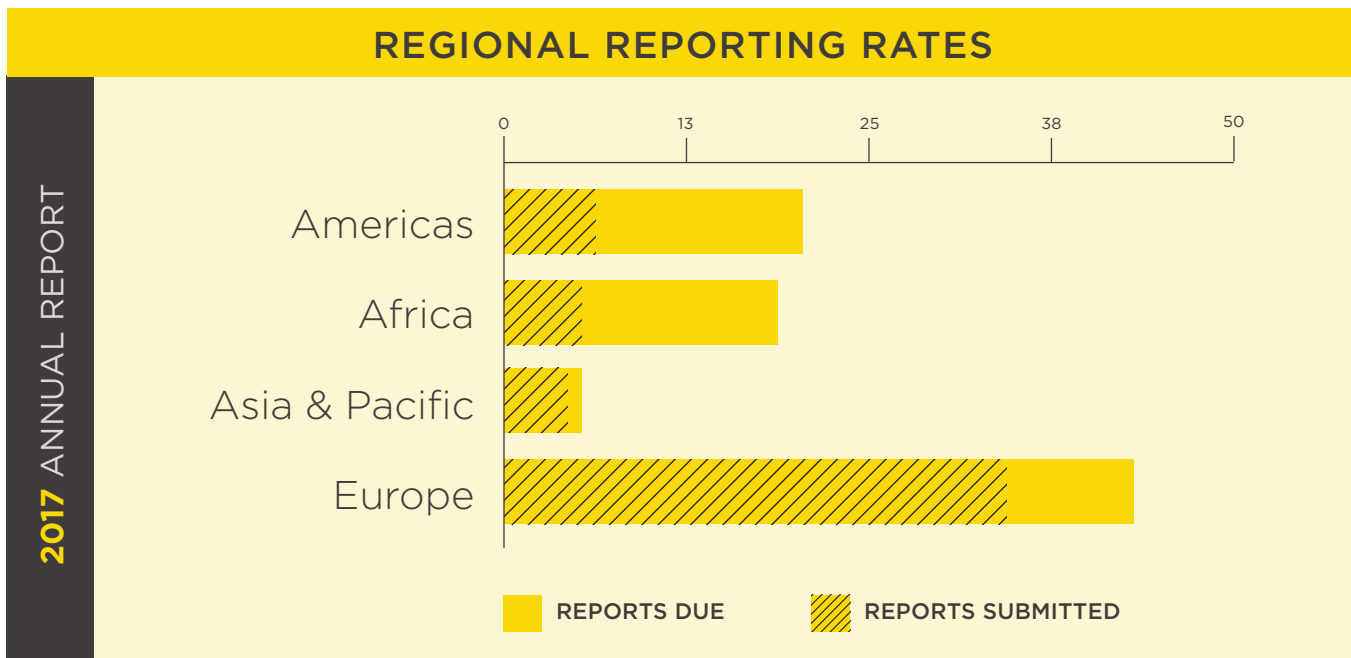
Region	State Party	2015 ATT Annual Report	2016 ATT Annual Report	2017 ATT Annual Report
Americas	Antigua & Barbuda	X	X	X
	Argentina	✓	✓	🔒
	Bahamas	X	X	X
	Barbados	-	X	X
	Belize	-	X	X
	Costa Rica	✓	✓	✓
	Dominica	-	X	X
	Dominican Republic	✓	X	X
	El Salvador	✓	✓	✓
	Grenada	X	X	X
	Guatemala	-	-	X
	Guyana	X	X	X
	Jamaica	✓	X	X
	Mexico	✓	✓	✓
	Panama	✓	🔒	✓
	Paraguay	✓*	✓	X
	Peru	-	-	✓
	St. Kitts and Nevis	X	X	X
	St. Lucia	X	X	X
	St. Vincent and the Grenadines	X	X	X
Trinidad and Tobago	X	X	X	
Uruguay	✓	✓	X	
	Total Received	9	7	6
Africa	Burkina Faso	X	✓	X
	Cape Verde	-	-	X
	Central African Republic	-	-	X
	Chad	-	X	X
	Cote d'Ivoire	-	X	X
	Ghana	-	-	X
	Guinea	X	X	X
	Lesotho	-	-	X
	Liberia	✓*	🔒	X
	Madagascar	-	-	🔒
	Mali	✓	X	X
	Mauritania	-	X	X
	Mauritius	-	✓	✓
	Niger	-	X	X
	Nigeria	X	X	X
	Senegal	✓	🔒	✓
	Seychelles	-	-	X
	Sierra Leone	✓	✓	✓
	South Africa	✓	✓	✓
	Togo	-	-	X
Zambia	-	-	X	
	Total Received	5	6	5
Asia & the Pacific	Australia	✓	✓	✓
	Japan	✓	✓	✓
	New Zealand	✓	✓	✓
	Samoa	✓	X	X
	Tuvalu	-	X	✓
		Total Received	4	3

