
Arms Trade Treaty
Fifth Conference of States Parties
Geneva, 26 – 30 August 2019

**ATT WORKING GROUP ON TREATY UNIVERSALIZATION
CO-CHAIRS' DRAFT REPORT TO CSP5**

Introduction

1. This draft report to the Fifth Conference of States Parties (CSP5) to the Arms Trade Treaty (ATT) is presented by the Co-chairs of the Working Group on Treaty Universalization (WGTU) to reflect the work conducted by the WGTU since its establishment and to make recommendations on steps to be taken with respect to Treaty universalization beyond CSP5.

Background

2. The Third Conference of States Parties to the ATT (CSP3) endorsed the ATT WGTU Co-chairs' Draft Report to CSP3 (ATT/CSP3.WGTU/2017/CHAIR/160/Conf.Rep), including Terms of Reference for the Working Group on Treaty Universalization and the Working Group on Universalization Initial Work Plan, Rev. 3. Furthermore, the Initial Work Plan, Rev. 3 suggests that "The Working Paper Promotion of Arms Trade Treaty Universalization (ATT/CSP2/2016/WP.4/Rev.1) will serve as a basic document for WGTU work at least until CSP4". The documents mentioned above established a solid basis for the work of the WGTU between CSP3 and CSP4.

3. The Fourth Conference of States Parties to the ATT (CSP4) endorsed the ATT WGTU Co-chairs' Draft report to CSP4 (ATT/CSP4.WGTU/2018/CHAIR/356/Conf.Rep), which recommended the following:

- a. The re-endorsement of the Initial Work Plan (Rev 3) in Annex B to the WGTU Co-chairs' Draft Report to CSP3 (ATT/CSP3.WGTU/2017/CHAIR/160/Conf.Rep), by focusing on the following approaches in the period between CSP4 and CSP5:
 - i. Regions with fewer States Parties;
 - ii. Take advantage of WGTU Co-Chairs' states of origin or seek assistance from States Parties in targeted regions to facilitate access to high profile stakeholders in states that have not yet joined the Treaty;
 - iii. Continuously engage Parliamentarians to facilitate domestic ratification processes;
 - iv. Utilize regional events, if appropriate, to engage with stakeholders efficiently; and
 - v. Hold regular meetings of CSP President and other ATT stakeholders on the sidelines of ATT meetings and universalization trips.

- b. Mandate the WGTU to, in the period leading up to CSP5, develop the toolkit by relying on the elements contained in Annex B.
- c. Endorse the list of possible events in Annex C as a reference to facilitate the planning of future universalization trips.

Appointment of WGTU Co-chairs

4. CSP4 mandated the CSP5 President, Ambassador Jānis KĀRKLIŅŠ (Latvia), with the responsibility of facilitating the work of the Working Group until the next annual ordinary session of the Conference (CSP5). On 08 October 2018, the CSP5 President appointed Ambassador Nobushige TAKAMIZAWA (Japan, CSP4 President) as the Co-chair of the WGTU with a view to build on the work of previous Co-chairs of the WGTU.

Preparation for the First Meeting of the WGTU

5. In order to facilitate the work of the WGTU, the Co-chairs issued the WGTU Work Plan (ATT/CSP5.WGTU/2019/CHAIR/402/M1.WorkPlan) on 11 January 2019 that set out the work for the WGTU and possible topics for deliberation during the WGTU meetings in the period leading up to CSP5.

First Meeting of the WGTU

6. The WGTU held its first meeting on 30 January 2019 at the WMO building in Geneva. The meeting was co-chaired by Ambassador Jānis KĀRKLIŅŠ and Charge d'affaires Kazuhiro NAKAI, and was attended by representatives of 46 States, 3 international organizations, 2 regional organizations, 8 civil society organizations and 5 industry organizations.

7. The following aspects were discussed during the meeting:
 - a. The two Co-chairs highlighted their respective and joint universalization activities since CSP4 in Geneva, New York, Riga, Tokyo, and capitals of non-States Parties to the Treaty. They took advantage of key events such as the UNGA First Committee, the Inter-Parliamentary Union (IPU) Assembly in Geneva, Ministerial-level meetings, and oversea trips, and carried out bilateral and multilateral meetings, working dinners, side events, briefings, and diplomatic demarches by their respective embassies.
 - b. The Head of the ATT Secretariat provided an update on the status of ratifications of the Treaty, as well as accessions and signatures, and noted that the rate of ATT universalization compares favourably with trends observed with respect to other instruments.
 - c. The Head of the ATT Secretariat introduced the draft Universalization Toolkit and the draft 'Welcome Pack' based on discussion in the WGTU and the WGETI respectively. Participants welcomed the two draft papers and provided constructive comments and edits. The Co-chairs took note of the suggestions and committed to present the revised drafts in the second WGTU meeting in April.
 - d. Following the presentations given by Parliamentarians' organizations and Defense Industry representatives during the CSP4 process, two representatives from the Control Arms Coalition presented on civil society efforts to promote ATT universalization regionally (Americas and Africa) and globally.
 - e. Representatives of some States Parties provided updates on their universalization activities since CSP4 to date. They shared information on domestic legislative processes and status, bilateral meetings on export controls, regional workshops, as well as assistance received and provided. A State Party

representative offered to conduct diplomatic démarches through its embassies if requested by the Co-chairs. The CSP5 President stressed that all ATT stakeholders are welcome to engage in universalization efforts and reaffirmed the importance of mentioning the significance of the ATT in statements at both bilateral and multilateral meetings as described in the ATT WGTU Co-chairs' Draft Report to CSP4 (ATT/CSP4.WGTU/2018/CHAIR/356/Conf.Rep);

- f. Lastly, the Ambassador of Mozambique - the 100th State to become a State Party to the ATT - and representatives of UNODA, ICRC, and Control Arms joined the WGTU Co-chairs on the podium to celebrate ATT@100 (the ATT's 100-State-Party Milestone).

8. Universalization was also discussed under other agenda items. In the context of deliberations on the Voluntary Trust Fund (VTF), some delegates highlighted the importance of the VTF in promoting universalization and the synergies between universalization efforts and VTF outreach activities.

Preparation for the Second Meeting of the WGTU

9. On 19 March 2019, in anticipation of the second WGTU meeting, the Co-chairs issued a Draft Discussion Paper (ATT/CSP5.WGTU/2019/CHAIR/433/M2.DiscPaper).

Second Meeting of the WGTU

10. The WGTU held its second meeting on 04 April 2019 in Geneva, at the CICG. Representatives of 66 States, 3 international organizations, and 14 civil society organizations were in attendance.

