Arms Trade Treaty
Fourth Conference of States Parties
Tokyo, 20 – 24 August 2018

FINAL REPORT

The Final Report of the Fourth Conference of States Parties to the Arms Trade Treaty, which took place from 20-24 August 2018, in Tokyo, Japan, consists of three parts and an Annex as follows:

I. Introduction
II. Organization of the Conference
III. Decisions and Recommendations

Annex List of Documents

I. INTRODUCTION


2. Article 17(1) of the Treaty states that “A Conference of States Parties shall be convened by the provisional Secretariat, established under Article 18, no later than one year following the entry into force of this Treaty and thereafter at such other times as may be decided by the Conference of States Parties”. Article 17(4) (a-g) further states that “The Conference of States Parties shall:

(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.”

3. In accordance with the provisions of Article 17, the First, the Second and the Third Conferences of States Parties to the Arms Trade Treaty were held in Mexico, 24–27 August 2015, in Switzerland, 22–26 August 2016 and 11-15 September 2017 respectively. The Fourth Conference of States Parties was held in
Tokyo, Japan, on 20-24 August 2018 in compliance with Article 17. The Conference was held at Hotel Chinzanso in the Tokyo metropole.

4. To support the implementation of the Treaty at the national level, the Voluntary Trust Fund (VTF) established under Article 16(3), made further progress in its work through monitoring the implementation of projects funded in 2017 and approving further projects for funding in 2018. In the short period since its establishment in August 2016, the VTF has presented a viable ATT facility to give effect to international assistance in the practical implementation of the Treaty.

5. To advance effective Treaty implementation, the Third Conference of States Parties established three ATT Working Groups to operate under their respective terms of reference: the Working Group on Effective Treaty Implementation, the Working Group on Transparency and Reporting and the Working group on Treaty Universalization. In the intersessional period of the Fourth Conference of States Parties, the three ATT Working Groups convened two sets of meetings on 06-08 March and 29-31 May 2018, during which States Parties and other stakeholders exchanged information and views on practices and challenges related to Treaty implementation, transparency and reporting, and universalization.

6. To prepare for this Conference, two informal preparatory meetings were convened alongside meetings of the Working Groups on 09 March and 01 June 2018 in Geneva, Switzerland, the seat of the Secretariat to the Treaty.

7. The Secretariat convened the Conference in fulfilment of Article 17(1) of the Treaty. On 22 May 2018, pursuant to Rule 12 of the Rules of Procedure, the Secretariat notified States Parties, Signatory States and the Secretary-General of the United Nations, in his capacity as depositary of the Treaty, of the Conference, its date and venue. Furthermore, the Conference’s draft provisional agenda was circulated on 20 June 2018 in accordance with Rule 15.1 of the Rules of Procedure and, on 20 July 2018, all the Conference documents were circulated and made publicly available on the Treaty website at http://www.thearmstradetreaty.org/.

8. As at 20 August 2018, the opening of the Conference, the Treaty had ninety-five (95) States Parties. In addition two (2) states, Cameroon and Brazil, have ratified the Treaty and the Treaty will enter into force for them on 16 September 2018 and 12 November 2018 respectively. Meanwhile the Treaty has thirty-eight (38) Signatory States that have not yet deposited their instruments of ratification, acceptance or approval.

II. ORGANIZATION OF THE CONFERENCE

9. The Secretariat to the Treaty made arrangements and provided the necessary services for the Conference, including the preparation of this Report.

10. The Conference was held in Tokyo, Japan, 20–24 August 2018 and was attended by 111 States, a number of international and regional organisations and representatives of civil society and industry.

11. Seventy-seven (77) States Parties participated in the work of the Conference in accordance with Rule 1 of the Rules of Procedure: Albania, Antigua and Barbuda, Argentina, Australia, Austria, Belgium, Belize, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Central African Republic, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Dominica, Dominican Republic, El Salvador, Estonia,
Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Lesotho, Liberia, Luxembourg, Madagascar, Mali, Mauritius, Mexico, Montenegro, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, State of Palestine, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Togo, Tuvalu, United Kingdom of Great Britain and Northern Ireland, Uruguay and Zambia.