Region	State Party	2015 ATT Annual Report	2016 ATT Annual Report	2017 ATT Annual Report
Europe	Albania	✓	✓	✓
	Austria	✓	✓	✓
	Belgium	✓	✓	✓
	Bosnia and Herzegovina	✓	✓	✓
	Bulgaria	✓	✓	✓
	Croatia	✓	✓	✓
	Cyprus	-	-	X
	Czech Republic	✓	✓	✓
	Denmark	✓	✓	✓
	Estonia	✓	✓	X
	Finland	✓	✓	✓
	France	✓	✓	✓
	Georgia	-	-	✓
	Germany	✓	✓	✓
	Greece	-	✓*	🔒
	Hungary	✓	✓	✓
	Iceland	X	X	X
	Ireland	✓	✓	✓
	Italy	✓	✓	✓
	Latvia	✓	✓	✓
	Liechtenstein	✓	✓	✓
	Lithuania	✓	✓	✓
	Luxembourg	✓	✓	✓
	Malta	X	X	✓
	Moldova, Republic of	-	✓	✓
	Monaco	-	-	X
	Montenegro	✓	✓	✓
	Netherlands	✓	✓	✓
	Norway	✓	✓	✓
	Poland	✓	✓	✓
	Portugal	✓	✓	✓
	Romania	✓	✓	✓
	San Marino	-	X	X
Serbia	✓	✓	✓	
Slovakia	🔒	✓	✓	
Slovenia	✓	✓	✓	
Spain	✓	✓	✓	
Sweden	✓	✓	✓	
Switzerland	✓*	✓	✓	
The FYR Macedonia	✓	✓	✓	
United Kingdom	✓	✓	✓	
	Total Received	33	35	36
OVERALL TOTAL RECEIVED		51	51	51

Table 1 Key:

- ✓ Submitted a report
- * Submitted a report but was not required to do so
- 🔒 Submitted a private report
- X Report due but not submitted
- Report not due

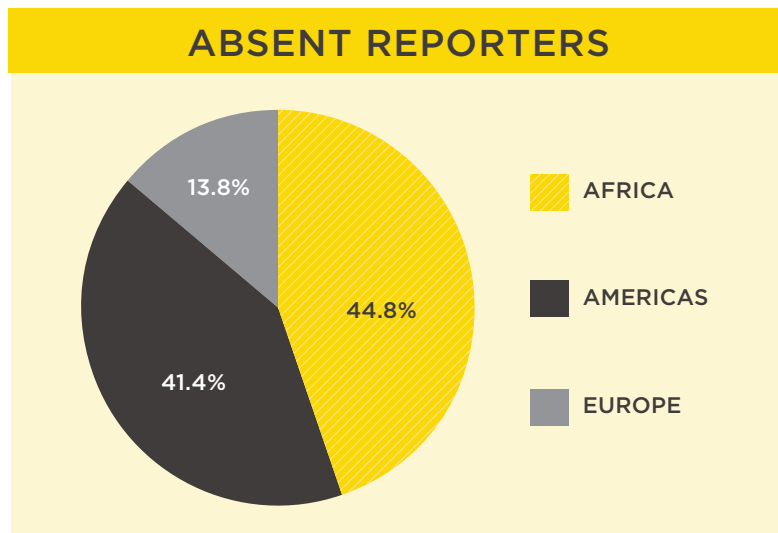
REGIONAL REPORTING RATES



Nine States Parties that previously provided information to the ATT Secretariat on their annual arms exports and imports in either the 2015 or 2016 annual reports did not provide a 2017 annual report by 7 September 2018. These States Parties are: Burkina Faso, Dominican Republic, Estonia, Jamaica, Liberia, Mali, Paraguay, Samoa, and Uruguay.

Fourteen States Parties were due to submit their first ATT annual reports by 31 May 2018.¹ Four of these fourteen did so by 7 September 2018: Greece, Georgia, Madagascar, and Peru. Greece also previously submitted an ATT annual report on its 2016 arms exports and imports, though it was not required to do so.

ABSENT REPORTERS



Twenty-Nine States Parties due to submit a 2017 annual report to the ATT Secretariat have never done so. Of these States Parties, 13 are from Africa, 12 are from the Americas, and 4 are from Europe.² While the majority of these 29 States Parties have experience reporting on annual arms exports and imports in other forums – particularly through UNROCA – most have not done so since the ATT entered into force. Only one State Party, Cyprus, has submitted an annual UNROCA report in the last three years, since the ATT’s reporting obligations for arms exports and imports took effect.³

¹ The 14 States Parties that were due to submit their first ATT annual report by 31 May 2018 are: Cape Verde, Central African Republic, Cyprus, Georgia, Ghana, Greece, Guatemala, Lesotho, Madagascar, Monaco, Peru, Seychelles, Togo, and Zambia.

² States Parties that have never submitted an annual report on arms exports and imports to the ATT Secretariat include: Belize, Cape Verde, Central African Republic, Chad, Cote d’Ivoire, Cyprus, Dominica, Ghana, Grenada, Guatemala, Guinea, Guyana, Iceland, Lesotho, Mauritania, Monaco, Niger, Nigeria, St. Kitts and Nevis, St. Lucia, San Marino, Seychelles, St. Vincent and the Grenadines, Togo, Trinidad and Tobago, and Zambia.