11. On the basis of the WGTU mandate issued by CSP4 and the exchange of views and discussions during the WGTU's first meeting, the second meeting of the WGTU focused on the following aspects:

- a. The Head of the ATT Secretariat provided an overview of the current status of ATT participation. The Co-chairs shared lessons learned from their universalization efforts and reaffirmed their commitment to achieving 150 States Parties.
- b. The CSP5 President provided an update of universalization activities undertaken by the Latvia's political leadership and stressed the significance of civil society and industry in universalization efforts. The CSP4 President emphasized the strong political will of the Japanese leadership as well as plans to make use of multilateral meetings hosted in Japan to support universalization efforts.
- c. The Head of the ATT Secretariat presented the updated drafts of the Universalization Toolkit and the 'Welcome Pack' based on discussions and recommendations made during and after the first WGTU in January. Several States Parties, civil society organizations, and industry members supported the voluntary translation of the two documents into languages beyond the official languages of the UN.
- d. Representatives of Cameroon and Chile, new States Parties to the Treaty, shared their experiences in becoming States Parties, highlighting the role of domestic stakeholders and support from civil society and industry.

Outcome of the WGTU meetings

12. Following the two WGTU meetings held in the intersessional period, it was clear that there is continued support for the approaches to promote ATT universalization outlined in the Working Paper (ATT/CSP2/2016/WP.4/Rev.1), namely:

- a. Utilize every opportunity to include the significance of the ATT in high level statements at both bilateral and multilateral meetings in order to raise awareness among states that have not yet joined the Treaty.
- b. Maintain close working relationships with civil society, industry and other stakeholders to promote universalization in their respective regions.
- c. Encourage regional cooperation to share experiences of becoming States Parties, where possible.

WGTU Recommendations

13. On the basis of the WGTU mandate issued by CSP2 and on the strength of the exchange of views and discussions during the two WGTU meetings, the WGTU Co-chairs recommend that CSP5 adopts the following recommendations of the WGTU:

- a. Adopt the ATT Universalization Toolkit (Annex A) as well as the 'Welcome Pack for New States Parties to the ATT' (Annex B) and encourage ATT Stakeholders to utilize the materials in their bilateral, multilateral, and regional meetings and workshops when appropriate.
- b. Encourage ATT stakeholders, to the extent possible, to translate the two documents to target languages (other than UN official languages) to promote understanding of the Treaty.
- c. Request the ATT Secretariat to upload both documents and available translations to the resources section of the ATT website and to mention the link in the welcome letter sent to new States Parties upon becoming States Parties to the Treaty.
- d. Request the ATT Secretariat to continue to analyse the trends and pace of universalization of the ATT and report annually to the CSP.
- e. Continue to conduct regular exchanges of views among the CSP President, Co-Chairs of the WGTU, the VTF Chairperson and civil society representatives on the promotion of ATT universalization.

ANNEX A
ATT UNIVERSALIZATION TOOLKIT

1.	Who is this toolkit designed for?.....	1
2.	What is the ATT?	1
2.1	Why was the Treaty adopted?	1
2.2	Adoption and entry into force	1
2.3	How many States have joined the ATT?.....	2
3.	Why is universalization of the ATT important?	2
4.	What are the benefits of joining the Treaty?	2
4.1	Transparency	2
4.2	Peace and Security	3
4.2.1	HUMAN SECURITY	3
4.2.2	NATIONAL SECURITY.....	3
4.2.3	REGIONAL SECURITY.....	3
4.3	Human Rights	3
4.4	Sustainable development	4
4.5	Regulating Trade and Enhancing Trade Standards.....	4
4.6	Synergies with other instruments	4
5.	What are the challenges States face in joining the Treaty?	4
6.	Frequently asked questions.....	5
6.1	What difference is the Treaty making in the global arms trade?.....	5
6.2	What about countries that have not yet joined the Treaty?	5
6.3	What is the scope of the Treaty?	6
6.3.1	What types of arms are covered by the ATT?	6
6.3.2	What types of transfers are covered by the ATT?.....	6
6.4	How can we be sure that States Parties respect their commitments?	6
6.5	Does the Treaty prevent States from importing weapons?	6
6.6	What role do Civil Society Organizations play in treaty implementation?	7

1. Who is this toolkit designed for?

The Universalization Toolkit was developed by the Working Group on Treaty Universalization. The Toolkit is a living document designed to assist those wishing to promote universalization of the ATT – States, ATT office holders, civil society etc. The Toolkit is based on the decisions and recommendation of CSP4 as well as on information and experiences shared by States Parties during discussions and exchanges between States Parties that took place during meetings of the ATT Working Groups.

2. What is the ATT?

The Arms Trade Treaty (ATT) is an international treaty that regulates the international trade in conventional arms by establishing the highest international standards governing arms transfers and seeks to prevent and eradicate illicit trade and diversion of conventional arms.

The object of the Treaty as outlined in Article 1 is to:

- Establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms;
- Prevent and eradicate the illicit trade in conventional arms and prevent their diversion;

for the purpose of:

- Contributing to international and regional peace, security and stability;
- Reducing human suffering;
- Promoting cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties.

“This marks the opening of a new chapter in our collective efforts to bring responsibility, accountability and transparency to the global arms trade.” —Ban Ki Moon¹

The ATT contributes to international and regional peace, security and stability, reducing human suffering, and promoting cooperation, transparency and responsible action.

2.1 Why was the Treaty adopted?

The ATT was adopted because UN member States recognized that

‘the absence of common international standards on the import, export and transfer of conventional arms is a contributory factor to conflict, the displacement of people, crime and terrorism, thereby undermining peace, reconciliation, safety, security, stability and sustainable development’ (paragraph 9 of resolution 61/89 *Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms*).²

2.2 Adoption and entry into force

The Treaty was adopted by a UN General Assembly Resolution on 02 April 2013 and entered into force on 24 December 2014, becoming the first global, legally binding treaty governing conventional arms transfers.

¹ Statement by the Secretary-General on the entry into force of the Arms Trade Treaty on 23 December 2014.

<<https://www.un.org/sg/en/content/sg/statement/2014-12-23/statement-secretary-general-entry-force-arms-trade-treaty>>

² UN resolution adopted by the General Assembly on 18 December 2006, A/RES/61/89, Sixty-first session, Agenda item 90

<http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/61/89&Lang=E>

2.3 How many States have joined the ATT?

At this stage, more than 100 States have become States Parties to the Treaty and others have signed the Treaty but not yet ratified it.

Up to date information on the status of participation in the ATT, including a regional overview, is available on the ATT website at: <https://www.thearmstradetreaty.org/treaty-status.html?templateId=209883>

3. Why is universalization of the ATT important?

Article 17 (4) of the Treaty outlines what Conferences of State Parties must consider at its formal sessions. Article 17(4) (b) specifically provides that the Conference of States Parties shall “consider and adopt recommendations regarding the implementation and operation of this Treaty, in particular the promotion of its universality”. The Treaty, through its text, as quoted, identifies the promotion of Treaty universality as a critical element deserving of consideration by the Conference of States Parties. In fact, universalization of the Treaty is such a priority that CSP3 established a Working Group on Treaty Universalization (WGTU), mandated to promote universalization of the Treaty and to ‘develop specific activities and targets to realise the Treaty universalization objectives’.

‘Universalization’ of the Treaty involves expanding the membership of the Treaty to ensure there are as many States Parties as possible. Although the notion of universalization is not defined in the text of the Treaty, it can be operationalized to mean expanding the Treaty’s jurisdiction. It is important to have as many States join the ATT as possible because an international regulatory system only works if enough States subscribe to it. There is little point having a few conscientious exporters assess the risks involved in arms transfers; illicit arms could still be sourced where controls are not in place.

In practice, there are only a handful of treaties or conventions that *all* States are party to. So how many or what type of States do we need to achieve ‘universalization’ in the ATT context? In June 2018, the ATT Secretariat analysed how many of the top 50 arms exporters and importers are part of the Treaty. The findings were that most of the top exporters have joined the Treaty - 73% of the world’s top exporters, covering 71% of arms exports are either States Parties or Signatories. Only 53% of the top importers, covering 36% of arms imports, are States Parties or Signatories. There is still work to be done on universalization.

The tipping point may be when there are enough States that are part of the Treaty and are implementing the Treaty that a norm of adherence to Treaty principles – even by non-States Parties – emerges. Universalization is perhaps not a question of absolute numbers but rather a question of State behavior.

4. What are the benefits of joining the Treaty?

The object of the ATT, as set out in Article 1 (and section 1 of this document) entails positive consequences, which are laid out in the purpose of the Treaty. Joining the Treaty means becoming part of a global community implementing the provisions of the ATT; a community of States operating a well-regulated international trade in conventional arms, for the purposes set out in Article 1.

4.1 Transparency

The ATT promotes transparency through initial reports on implementation and annual reports on transfers, as well as voluntary information exchange.

The ATT offers States Parties the opportunity to open transparent channels of communication at the bilateral and multilateral levels. This helps to:

- identify issues of mutual interest;
- build confidence;
- collaborate in strengthening trade standards;
- facilitate assessments of treaty compliance;
- identify trends in arms transfers;
- offer insight into how States Parties implement the Treaty and identify best practices;
- facilitate international cooperation; and

- help pair resourced states with those in need of assistance.

At the same time, all nations have national security concerns. The ATT takes this into account by allowing States to exclude commercially sensitive or national security information from the annual reports and/or making their reports available to other States Parties only, not the public generally.

4.2 Peace and Security

4.2.1 HUMAN SECURITY

As recognized in the Preamble to the ATT, the illicit and unregulated trade in conventional arms has security, social, economic and humanitarian consequences.

Arms availability and misuse have direct and indirect impacts on human security in both conflict and non-conflict settings. Not only do they cause loss of life and injury, but they may lead to the displacement of civilians; restricted access to health services, education and food security; and psychological and economic consequences for victims and their families.

The accumulation and circulation of illicit arms and ammunition can prolong armed conflict and can continue to threaten civilians long into the post-conflict period.

The ATT can contribute to human security. Article 6(3) prevents States Parties from authorizing any transfer of conventional arms,

“if it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a Party.”

4.2.2 NATIONAL SECURITY

The Treaty has a part to play in ensuring that available arms remain in the possession of responsible end-users and to diminish the supply of arms to criminal organisations.

The presence of illicit arms can pose a challenge to a state’s security sector and the ability of the armed forces and law-enforcement personnel to provide effective domestic security.

Treaty compliance can help identify gaps in existing national systems – allowing States to conduct a gap analysis and seek financial and technical assistance, if needed, to help close any gaps and ensure their national arms control system is robust and comprehensive.

The Treaty also clearly states that it does not apply to the international movement of arms by or on behalf of a State Party for its use provided the arms remain under the State Party’s ownership. So transferring equipment to deployed troops does not constitute a ‘transfer’ under the Treaty and does not require a risk assessment, provided the arms are not retransferred (or left behind) after the mission in question.

4.2.3 REGIONAL SECURITY

The ATT can contribute to the prevention of cross-border illicit arms and ammunition flows, which in turn reduces the destabilizing effect conventional arms can have on regional security.

The Treaty also promotes cooperation, transparency and responsible joint action, and provides a framework for strengthening existing regional frameworks to combat diversion and the illicit trade.

4.3 Human Rights

With the inclusion of Articles 6 and 7, States Parties to the ATT are required to place international human rights law and international humanitarian law at the centre of their arms transfer decisions. Under Article 7, States Parties must apply the risk assessment criteria before authorizing any transfer of, at a minimum, conventional arms, ammunition, or parts and components covered under Articles 2(1), 3, and 4 of the Treaty, and deny the

proposed export where there is an “overriding risk” that the exported weapons could be used to commit or facilitate a serious violation of international human rights law or international humanitarian law.

The ATT reinforces international human rights law and enhances it by bringing it into the risk-assessment process, helping ensure that international human rights standards are respected, implemented and enforced in the conventional arms trade.

The Treaty also places an emphasis on the negative impact of conflict and armed violence women and children, by explicitly highlighting the issue of gender-based violence in the risk-assessment criteria (See Article 7(4)).

4.4 Sustainable development

The ATT can have a role to play in the achievement of Sustainable Development Goal (SDG) 16.3 (to ‘significantly reduce illicit financial and arms flows’ by 2030); SDG 5.2 (to eliminate all forms of violence against women and girls); and SDG 11 (aims to make cities safe, inclusive, resilient and sustainable). Consideration of *how* implementation of the ATT can help support and enhance implementation of the SDGs is a cross-cutting issue that all the ATT Working Groups are tasked to incorporate in their deliberations.

The Treaty’s provisions on transparency, record-keeping and reporting, information sharing, and international assistance will also contribute to Target 16.a of the SDGs, which seeks to “strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime”.

4.5 Regulating Trade and Enhancing Trade Standards

The ATT seeks to create a global standard and to ensure all transfers are subject to the same risk-assessment criteria. In establishing an international trade standard and compliance framework, the ATT helps create a level playing field in the arms trade.

Industry members have expressed support for the ATT for this very reason. They see it as a potential means of ensuring that new, emerging manufacturers and exporters will be subject to the same regulatory standards that many existing and long-standing exporting States are subject to.

Companies are increasingly conscious of their public image and are taking an increasingly human security-centred approach to their dealings; the ATT offers an opportunity to enhance this.

4.6 Synergies with other instruments

The ATT supports and complements other regional and international arms control instruments, such as the UN Programme of Action on Small Arms and the Firearms Protocol.

5. What are the challenges States face in joining the Treaty?

The following is a non-exhaustive list of challenges to Treaty universalization identified by the Co-Chairs of the Working Group on Treaty Universalization (WGTU) and annexed to the [Work Plan for the CSP4 Preparatory Meetings](#) (see Annex A, ATT/CSP4.WGTU/2018/CHAIR/249/M1.WorkPlan):

1. Raising political awareness toward ratification.
2. Prioritizing the ATT among the priority list of the Government or Parliament.
3. Gaining understanding of the ATT, or alleviating skepticism toward it.
 - 3.1 Misconceptions about the object and purpose of the Treaty.
 - 3.2 Skepticism, in particular, by relevant Ministries.
4. Domestic situations, be it political or security.
 - 4.1 General elections.
 - 4.2 Gun lobby.