³ For more information on challenges to reporting, see: http://www.armstrade.info/wp-content/uploads/2017/04/Reporting-in-Review_Examining-ATT-Reporting-Experiences_ATT-BAP.pdf

TRENDS IN ATT ANNUAL REPORTING

PUBLIC VS. PRIVATE REPORTS

Of the 51 reporting States Parties for 2017, three elected to keep their 2017 ATT annual reports private: Argentina, Greece, and Madagascar. Argentina previously provided publicly available reports to the ATT Secretariat for both its 2015 and 2016 annual reports. Greece also previously provided a publicly available report on its 2016 arms exports and imports. Madagascar was not previously required to submit an annual report.

By comparison, three States Parties (Liberia, Panama, and Senegal) elected to keep their 2016 ATT annual reports private. One State Party, Slovakia, kept its 2015 report private despite reporting publicly on annual arms transfers in its 2015 UN Register report. Two States Parties (Panama and Senegal) that elected to keep their 2016 annual reports private submitted public reports on their 2017 arms exports and imports.

USE OF THE REPORTING TEMPLATE

Forty-Seven of the 48 States Parties that provided publicly available reports on their 2017 arms exports and imports by 7 September 2018 utilized the ATT reporting template. France was the only State Party to not utilize the ATT reporting template, and instead submitted a version of its UNROCA report.

NIL REPORTS

Seven States Parties (El Salvador, Panama, Peru, Senegal, Sierra Leone, the FYR Macedonia, and Tuvalu) submitted “nil” reports for arms exports, indicating that they did not export any weapons during the 2017 calendar year. Bosnia and Herzegovina indicated that it submitted a nil report for exports of conventional arms but provided information on SALW exports.

Three States Parties (Luxembourg, Sierra Leone, and Tuvalu) submitted “nil” reports for arms imports. Bosnia and Herzegovina indicated that it submitted a nil report for imports of conventional arms but provided information on SALW imports.

Only two States, Sierra Leone and Tuvalu, submitted “nil” reports for both arms exports and imports.

As in previous years, two States Parties (Austria and the United Kingdom) only reported on arms exports and did not submit information on imports, though neither indicated they were submitting a nil report for arms imports.

NATIONAL SECURITY AND COMMERCIAL SENSITIVE INFORMATION

Nine States Parties (Bulgaria, Croatia, Germany, Finland, Italy, Mauritius, Norway, South Africa, and Sweden) indicated in their report cover pages that they withheld some commercially sensitive and/or national security-related data from their 2017 annual reports in accordance with Article 13(3) of the ATT. Four of these nine States Parties similarly withheld such information in their 2016 ATT annual reports (Finland, Italy, Norway, and Sweden). And three of these States Parties withheld such information in their 2015 annual reports (Bulgaria, Germany, and Sweden).

One State Party, Greece, that withheld such information in its 2016 annual report did not make its 2017 annual report publicly available. Sweden is the only State Party that indicated in all three of its ATT annual reports that information had been withheld.

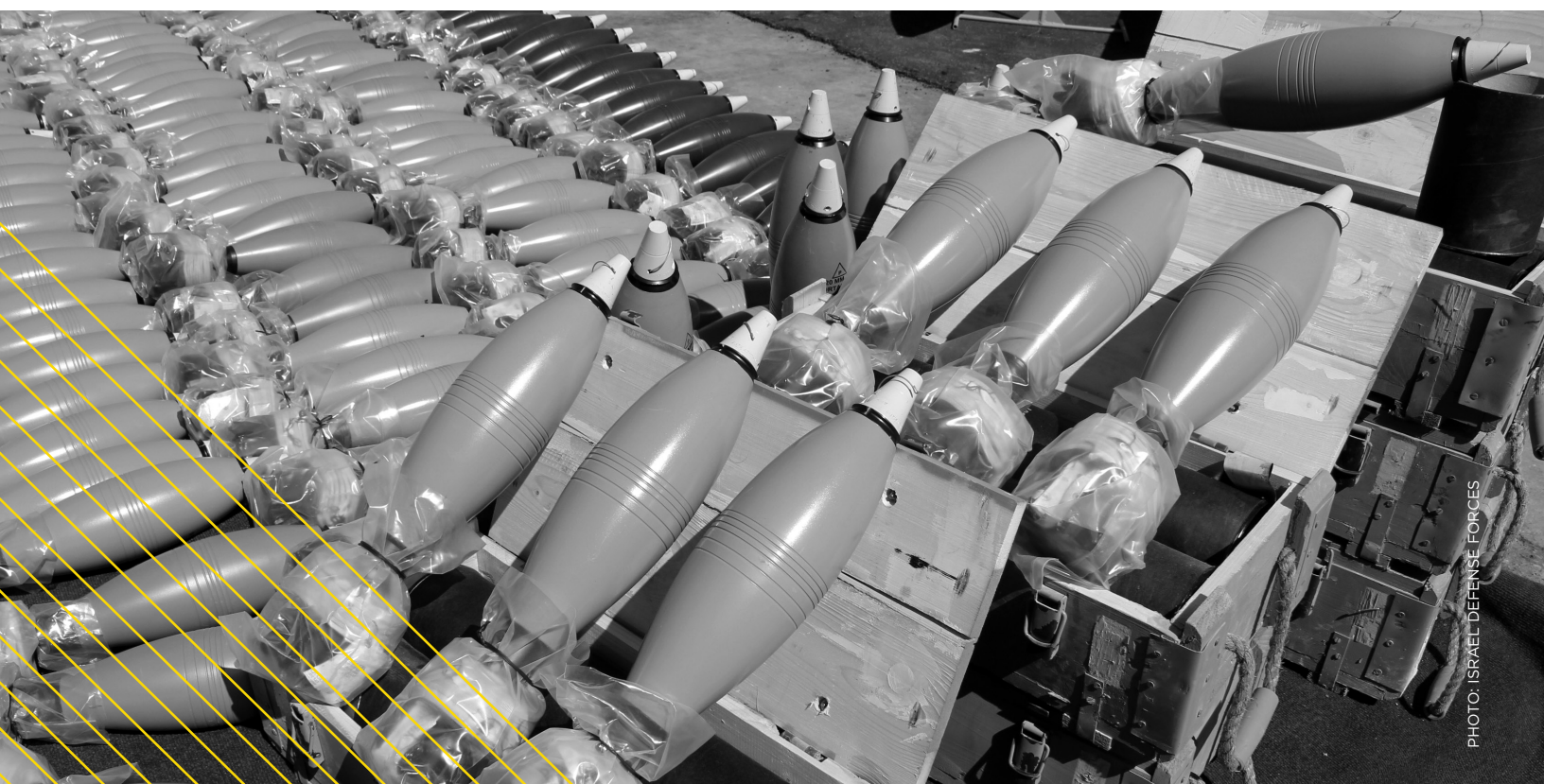
Within the content of its 2017 annual report, Australia also withheld information on the number of items imported as part of certain transfers. Australia revealed within the import columns that it was withholding such information, but it did not tick the appropriate box in the report cover.

NATIONAL DEFINITIONS

Six States Parties (Belgium, Germany, New Zealand, South Africa, Sweden, and Switzerland) indicated that they provided information on national definitions of arms covered by the annual report. All six of these States Parties have consistently said that they have provided information on national definitions of arms covered in their previous ATT annual reports.

This represents a slight decrease from previous years, however, in the number of States Parties that have indicated that they have provided such information in their reports. Nine States Parties indicated that national definitions had been used for their submissions for activities that took place in 2016, whereas 11 did so for activities that took place in 2015.

Since 2015, the inclusion of such material in the ATT annual reports is not clear in all cases, as some States Parties ticked the box but did not provide relevant information or clear definitions within the body of their reports.



ANALYSIS OF THIRD ATT ANNUAL REPORTS

EXPORTS

▶ Actual and/or Authorizations for Exports

Twenty-Nine States Parties indicated that they had reported on exports of major conventional weapons. Of these, 22 reported on actual exports and 7 reported on authorizations. Japan and New Zealand indicated that they reported on actual exports of major conventional weapons but did not record any exports for the 2017 calendar year. Similarly, Malta checked the box that it was reporting on authorized exports for major conventional systems but did not record any exports in 2017.

Forty-One States Parties reported on exports of SALW. Of these States Parties, 26 reported on actual exports and 12 reported on authorizations. One State Party (Bosnia and Herzegovina) did not indicate actual exports or export authorizations and three States Parties (Austria, Luxembourg, and Portugal) marked both actual and authorizations for their reported SALW exports.⁴

Three States Parties (Germany, New Zealand, and Switzerland) reported actual exports for the first seven categories of weapons covered by the ATT and authorizations for SALW exports. One State Party, Denmark, reported on export authorizations for the first seven categories of weapons covered under Article 2(1) of the treaty and reported actual SALW exports.

▶ Number of Items Exported and/or Value of Exports

Thirty States Parties reported the number of items exported, one reported the value of items exported, and 10 States Parties reported on both the number and value of items exported, though to varying extents.

Sweden, for example, largely reported the value of exports, specifically for SALW exports. On one occasion, Sweden provided the number of items exported – specifically 10 armoured combat vehicles to Norway. Sweden's pattern of reporting the number of items for exports of major conventional weapons and reporting the value of SALW exports is consistent with its previous ATT annual reports. Similarly, Denmark predominately only reported on the number of items exported, but on one occasion – for major conventional weapons – it reported on the number of items exported and the value of the export. This represents the first time Denmark has reported on the value of an export in any of its ATT annual reports.

One State Party (Belgium) reported only on the value of items exported.

⁴ Portugal primarily reported on authorizations for SALW exports, but on one occasion it reported on the actual export of 6 sub-machine guns to São Tomé and Príncipe.