-
- 4.3 Conflicts, etc.
 - 5. Regional security situations.
 - 6. Accelerating the pace of domestic procedures for ratification.
 - 6.1 It takes time for the Government to evaluate the implications of the Treaty obligations on the existing domestic systems/laws.
 - 6.2 Preparing necessary domestic laws also takes time.
 - 6.3 Good coordination among Ministries or between the Government and the Parliament is necessary.
 - 6.4 Rotation of government officials is not conducive.
 - 7. Building capacity.
 - 7.1 Human resources or expertise (to implement the Treaty).
 - 7.2 Financial resources (to fulfil financial obligations).
 - 8. Reporting obligations.
 - 8.1 Hesitation in transparency measures in general. Reporting is too detailed.
 - 8.2 Items to be reported are sensitive for national security.
 - 8.3 Reporting fatigue.
 - 9. Awaiting others to ratify (neighboring states, major exporters and importers, etc.).
 - 10. Overcoming different views on the result of the ATT negotiation, including the text.
 - 10.1 Adoption of the Treaty by a vote.
 - 10.2 Existence or non-existence of particular obligations in the Treaty.

6. Frequently asked questions

6.1 What difference is the Treaty making in the global arms trade?

'States Parties are increasingly referencing the ATT in their public communication regarding arms transfer decisions. Similarly, civil society and the media are increasingly calling on States Parties to account for transfer decisions in light of the ATT provisions. The ATT is becoming part of the rhetoric – and indeed the benchmark – during deliberations on whether certain arms transfers are 'responsible' or not. While it may be too soon to judge the full, practical impact of the ATT, there is clear evidence to suggest some States Parties are restricting exports on the basis of ATT criteria, and others are facing serious political pressure to do so.

6.2 What about countries that have not yet joined the Treaty?

The ATT is a relatively young Treaty. Nevertheless, in just over four (4) years since it entered into force, the ATT already has over 100 States Parties, and has one of the fastest rates of ratification/participation of any disarmament Treaty.

There are a number of States that have signed the Treaty, demonstrating their commitment to join the Treaty and obliging them to refrain, in good faith, from acts that would defeat the object and the purpose of the Treaty (Arts.10 and 18, Vienna Convention on the Law of Treaties 1969).

A number of other States that have not yet joined the Treaty have expressed their desire to become States Parties and are in the process of acceding to the Treaty. Signing the Treaty is no longer an option following entry into force of the Treaty in December 2014.

As the Treaty gathers momentum and a sufficient number of States become States Parties and implement the Treaty's provisions, even States that are not part of the Treaty may feel pressure to adhere to the principles of the Treaty as it establishes a global standard for 'responsible' arms transfers.

6.3 What is the scope of the Treaty?

The ATT regulates certain types of transfers of certain categories of arms.

6.3.1 What types of arms are covered by the ATT?

The ATT regulates the international trade in the following categories of conventional arms (see Article 2(1)):

- 1) Battle tanks;
- 2) Armoured combat vehicles;
- 3) Large-calibre artillery systems;
- 4) Combat aircraft;
- 5) Attack helicopters;
- 6) Warships;
- 7) Missiles and missile launchers; and
- 8) Small arms and light weapons.

The ATT also applies to the export of ammunition/munitions fired, launched or delivered by the conventional arms listed above, as well as parts and components where the export is in a form that provides the capability to assemble the conventional arms listed above (see Articles 3 and 4).

6.3.2 What types of transfers are covered by the ATT?

The ATT regulates the following types of transactions (see Article 2(2)):

- export ;
- import;
- transit and trans-shipment; and
- brokering.

The Treaty does not apply to the international movement of conventional arms by, or on behalf of, a State Party for its use provided that the conventional arms remain under that State Party's ownership (see Article 2(3)).

In addition, the ATT recognizes the 'legitimate interests of States to acquire conventional arms to exercise their right to self-defence and for peacekeeping operations' (paragraph 7, Principles of the ATT).

6.4 How can we be sure that States Parties respect their commitments?

The reporting requirements under the ATT help to track States' implementation of their commitments under the Treaty. Each State Party is required to submit an Initial Report on its implementation efforts within the first year of becoming a State Party, and to update its Initial Report on an *ad hoc* basis when new implementation measures are taken.

In addition, the ATT Secretariat keeps a record of States Parties' compliance with certain Treaty commitments, including: payment of financial contributions; submission of information on national control lists (Article 5); national competent authorities (Article 5); national points of contact (Article 5); and the submission of Initial and Annual Reports (Article 13). This information is made available on the ATT website, though some is only available to States Parties.

Civil society also plays a role in monitoring States Parties' implementation of their Treaty commitments. The media is also increasingly calling into question States Parties' transfer decisions in light of their ATT commitments.

The ATT does not include a formal review mechanism to monitor each State's performance and promote compliance (such peer review, expert review or an oversight body).

6.5 Does the Treaty prevent States from importing weapons?

Article 6 of the ATT prohibits transfers (including imports) of conventional arms, ammunition/munitions and parts and components if the transfer would violate specified international obligations, or if the State Party has knowledge that the transferred weapons would be used to commit genocide, crimes against humanity or war

crimes. So the Treaty does prevent (or prohibit) States Parties from importing weapons in certain circumstances (and it prevents or prohibits a State Party from *exporting* to a State in certain circumstances).

If a proposed import/transfer of conventional arms, ammunition or parts and components is not prohibited under Article 6, then if the exporting State is a State Party to the ATT, it is required to carry out a further assessment under Article 7 of the risk that the arms or items “could be used to commit or facilitate” serious violations of IHL or of international human rights law; an act constituting an offence under international conventions or protocols relating to terrorism to which the exporting State is a Party; or an act constituting an offence under international conventions or protocols relating to transnational organized crime to which the exporting State is a Party. If the exporting State determines that there is an ‘overriding risk’ of any of the negative consequences in Article 7(1), then it must not authorize the export and the importing State will not be able to import the arms or items sought. It does not make a difference whether or not the importing State is a State Party to the ATT. The exporting State, as a State Party to the ATT, is required to deny the export if the export assessment identifies an ‘overriding risk’, *regardless* of who the importer or end-user is.

In summary, the ATT may impact a State’s ability to import conventional arms if it is determined that the weapons will or may be used in a particular way by the importing State or end-user. But this has more to do with whether the exporting State is a State Party to the ATT and is required to apply the provisions of Articles 6 and 7 than whether the *importing* State is a State Party to the Treaty.

6.6 What role do Civil Society Organizations play in treaty implementation?

Civil society is actively engaged on universalization and implementation of the ATT. Civil society organisations continue to sustain targeted activities at national and regional levels in support of universalization, with the objective of providing targeted advocacy and information sharing as well as public pressure to maintain political prioritization of the Treaty. Civil society activities include:

- Providing technical expertise and advice to governments seeking to ratify or accede to the Treaty, including resource material, guides, toolkits and campaign materials to assist with advocating for signature and ratification.
- Developing policy resources on specific arms-control areas, such as reducing diversion to terrorism, and linkages with other instruments.
- Supporting and organising regional seminars or conferences for relevant officials, experts and NGOs focused on technical assistance and support for effective Treaty implementation.
- Building the network of researchers and academics who provide support to the Treaty’s legislative and implementation processes.
- Supporting awareness-raising activities to encourage the public to get more actively involved in calling for national accession and effective implementation.
- Monitoring States’ Parties implementation of and compliance with their obligations under the Treaty.