▶ Information on Importing State

Twenty-Six of the 29 States Parties that reported exports of major conventional weapons provided information on the importing State(s). Italy is the only State Party that recorded exports of major conventional weapons but did not indicate the importing State(s) for such transfers. Two States (Malta and New Zealand), indicated that their reports include information on exports of major conventional weapons, but they did not record any exports. Previously, 25 States Parties indicated the importing State(s) for exports of major conventional weapons in their 2016 ATT annual reports, and 23 did so in their 2015 annual reports.

Thirty-Four of the 41 States Parties that reported on exports of SALW provided information on the importing State for each transfer. Several States Parties, however, did not provide such information and instead aggregated data on SALW exports, either in part or in full, thereby inhibiting assessments of compliance with ATT Articles 6 and 7. Croatia and Italy did not indicate the final importing State(s) for their SALW transfers. Bosnia and Herzegovina, Malta, and Mauritius provided aggregated totals for SALW exports and identified groups of importing States but did not attribute specific transfers to specific States. Denmark did not indicate importing States for small arms exports but did identify the importing State for one transfer of a light weapon to the United States. Similarly, Norway did not identify the importing State(s) for its SALW exports, with the exception of one transfer to Iceland.

This appears to continue a trend of States providing less information on importing States in their ATT annual reports in 2017 than in previous years' reports.

▶ Origin of Conventional Arms, if Not Exporting State

Six States Parties indicated a State of origin other than the exporting State for major conventional weapons exports that occurred in the 2017 calendar year. Each of these six States Parties also provided such information in their previous ATT annual reports, when applicable.

Nine States Parties indicated a State of origin other than the exporting State for SALW exports in the third round of reporting on annual arms transfers to the ATT Secretariat, compared to five States Parties that did so in their reports on transfers conducted in 2016 and six that did so in their reports on transfers conducted in 2015.

▶ Description of Conventional Arms

Nineteen States Parties included a description of at least some of the major conventional weapons they exported during the 2017 calendar year. The number of States Parties providing descriptions is comparable to previous years, when 19 States Parties provided such information in their 2016 reports and 17 States Parties did so in their 2015 reports.

Twenty-Two States Parties included a description of at least some of their SALW exports for 2017, representing a steady increase from previous years. By comparison, 18 States Parties provided a description of SALW exports for at least some of their reported transfers in 2016, and 15 did so for some of their SALW transfers in 2015.

▶ Comments on Transfer

Thirteen States Parties provided "comments on transfer" for at least some of their exports of major conventional systems in 2017. Twelve States Parties provided "comments on transfer" for their SALW exports.

The number of States Parties providing comments on exports of both major conventional weapons and SALW appears to be slightly increasing from previous years. Ten States Parties provided “comments on transfer” for some of their SALW exports in their 2016 ATT annual reports and eleven States Parties did so in their 2015 ATT annual reports.

IMPORTS



▶ Actual and/or Authorizations for Imports

Twenty-Three States Parties reported on imports of major conventional weapons. Of these, 19 reported on actual imports and four reported on authorizations. An additional four States Parties indicated that they reported on actual imports of major conventional systems but did not provide any information on transfers. Similarly, one State Party indicated that it reported on authorizations for imports but did not provide any information on such transfers.

Thirty-Nine States Parties reported on imports of SALW. Of these, 27 reported on actual imports of SALW and 9 reported on import authorizations of SALW. Two States Parties (Peru and Portugal) reported on both actual imports and authorizations, two States Parties (Bosnia and Herzegovina and Australia) did not indicate actual imports or authorizations, and one State Party (The Former Yugoslav Republic of Macedonia) marked both actual and authorizations for its reported SALW imports. Moreover, Austria and the United Kingdom did not provide any information on imports – for either major conventional systems or SALW – but did not indicate a “nil” report.

▶ Number of Items Imported and/or Value of Imports

Thirty-Four States Parties reported the number of items imported, one reported the value of items imported, and nine reported both the number and value of items imported in their 2017 ATT annual reports.

▶ Information on Exporting State

Nearly all States Parties that provided information on imports of major conventional weapons included information on the exporting State(s). As was the case in the 2016 reports, Italy was once again the only exception, as it did not indicate the exporting State(s) for its major imports (though Italy did provide such information in its 2015 report).

Thirty-One of the 41 States Parties that reported on SALW imports provided information on the exporting State(s) for each transfer. Five States Parties (Croatia, Denmark, Italy, Mauritius, and Panama) did not identify exporting States. Australia also did not identify exporting States for its SALW imports, except for one transfer from the United States. An additional four States Parties (Bosnia and Herzegovina, Malta, Moldova (Republic of), and Montenegro) identified groups of exporting States, but did not attribute specific transfers to specific States and instead provided aggregate totals for SALW imports.

▶ Origin of Conventional Arms, if Not Exporting State

Five States Parties (Albania, Hungary, Latvia, Romania, and Serbia) provided information on the origin of major conventional weapons imported during the 2017 calendar year if not from the exporting State, compared to two States Parties that did so in 2016 and six that did so in 2015.

Seven States Parties (Albania, Denmark, Hungary, Malta, Romania, Serbia, and the Former Yugoslav Republic of Macedonia) provided information on the origin of SALW imported in 2017 if not the exporting State, compared to three that did so in 2016 and nine that did so in 2015. It is not possible at this time to determine if these shifts are due to reduced transparency or differences in the sources of conventional weapons.