ANNEX B

(DRAFT) 'WELCOME PACK' FOR NEW STATES PARTIES TO THE ARMS TRADE TREATY

1.	Introduction.....	3
1.1	Who is this 'Welcome Pack' designed for?.....	3
1.2	What is the ATT?.....	3
1.3	Adoption and entry into force.....	3
1.4	How many States have joined the ATT?.....	3
1.5	What is the scope of the ATT?.....	3
1.5.1	What types of arms are covered by the ATT?.....	3
1.5.2	What types of transfers are covered by the ATT?.....	4
2.	ATT process.....	4
2.1	Conferences of States Parties.....	4
2.1.2	When?.....	4
2.1.2	What?.....	4
2.1.3	Who?.....	5
2.2	Preparatory process.....	5
2.2.1	Informal preparatory meetings.....	5
2.2.2	Extraordinary meetings.....	5
2.3	ATT bodies.....	5
2.3.1	Officers of the Conference.....	5
2.3.1.1	President.....	5
2.3.1.2	Vice Presidents.....	5
2.3.1.3	Secretary of the Conference.....	6
2.3.2	Subsidiary bodies.....	6
2.3.2.1	Management Committee.....	6
2.3.2.2	Working Groups.....	6
2.3.2.3	Voluntary Trust Fund (VTF) Selection Committee.....	7
3.	ATT obligations.....	7
3.1	What are the arms transfer control obligations under the Treaty?.....	7
3.1.1	National Control System.....	7
3.1.2	Regulating transfers.....	7
3.1.2.1	PROHIBITION OF CERTAIN TRANSFERS.....	7
3.1.2.2	EXPORT.....	8
3.1.2.3	IMPORT.....	8

3.1.2.4 TRANSIT AND TRANS-SHIPMENT	8
3.1.2.5 BROKERING	9
3.1.2.6 DIVERSION	9
4. What are the reporting obligations under the Treaty?	9
4.1 Initial Reports	9
4.2 Annual Reports	9
4.3 Reports on diversion.....	10
5. What are the financial obligations under the Treaty?	10
5.1 States Parties	10
5.2 Signatory States and Observer States	10
6. Assistance and support for ATT implementation	10
6.1 ATT Secretariat	10
6.1.1 What is the role of the ATT Secretariat?	10
6.1.2 How to contact the ATT Secretariat	11
6.2 What financial assistance is available?.....	11
6.2.1 Voluntary Trust Fund	11
6.2.2 Sponsorship programme	11
6.2.3 UNSCAR.....	11
6.2.4 EU ATT Outreach Project	11
6.2.5 Bi-lateral assistance	12
6.3 What technical assistance is available?.....	12

1. Introduction

1.1 Who is this 'Welcome Pack' designed for?

The Welcome Pack was developed by the Working Group on Treaty Universalization. The Pack is designed to give a basic overview of the Arms Trade Treaty process and obligations to States that are new States Parties to the Treaty or that are interested in learning more about the Treaty.

1.2 What is the ATT?

The Arms Trade Treaty (ATT) is an international treaty that regulates the international trade in conventional arms by establishing the highest international standards governing arms transfers and seeks to prevent and eradicate illicit trade and diversion of conventional arms.

The object of the Treaty as outlined in Article 1 is to:

- Establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms;
- Prevent and eradicate the illicit trade in conventional arms and prevent their diversion;

for the purpose of:

- Contributing to international and regional peace, security and stability;
- Reducing human suffering;
- Promoting cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties.

“This marks the opening of a new chapter in our collective efforts to bring responsibility, accountability and transparency to the global arms trade.” —Ban Ki Moon³

The ATT contributes to international and regional peace, security and stability, reducing human suffering, and promoting cooperation, transparency and responsible action.

1.3 Adoption and entry into force

The Treaty was adopted by a UN General Assembly Resolution on 02 April 2013 and entered into force on 24 December 2014, becoming the first global, legally binding treaty governing conventional arms transfers.

1.4 How many States have joined the ATT?

At this stage, more than 100 States have become States Parties to the Treaty and others have signed the Treaty but not yet ratified it.

Up to date information on the status of participation in the ATT, including a regional overview, is available on the ATT website at: <https://www.thearmstradetreaty.org/treaty-status.html?templateId=209883>

1.5 What is the scope of the ATT?

The ATT regulates certain types of transfers of certain categories of arms.

1.5.1 What types of arms are covered by the ATT?

The ATT regulates the international trade in the following categories of conventional arms (see Article 2(1)):

- 1) Battle tanks;
- 2) Armoured combat vehicles;
- 3) Large-calibre artillery systems;

³ Statement by the Secretary-General on the entry into force of the Arms Trade Treaty on 23 December 2014.
<<https://www.un.org/sg/en/content/sg/statement/2014-12-23/statement-secretary-general-entry-force-arms-trade-treaty>>

- 4) Combat aircraft;
- 5) Attack helicopters;
- 6) Warships;
- 7) Missiles and missile launchers; and
- 8) Small arms and light weapons.

The ATT also applies to the export of ammunition/munitions fired, launched or delivered by the conventional arms listed above, as well as parts and components where the export is in a form that provides the capability to assemble the conventional arms listed above (see Articles 3 and 4).

1.5.2 What types of transfers are covered by the ATT?

The ATT regulates the following types of transactions (see Article 2(2)):

- export;
- import;
- transit and trans-shipment; and
- brokering.

The Treaty does not apply to the international movement of conventional arms by, or on behalf of, a State Party for its use provided that the conventional arms remain under that State Party's ownership (see Article 2(3)).

In addition, the ATT recognizes the 'legitimate interests of States to acquire conventional arms to exercise their right to self-defence and for peacekeeping operations' (paragraph 7, Principles of the ATT).

2. ATT process

2.1 Conferences of States Parties

2.1.2 When?

In accordance with Article 17(1) of the Treaty, each Conference of States Parties can decide when to hold the next Conference. In practice, the Rules of Procedure stipulate that the Conference shall meet *annually* unless decided otherwise by the Conference (see Rule 11 of the Rules of Procedure).

The ATT Conferences of States Parties have been held as follows:

- First Conference of States Parties to the ATT (CSP1): Cancun, Mexico, 24-27 August 2015
- Second Conference of States Parties to the ATT (CSP2): Geneva, Switzerland, 22-26 August 2016
- Third Conference of States Parties to the ATT (CSP3): Geneva, Switzerland, 11-15 September 2017
- Fourth Conference of States Parties to the ATT (CSP4): Tokyo, Japan, 20-24 August 2018
- Fifth Conference of States Parties to the ATT (CSP5): Geneva, Switzerland, 26-30 August 2019

2.1.2 What?

The role of each Conference of States Parties is to:

- a) Review the implementation of this Treaty, including developments in the field of conventional arms;
- b) Consider and adopt recommendations regarding the implementation and operation of this Treaty, in particular the promotion of its universality;
- c) Consider amendments to this Treaty in accordance with Article 20;
- d) Consider issues arising from the interpretation of this Treaty;
- e) Consider and decide the tasks and budget of the Secretariat;
- f) Consider the establishment of any subsidiary bodies as may be necessary to improve the functioning of this Treaty; and
- g) Perform any other function consistent with this Treaty (see Article 17(4)).