► **Description of Conventional Arms**

Fifteen States Parties provided a description of at least some of the major conventional systems imported during the 2017 calendar year, representing a slight decrease from previous years. Nineteen States Parties provided such information in their 2016 ATT annual reports, and 18 did so in their 2015 reports.

Twenty-Four States Parties provided a description of at least some of their SALW imports during the 2017 calendar year, compared to 21 that did so in their 2016 ATT annual reports and 22 that did so in their 2015 reports.

► **Comments on Transfer**

Six States Parties provided “comments on transfer” for imports of major conventional weapons in the 2017 calendar year. By comparison, seven States Parties included comments on at least some of the items imported during the 2016 calendar year, and six did so in their 2015 reports.

Ten States Parties provided “comments on transfer” for at least some of their 2017 SALW imports. Thirteen States Parties provided such information on SALW imports that occurred in the 2015 calendar year and the 2016 calendar year.



COMPARISON WITH UN REGISTER REPORTS

Under ATT Article 13(3) States Parties are permitted to submit their UNROCA report for their ATT annual report submission. And, because much of the information contained in the UNROCA and ATT annual reports are the same, States Parties often complete both reports at once. Moreover, we do not often get new or different information in the UNROCA and ATT annual reports. States appear to be providing less information than previously in their UNROCA reports, both in terms of the quality (the details contained in their reports) and the number of reports submitted. The hope that the ATT would encourage greater reporting across multiple instruments and augment such information has not proven in practice. In short, the ATT has not created an increase in transparency nor in our knowledge and understanding of the global conventional arms trade, as intended in Article 1 of the ATT.

As of 7 September 2018, 32 States submitted their reports to the UN Register of Conventional Arms on 2017 exports and imports (see Table 2).⁵ Twenty-Five ATT States Parties submitted their UNROCA reports (78 percent of all reporting States). One of these States Parties, Cyprus, has not yet submitted a 2017 ATT annual report to the ATT Secretariat, though it was required to do so by 31 May 2018.

In addition to the 25 ATT States Parties, seven additional States submitted 2017 annual reports to UNROCA: Brazil, Canada, Russia, Singapore, Turkey, Ukraine, and the United States. Three of these States – Turkey, Ukraine, and the United States – are signatories to the ATT, but not yet States Parties.

Several States that have a history of reporting on annual arms exports and imports to UNROCA have provided such information more consistently to the ATT Secretariat in recent years, as part of their ATT obligations. And some States that have never reported or have seldomly reported to UNROCA – such as those from Africa and the Americas, including Burkina Faso, Costa Rica, Liberia, Madagascar, Mali, and Panama, and others – are reporting to the ATT and including information on SALW exports and imports, which could indicate a positive sign that States Parties are committed to fulfilling their mandatory ATT reporting obligations, which were only voluntary under UNROCA.

⁵ The data on 2017 UN Register reports included in this section is based on information provided in the UN Register database, available at www.unroca.org. Additional and often times different information on States' 2017 UN Register reports has been presented by other sources such as the UN Secretary General's report on the UN Register of Conventional Arms (<http://undocs.org/a/73/185>), and through reports included in other reporting regimes, such as the Organization for Security and Cooperation in Europe. However, this additional information is not available on the UN Register's database at www.unroca.org and therefore was not included in this reporter in order to maintain a level of consistency in the analysis. Therefore, the information captured in Table 3 may not capture the most up to date reports due to incomplete information on the UNROCA website.

Table 2: Annual Reports to the ATT and UN Register

ATT State Party	ATT Annual Report (year last reported)	UN Register Report (year last reported)
Albania	(2017)	(2016)
Antigua & Barbuda		(2009)
Argentina	(2017)	(2017)
Australia	(2017)	(2017)
Austria	(2017)	(2014)
Bahamas		(2011)
Barbados		(2003)
Belgium	(2017)	(2015)
Belize		(2010)
Bosnia & Herzegovina	(2017)	(2017)
Bulgaria	(2017)	(2017)
Burkina Faso	(2016)	(2006)
Cape Verde		
Central African Republic		(1995)
Chad		(1994)
Costa Rica	(2017)	(2008)
Cote d'Ivoire		(2002)
Croatia	(2017)	(2013)
Cyprus		(2017)
Czech Republic	(2017)	(2017)
Denmark	(2017)	(2013)
Dominica		(2001)
Dominican Republic	(2015)	(2010)
El Salvador	(2017)	(2012)
Estonia	(2016)	(2014)
Finland	(2017)	(2017)
France	(2017)	(2017)
Georgia	(2017)	(2007)
Germany	(2017)	(2017)
Ghana		(2007)
Greece	(2017)	(2016)
Grenada		(2014)
Guatemala		(2007)
Guinea		
Guyana		(2010)
Hungary	(2017)	(2016)
Iceland		(2013)
Ireland	(2017)	(2014)
Italy	(2017)	(2009)
Jamaica	(2015)	(2012)
Japan	(2017)	(2017)
Latvia	(2017)	(2017)
Lesotho		(2005)
Liberia	(2016)	
Liechtenstein	(2017)	(2017)
Lithuania	(2017)	(2017)