2.1.3 Who?

The Rules of Procedure stipulate that the plenary meetings of the Conference shall be public unless the Conference decides otherwise at the request of a State Party (see Rule 13 of the Rules of Procedure). Accordingly, States Parties, Signatory States, Observer States (States that are neither parties nor signatories to the Treaty), as well as representatives of the United Nations, its specialized agencies, international and regional intergovernmental organisations, civil society, including Non-Governmental Organisations (NGOs), and industry, may participate in Conferences of States Parties (see Rules 1-5 of the Rules of Procedure), unless and until it is decided otherwise.

However, only States Parties can be *full* participants in a Conference (meaning only States Parties have the right to adopt decisions and vote on decisions when necessary). Signatory States can participate in Conferences but cannot take part in the adoption of decisions. Observer States and representatives of the United Nations, international and regional organisations, civil society and industry may attend the Conference as observers, deliver statements at plenary meetings, receive official documents and submit their views in writing to the Conference.

2.2 Preparatory process

2.2.1 Informal preparatory meetings

During the intersessional period between each Conference of States Parties, informal preparatory meetings are held at the seat of the ATT Secretariat in Geneva to prepare for each forthcoming Conference. The number of preparatory meetings and their duration are not prescribed/set, but generally, two informal preparatory meetings lasting one day each are held in advance of each Conference of States Parties. The preparatory meetings are generally timed to coincide with the meetings of the ATT Working Groups (see section 2.3.2.2). Preparatory meetings are public.

2.2.2 Extraordinary meetings

Article 17 (5) contemplates that extraordinary meetings of the Conference may be convened during the intersessional period between Conferences, if a request for such a meeting is made by a State Party and two-thirds of the States Parties support the proposal. Extraordinary meetings take place at the seat of the Secretariat in Geneva unless otherwise decided (see Rule 14 of the Rules of Procedure).

2.3 ATT bodies

2.3.1 Officers of the Conference

2.3.1.1 President

States Parties to the Arms Trade Treaty (ATT) elect a President every year during the Conference of States Parties (CSP) to preside over the CSP the following year, including the preparatory process.

The following persons have served as Presidents to the CSPs:

- CSP1: Ambassador Jorge Lomónaco, Mexico
- CSP2: Ambassador Emmanuel E. Imohe, Nigeria
- CSP3: Ambassador Klaus Korhonen, Finland
- CSP4: Ambassador Nobushige Takamizawa, Japan
- CSP5: Ambassador Jānis Kārklīņš, Latvia

2.3.1.2 Vice Presidents

Under Rule 9 of the Rules of Procedure, during each session of the Conference of States Parties to the ATT a President and four vice-Presidents for the following session of the Conference are elected from among the representatives of participating States Parties.

The President and four vice-Presidents, informally referred to as ‘the Bureau’, begin their terms of office at the end of the Conference that elected them and serve until their successors are elected at the end of the next

ordinary session of the Conference. The President (assisted by the vice-Presidents) presides over any extraordinary meeting of the Conference held during their term.

2.3.1.3 Secretary of the Conference

Under Rule 10 of the Rules of Procedure, the Head of the ATT Secretariat is the Secretary of the Conference and acts in this capacity at all sessions of the Conference and its subsidiary bodies. The role of the Secretary is to make all the necessary arrangements in connection with the ordinary and extraordinary sessions and, generally, perform all other work that the Conference may require, in accordance with Article 18 paragraph 3 (d) of the Treaty.

The other roles and functions of the ATT Secretariat are described in section 6.1.1.

2.3.2 Subsidiary bodies

Rule 42 of the Rules of Procedure provides that the Conference of States Parties may establish subsidiary bodies, in accordance with Article 17(4) of the Treaty. The Conference determines the matters to be considered by any subsidiary body established under the Treaty including its mandate, officers, composition, size, duration and budgetary issues.

The current subsidiary bodies of the ATT are:

- The Management Committee
- Three Working Groups:
 - The Working Group on Effective Treaty Implementation
 - The Working Group on Transparency and Reporting
 - The Working Group on Treaty Universalization
- The VTF Selection Committee

The roles and functions of each of the bodies are described below.

2.3.2.1 Management Committee

The First Conference of States Parties to the ATT established a Management Committee as a subsidiary body, pursuant to Article 17(4) of the Treaty and Rule 42 of the Rules of Procedure. The role of the Management Committee is to provide oversight on financial matters and on other matters related to the ATT Secretariat to ensure maximum accountability, efficiency and transparency and the Secretariat's operations.

The Management Committee comprises the President of the Conference of States Parties and a State Party representative designated by each UN regional group. A representative of the ATT Secretariat participates in meetings. A representative of Signatory States may be invited, when appropriate, by the Conference, to attend the meetings of the Management Committee as observers.

Members of the Management Committee (other than the President and representatives of the ATT Secretariat) serve for two years and are eligible to serve a further term.

The operations of the Management Committee are governed by the Terms of Reference for the Management Committee.

2.3.2.2 Working Groups

The following Working Groups were established by CSP2 in 2016 and became standing Working Groups by a decision of CSP3 in 2017:

- Working Group on Effective Treaty Implementation (WGETI)
- Working Group on Transparency and Reporting (WGTR)
- Working Group on Treaty Universalization (WGTU)

The President of Conference appoints a Chair or Co-Chairs to each Working Group, and the aim of each Working Group – in accordance with their respective Terms of Reference - is as follows: WGETI: exchanges information

and challenges on the practical implementation of the Treaty at the national level; WGTR: undertakes tasks defined by the Conference of States Parties in the general area indicated by its title (i.e. issues of transparency and reporting obligations under the Treaty); WGTU: generates and shares views and implementation measures on Treaty universalization.

On average, the Working Groups meet twice per year (coinciding with the informal preparatory meetings of each Conference of States Parties (see section 2.2.1)) for a total of three days. Each Working Group submits a report to every Conference of States Parties on the progress of their work.

2.3.2.3 Voluntary Trust Fund (VTF) Selection Committee

The Second Conference of States Parties to the ATT appointed a VTF Selection Committee as a subsidiary body, pursuant to Article 17(4) of the Treaty and Rule 42 of the Rules of Procedure, to oversee the administration of the Voluntary Trust Fund including the allocation of available funds to project proposals following the annual call for proposals (see section 6.2.1).

The Selection Committee consists of up to 15 members who serve for a period of two years (and are eligible to be reappointed for further terms). The operations of the VTF Selection Committee is governed by the VTF Terms of Reference. The VTF Selection Committee appoints one of its members to chair its deliberations, and the Chair of the VTF Selection Committee reports on the work and status of the VTF to each Conference of States Parties.