ATT State Party	ATT Annual Report (year last reported)	UN Register Report (year last reported)
Luxembourg	(2017)	(2016)
Madagascar	(2017)	(2000)
Mali	(2015)	(2006)
Malta		(2012)
Mauritania		(1994)
Mauritius	(2017)	(2012)
Mexico	(2017)	(2013)
Moldova, Republic of	(2017)	(2014)
Monaco		(2012)
Montenegro	(2017)	(2007)
Netherlands	(2017)	(2017)
New Zealand	(2017)	(2009)
Niger		(2005)
Nigeria		
Norway	(2017)	(2012)
Panama	(2017)	(2008)
Paraguay	(2016)	(2006)
Peru	(2017)	(2010)
Poland	(2017)	(2017)
Portugal	(2017)	(2017)
Romania	(2017)	(2017)
Samoa	(2015)	(2011)
San Marino		(2013)
Senegal	(2017)	(2006)
Serbia	(2017)	(2017)
Seychelles		(2008)
Sierra Leone	(2017)	(2006)
Slovakia	(2017)	(2017)
Slovenia	(2017)	(2017)
South Africa	(2017)	(2016)
Spain	(2017)	(2017)
St. Kitts & Nevis		(2005)
St. Lucia		(2006)
St. Vincent & the Grenadines		(2008)
Sweden	(2017)	(2017)
Switzerland	(2017)	(2017)
The FYR Macedonia	(2017)	(2017)
Togo		(2007)
Trinidad & Tobago		(2013)
Tuvalu	(2017)	(2006)
United Kingdom	(2017)	(2017)
Uruguay	(2016)	(2012)
Zambia		(2006)

States Parties provide comparable information in their ATT and UNROCA reports. Of the 25 ATT States Parties that submitted reports to UNROCA on 2017 arms exports and imports, 17 reported on exports of major conventional weapons (or 68 percent of reporting States), 20 reported on SALW exports (or 80 percent of reporting States), 15 reported on imports of major conventional weapons (or 60 percent of reporting States), and 18 reported on SALW imports (or 72 percent of reporting States). By comparison, 60 percent of reporting States Parties to the ATT reported on exports of major conventional weapons, 84 percent reported on SALW exports, 48 percent reported on imports of major conventional weapons, and 81 percent reported on SALW imports.

COMPARING ADDITIONAL INFORMATION IN UNROCA AND ATT ANNUAL REPORTS

In general, States Parties continue to provide more information in their UNROCA reports than in their ATT annual reports (see Table 3). However, there are instances when the inverse is true, and the ATT annual reports contain more details on specific transfers.

All except one of the 17 ATT States Parties that reported on exports of major conventional weapons in their 2017 UNROCA annual reports provided a description of the item(s) – which at times included, for example, details on the make and/or model of a given weapons system. Notably, two of these States Parties (Germany and Spain) did not provide such details in their 2017 ATT annual reports. A third State Party, Japan, recorded exports of major conventional systems, including descriptions of items, in its 2017 UNROCA report but did not record any exports of major conventional weapons in its 2017 ATT annual report. Fourteen of the 20 States Parties that reported on SALW exports in their UNROCA reports provided descriptions of items. One of these 14 States Parties (Australia) did not provide such details in its ATT annual report.

One State Party (Poland) that provided comments on transfers of exports of major conventional weapons in its 2017 UNROCA report did not do so in its 2017 ATT annual report. Two States Parties (Bulgaria and Switzerland) that provided comments on at least some of their SALW exports in their UNROCA reports did not do so in their 2017 ATT annual reports. Additionally, two States Parties (the Czech Republic and Germany) provided comments on transfers of at least some exports in their 2017 ATT annual reports but did not do so in their UNROCA reports.

Eleven ATT States Parties provided a description of items for at least some of reported imports of major conventional weapons in their 2017 UNROCA reports. Two of these States Parties (Germany and Poland), however, did not provide such information in their ATT annual reports this year. Germany also provided a description of items for at least some of its SALW imports in its UNROCA reports but did not do so in its ATT reports. It should be noted that while Germany did not provide a description of items in its ATT annual report, it did provide comments on transfers for SALW imports in its ATT report but did not do so in its UNROCA report.

Table 3: Additional Information Provided in 2017 UNROCA Reports Compared to 2017 ATT Annual Reports

ATT State Party	Description of Items for Arms Exports		Description of Items for Arms Imports		Comments on Transfer for Arms Exports		Comments on Transfer for Arms Imports	
	UNROCA	ATT	UNROCA	ATT	UNROCA	ATT	UNROCA	ATT
Argentina	✓	🔒	✓	🔒		🔒	✓	🔒
Australia	✓				✓	✓		
Bosnia and Herzegovina	✓	✓	✓	✓				
Bulgaria	✓	✓	✓	✓	✓	✓	✓	✓
Cyprus	✓	--		--	✓	--		--
Czech Republic	✓					✓		
Finland	✓	✓						
France	✓	✓	✓	✓				
Germany	✓		✓			✓		✓
Japan	✓			✓			✓	
Latvia			✓	✓			✓	
Liechtenstein	✓	✓	✓	✓		✓		
Lithuania	✓	✓	✓	✓				
Netherlands	✓	✓	✓	✓	✓	✓		
Poland	✓	✓	✓		✓			
Portugal	✓	✓	✓	✓				
Romania	✓	✓	✓	✓	✓	✓	✓	✓
Serbia	✓	✓	✓	✓	✓			
Slovakia	✓	✓	✓	✓	✓	✓	✓	✓
Slovenia	✓	✓	✓	✓	✓	✓	✓	✓
Spain	✓							
Sweden	✓	✓	✓		✓		✓	✓
Switzerland	✓	✓			✓	✓		
The FYR Macedonia	✓	✓						
United Kingdom	✓	✓			✓	✓		
TOTAL	24	17	16	13	12	11	8	6

Table 3 Key: ✓ Included information in report
 🔒 Submitted a private report
 - Did not submit report



PHOTO: DEREK WEBSTER VIA WIKIMEDIA COMMONS

CONCLUSION

The third round of reporting through the ATT annual reports identifies some worrying trends that indicate potentially negative signs for adherence to ATT reporting obligations.

REPORTING LEVELS HAVE DECREASED EACH YEAR

While the levels of reporting for the first and second rounds of ATT annual reports are relatively comparable, the fall in reporting for round three represents a worrying trend. In a time when State compliance should be growing, States have already demonstrated their lack of interest and willingness to report under the ATT.

KNOWLEDGE OVER ARMS TRANSFERS HAS NOT INCREASED

The ATT was intended to provide transparency over the global arms trade, providing a more complete picture of global arms transfers. However, States Parties have not always provided more information in their ATT reports than they do in other reporting forms, nor have they been consistent across reporting forms. However, it is worth noting that some States Parties include more information in their ATT annual reports than in their UNROCA reports, particularly for exports and imports of SALW. Consistency across reporting instruments and encouraging States Parties to provide all information pertinent to a particular transfer could improve transparency over the arms trade as the ATT intended.

DIFFICULT TO ASSESS APPLICATION OF THE ATT

Article 1 of the ATT reflects the object and purpose of the treaty, including the promotion of transparency in the arms trade, which would then build confidence among States Parties. However, without comprehensive information about global arms transfers, it is difficult to assess the application of key articles in the ATT, namely those surrounding export and export assessment and imports. In particular, the use of aggregated information results in increased difficulty in identifying how States Parties are applying the ATT to address concerns surrounding the use of these weapons in violation of international humanitarian law, international human rights law, and in pursuit of terrorist objectives.

A WAY FORWARD

This year's reports reinforce trends that were identified in previous rounds of reporting. ATT-BAP's analysis has highlighted that States Parties continue to choose to keep their annual reports private, that States Parties from underrepresented regions in the ATT continue to struggle with their reporting obligations, that the level of detail contained in the reports is decreasing, and there remains a lack of information with regard to transfer decisions. Without serious attention to the weaknesses in the reporting structures, it will be difficult to reverse these negative trends.

The Working Group on Transparency and Reporting has identified several steps that States Parties can take to meet their reporting commitments. In their final report to the CSP, the Working Group Co-Chairs emphasized that the Working Group will continue to examine, among other issues, the "state of play of compliance with reporting obligations; challenges concerning reporting; substantive reporting and transparency issues; organizational means for information exchange; and harnessing information generated by mandatory reporting."⁶

As part of their mandate, the working group will identify States Parties' challenges in meeting their reporting requirements and develop recommendations to address those challenges. Moreover, the working group has committed to "review the effectiveness and clarity of the templates to submit initial and annual reports" in order to streamline and simplify the reporting process. If States Parties maintain engagement in these discussions and processes and commit to undertaking the recommended steps, it may be possible to reverse the negative trends facing ATT annual reporting.

⁶ ATT Working Group on Transparency and Reporting: Co-Chairs' Draft Report to CSP4, 20 July 2018, http://www.thearmstradetreaty.org/images/CSP4/CSP4_documents/ATT_CSP4_WGTR_Co-chairs_report__EN.pdf





ARMSTRADE.INFO

Since its inception, ATT-BAP has been generously funded by the Governments of Australia, Ireland, the Netherlands, Norway, Switzerland, and the United Kingdom, as well as UNSCAR (the United Nations Trust Facility Supporting Cooperation on Arms Regulations). In addition, the project has engaged in partnerships with the UN Office for Disarmament Affairs and its regional centers, regional organizations (including CARICOM and the European Union), and civil society organizations including the Center for Armed Violence Reduction (CAVR) and Control Arms. For more information, visit the Arms Trade Treaty-Baseline Assessment Project Portal at www.armstrade.info or contact us at ATT@stimson.org.

Rachel Stohl: rstohl@stimson.org

©2018 ATT Baseline Assessment Project.
All rights reserved.

Produced by Masters Group Design



PHOTO: CARLOS MENENDEZ SAN JUAN