3. ATT obligations

3.1 What are the arms transfer control obligations under the Treaty?

3.1.1 National Control System

One of the central obligations under Article 5 of the Treaty is that States Parties must establish and maintain a national control system to regulate the export, import, transit, and trans-shipment of conventional arms, ammunition/munitions, and parts and components, as well as related brokering activities.

As part of its national control system, each State Party is required to establish and maintain a national control list of the arms and items that are covered by its control system. That is, a list of the arms, ammunition/munitions, parts and components and other items whose transfer is controlled and regulated by the State. States Parties are required to provide a copy of their national control lists to the ATT Secretariat, which makes it available to other States Parties, and they are encouraged to make their national control lists publicly available.

Each State Party must also designate one or more competent national authorities in order to have an effective and transparent national control system, and they must designate one or more national points of contact to act as a liaison and exchange information on matters related to the implementation of the Treaty.

The ATT Working Group on Effective Treaty Implementation has developed a *Voluntary Basic Guide to Establishing a National Control System* that provides detailed suggestions on how to establish a national control system in accordance with the Treaty requirements.

Annex A to the [Chair's Draft Report to CSP4](#) (ATT/CSP4.WGETI/2018/CHAIR/355/Conf.Rep) titled: *List of possible reference documents to be considered by states parties in Article 5 implementation*, offers guidance to States Parties on the sources of information they may consult in implementing Article 5.

3.1.2 Regulating transfers

3.1.2.1 PROHIBITION OF CERTAIN TRANSFERS

The term 'transfer' is defined under Article 2(2) of the Treaty to include export, import, transit, trans-shipment, and brokering.

Under Article 6 of the Treaty, States Parties are prohibited from authorizing any transfer of arms, related ammunition/munitions, or parts and components if:

- the proposed transfer would violate UN Security Council arms embargoes adopted under Chapter VII of the Charter;
- the proposed transfer would violate relevant international obligations under treaties to which a state is a party; or
- the state party ‘has knowledge at the time of authorization’ that the arms or items would be used to commit genocide, crimes against humanity, or certain war crimes.

If a transfer is not prohibited under Article 6, each state party must ensure the transfer is regulated in accordance with the other provisions of the Treaty, as discussed below.

Annex E to the [Chair’s Draft Report to CSP4](#) (ATT/CSP4.WGETI/2018/CHAIR/355/Conf.Rep) titled: *Possible voluntary guiding and supporting elements in implementing obligations under Article 6 (1)*, offers guidance to States Parties on the implementation of Article 6(1).

3.1.2.2 EXPORT

Under Article 7, if the transfer involves an export of conventional arms, related ammunition/munitions, or parts and components, the exporting state is required to assess the risk or potential that the arms or items to be exported would contribute to or undermine peace and security or that they could be used to commit or facilitate:

- a serious violation of international humanitarian law;
- a serious violation of international human rights law;
- acts constituting offences under international agreements relating to terrorism; or
- acts constituting offences under international agreements relating to transnational organized crime.

The exporting State Party must also consider whether there are measures that could be undertaken to mitigate risks identified, such as confidence-building measures or jointly developed and agreed programmes by the exporting and importing States.

An exporting state must refuse any request for authorization if its assessment concludes that there is an ‘overriding’ risk of any of the negative consequences listed in Article 7(1).

An exporting State must also take into account the risk of conventional arms, related ammunition/munitions, or parts and components, being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children (see Article 7(4)), and must assess the risk of diversion of the export (Article 11).

Annex B to the [Chair’s Draft Report to CSP4](#) (ATT/CSP4.WGETI/2018/CHAIR/355/Conf.Rep) titled: *List of possible reference documents to be considered by States Parties in conducting risk assessment under Article 7*, offers guidance to States Parties on the sources of information they may consult in implementing Article 7.

3.1.2.3 IMPORT

In addition to certain imports of conventional arms, related ammunition/munitions, or parts and components being prohibited under Article 6 (see section 3.1.2.1 above), each State Party that imports arms must ‘take measures that will allow it to regulate, where necessary, imports under its jurisdiction of conventional arms’.

While the ATT does not specify which measures are to be taken to regulate imports as part of a national control system, they could include a requirement to obtain authorization from the relevant authority in the form of a licence or permit to import arms, and/or end-user and delivery verification certificates.

The Treaty also stipulates that importing States must take measures to ensure information is provided to an exporting State, if requested to do so as part of a risk assessment an exporting State may be conducting, and that such measures may include end use or end user documentation.

3.1.2.4 TRANSIT AND TRANS-SHIPMENT

In addition to the transit and transshipment of conventional arms, related ammunition/munitions, or parts and components being prohibited in certain circumstances described under Article 6 (see section 3.1.2.1 above),

Article 9 requires states parties to take appropriate measures to regulate transit or trans-shipment of conventional arms under their jurisdiction ‘where necessary and feasible’ and ‘in accordance with relevant international law’.

While the ATT does not specify which measures are to be taken to regulate transit and transshipment as part of a national control system, they could include a requirement to obtain authorization from the relevant authority in the form of a licence or permit to transit or transship arms, and/or a requirement that transport agents give prior notification to the transit State that weapons will be transiting its territory.

3.1.2.5 BROKERING

In addition to the brokering of conventional arms, related ammunition/munitions, or parts and components being prohibited in certain circumstances described under Article 6 (see section 3.1.2.1 above), Article 10 requires states parties to ‘take measures, pursuant to its national laws, to regulate brokering taking place under its jurisdiction’ for conventional arms. The Treaty stipulates that such measures may include: requiring brokers to register or obtain written authorization before engaging in brokering.

3.1.2.6 DIVERSION

Article 11 of the ATT includes a range of commitments aimed at preventing, addressing, and promoting awareness of the diversion of conventional arms. Exporting States Parties must assess the risk of diversion of an export and consider the establishment of mitigation measures such as confidence-building measures or jointly developed and agreed programmes by the exporting and importing States

In addition, under Article 11, each State Party involved in a transfer has obligations to prevent and address the diversion of arms that are being transferred. The ATT does not require States Parties to prevent and address the diversion of ammunition/munitions, or parts and components, but States Parties may choose to do so.

Cooperation and information sharing among States involved in a transfer are central elements of this provision, highlighting the reality that addressing the diversion of conventional arms is not something that States can achieve alone.

4. What are the reporting obligations under the Treaty?

4.1 Initial Reports

Under Article 13(1) of the ATT, States Parties are *required* to provide an Initial Report to the ATT Secretariat that describes the measures the state has taken to implement the Treaty, ‘including national laws, national control lists and other regulations and administrative measures’. They are also required to report on any new measures undertaken to implement the Treaty when such measures are taken.

Each State Party is required to submit its Initial Report ‘within the first year after entry into force of this Treaty for that State Party’. Accordingly, the deadline for submission of a State Party’s Initial Report is twelve months after the date the Treaty enters into force for it⁴.

A template has been developed to assist States Parties submit their Initial Reports and Initial Reports can be submitted to the ATT Secretariat online.

4.2 Annual Reports

Under Article 13(3) of the ATT, States Parties are *required* to submit a report on an annual basis that includes information ‘concerning authorized or actual exports and imports of conventional arms covered under Article 2(1)’ that were made during the preceding calendar year (01 January to 31 December).

⁴ For a state that ratified, accepted, approved or acceded to the Treaty after 24 December 2014, the Treaty enters into force for that state ninety days following the date of deposit of its instrument of ratification, acceptance, approval or accession in accordance with Article 22. The deadline for submission of its Initial Report is twelve months after that date.

The deadline for the submission of Annual Reports to the ATT Secretariat is 31 May each year. For example the deadline for the submission of 2018 Annual Reports covering exports and imports made between 01 January - 31 December 2018 is 31 May 2019.

A template has been developed to assist States Parties submit their Annual Reports and Annual Reports can be submitted to the ATT Secretariat online.

4.3 Reports on Diversion

Under Articles 11(6) and 13(2), States Parties are *encouraged* to report on measures taken to address the diversion of transferred arms. There is currently no formal mechanism for reporting on measures taken to address diversion (for example, there is no reporting template for such reports) and States Parties are welcome to submit reports on diversion in whatever format they choose, and to use the information exchange platform available on the ATT website to exchange information and share experiences on diversion.

5. What are the financial obligations under the Treaty?

5.1 States Parties

States Parties pay assessed contributions that cover the following two aspects:

1. *Contributions for the CSP and any subsidiary bodies it may establish:* All States Parties, irrespective of attendance at meetings and Conferences of States Parties, are assessed a contribution towards each Conference, or any subsidiary bodies it may establish, including towards the cost of preparing and holding the Conference, or subsidiary body meeting as applicable (see Rule 5.1 of the ATT Financial Rules).
2. *Contributions for the Secretariat:* Each calendar year, States Parties are charged an assessed contribution for the ATT Secretariat's costs in undertaking its core tasks, comprising: staff salaries, equipment, office overheads, financial administration, human resources administration, insurance, communications and IT, and any other items essential for the functioning of the Secretariat as decided by the Conference (see Rule 6.3 of the ATT Financial Rules).

5.2 Signatory States and Observer States

Signatory States and other observer States in attendance at each Conference of States Parties, or any subsidiary bodies it may establish, are levied an attendance fee towards the cost of preparing and holding the Conference, or subsidiary body meeting as applicable.

Invoices issued for the estimated Conference costs shall be calculated on the assumption that all signatory States, and other observer States that attended the Conference in the preceding year will attend the following Conference.

6. Assistance and support for ATT implementation

6.1 ATT Secretariat

6.1.1 What is the role of the ATT Secretariat?

The ATT Secretariat was established in accordance with Article 18 of the Treaty to support and assist States Parties in the effective implementation of the ATT.

The ATT Secretariat manages the reporting process under the Treaty; maintains a database of national points of contact; facilitates the matching of offers of and requests for assistance for Treaty implementation; facilitates the work of the Conference of States Parties; and performs other duties as decided by the Conferences of States Parties. Facilitating the work of the Conference of States Parties includes supporting the work of the CSP President, Vice Presidents, Management Committee, and the Co-chairs of the Working Groups established by the Conference of States Parties, during the preparatory phase leading up to each CSP.

In addition to its traditional responsibilities contemplated in Article 18(3) of the Treaty, the ATT Secretariat also administers the Voluntary Trust Fund, with the support of the VTF Selection Committee (see sections 2.3.2.3 AND 6.2.1) as well as the ATT sponsorship programme.

6.1.2 How to contact the ATT Secretariat

Address : 7bis avenue de la Paix, WMO Building, 2nd floor, 1211 Geneva

Phone: +41 (0)22 715 04 20

Email: info@thearmstradetreaty.org

Web: www.thearmstradetreaty.org

6.2 What financial assistance is available?

6.2.1 Voluntary Trust Fund

Article 16(3) of the Arms Trade Treaty (ATT) provides for the establishment of a Voluntary Trust Fund (VTF) to support national implementation of the Treaty and encourages all States Parties to contribute resources to the Fund.

The VTF was formally established in August 2016 by the Second Conference of States Parties to operate under its approved [Terms of Reference](#). The VTF disburses funds to ATT implementation projects according to the provisions of its Terms of Reference and Administrative Rules.

The VTF is administered by the ATT Secretariat with support from the VTF Selection Committee (see section 2.3.2.3). A call for proposals is issued annually inviting States to apply for grants of up to USD 100,000 for ATT implementation projects; only States can apply for funds.

For more information, visit: <https://www.thearmstradetreaty.org/voluntary.html>

6.2.2 Sponsorship programme

The ATT Secretariat administers a sponsorship programme that facilitates the participation of States in ATT meetings. The primary objective of the ATT sponsorship programme is to maximize the scale and diversity of participation in ATT meetings to ensure representative and participatory discourse during the meetings and, ultimately, contribute to strengthening implementation and universalization of the Treaty. The ATT Secretariat invites applications for sponsorship in advance of each ATT meeting where sponsorship funds are available by circulating a call for applications to all persons on the ATT mailing list and by posting the information on the ATT website.

6.2.3 UNSCAR

The United Nations Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR) is a flexible multi-donor, United Nations-managed fund supporting arms regulations, which supports the ratification/accession and implementation of relevant international instruments on arms regulations, including the ATT.

UNSCAR issues an annual call for proposals and is open to applications from UN partners, international/regional organizations, NGOs, research institutes. Governments wishing to receive assistance should work with an eligible applicant.

For more information, visit: <https://www.un.org/disarmament/unscar/>

6.2.4 EU ATT Outreach Project

The European Union has established a project and committed funds to support implementation of the ATT known as the 'EU ATT Outreach Project'. The Project entails different components:

- Tailored national assistance programmes that can provide a long-term partnership to address multiple national implementation priorities through tailored assistance activities.

- Ad hoc activities to allow a flexible and quick response to individual requests for support.
- Regional seminars that provide a platform to share best practice models, involve civil society actors and foster regional cooperation.

Assistance is provided upon request by States made directly to the Project. More information is available here:

<https://export-control.jrc.ec.europa.eu/projects/Arms-Trade-Treaty>

6.2.5 Bi-lateral assistance

Many donor countries offer financial and technical assistance for ATT implementation on a bi-lateral basis. States interested in receiving such assistance should contact donor countries directly.

6.3 What technical assistance is available?

States may seek assistance from existing States Parties to the Treaty with respect to technical aspects of Treaty implementation. There are also many international organisations, regional organisations, UN agencies, civil society organizations and think tanks that are engaged on ATT implementation and can offer assistance on a range of technical aspects of ATT implementation. The ATT Secretariat can offer advice on who and how to approach such actors.

In addition, numerous practical guides, research papers and other tools have been developed by the ATT Working Groups as well as international organisations, civil society organizations and think tanks that offer technical advice and guidance on how to implement the Treaty.

[Backcover]

Further information on Treaty implementation including resources, tools and guidelines are available on the ATT website (<https://www.thearmstradetreaty.org/>) or can be obtained from the ATT Secretariat (info@thearmstradetreaty.org).