12. Brazil and Cameroon who have ratified the Treaty, but for which the Treaty has not yet entered into force, participated in the work of the Conference in accordance with Rule 2 of the Rules of Procedure.

13. Twenty-two (22) Signatory States participated in the work of the Conference in accordance with Rule 2 of the Rules of Procedure: Angola, Burundi, Cambodia, Colombia, Djibouti, Eswatini, Guinea Bissau, Haiti, Israel, Kiribati, Lebanon, Malaysia, Namibia, Palau, Philippines, Singapore, Thailand, Turkey, United Republic of Tanzania, United States of America, Vanuatu and Zimbabwe.

14. The following eight (8) States participated in the work of the Conference as observers in accordance with Rule 3 of the Rules of Procedure: Botswana, Canada, China, Cook Islands, Fiji, Gambia, Oman and Tajikistan.

15. The following seven (7) organisations participated in the work of the Conference as observers in accordance with Rule 4 of the Rules of Procedure: Economic Community of West African States (ECOWAS), European Union (EU), International Committee of the Red Cross (ICRC), Regional Centre on Small Arms (RECSA), United Nations Development Programme (UNDP), United Nations Institute for Disarmament Research (UNIDIR) and the Wassenaar Arrangement.

and Democracy Nepal (WPD - Nepal). Further participation came with Dynamit Nobel Defence (DND), Elli Kytomaki (Independent Consultant), Expertise France, Flemish Peace Institute, Group for Research and Information on Peace and Security (GRIP), Hiroshima Peace Institute, Japan International Volunteer Center (JVC), Kofi Annan International Peacekeeping Training Centre (KAIPTC), Komaba Toho Junior and Senior High School, Meiji University Research Institute for the History of Global Arms Transfer, Canada’s National Firearms Association (NFA), National Rifle Association America-Institute for Legislative Action (NRA), Network Against Japan Arms Trade (NAJAT), Nonviolence International Southeast Asia, Parliamentarians for Global Action, Peace Boat, Small Arms Survey, Supporting Arms and Ammunition Manufacturers’ Institute (SAAMI), Stockholm International Peace Research Institute (SIPRI), Takushoku University, Terra Renaissance, The Heritage Foundation, Universitas Gadjah Mada, Women’s International League for Peace and Freedom (WILPF) and Women’s Right To Education Programme.

17. In reference to Rule 7.4 of the Rules of Procedure, the Secretariat circulated a draft List of Participants to all States Parties on 17 August 2018, contained in document ATT/CSP4/2018/SEC/368/Conf.PartList, informing them of the composition of all delegations that have registered as Participants to the Conference under Rules 1 and 2 as well as those that have registered to attend as observers under Rules 3, 4, and 5, and requesting any possible objection by a State Party against the representation of a delegation of a State Party, Signatory State or observer at the Conference to be presented to the President no later than 10:00 local time, Saturday 18 August 2018. No such objection was presented.

18. At its opening session, the Conference was opened by His Excellency Mr. Taro KONO, Minister for Foreign Affairs, Government of Japan. A statement was delivered to the Conference by Dr. Helen DURHAM, Director of International Law and Policy, International Committee of the Red Cross. In addition, a testimony was provided by Ms. Shobha SHRESTHA, Control Arms, Women for Peace and Democracy, Nepal.

19. During the same session, the Conference received a video message from H.E. Ms. Izumi NAKAMITSU, Under-Secretary-General and UN High Representative for Disarmament Affairs, and Ms. Anja KASPERSEN, Director of the Geneva Branch of the United Nations Office for Disarmament Affairs, delivered a statement on the status of the Treaty.

III. DECISIONS AND RECOMMENDATIONS


21. At the same plenary session and in accordance with Rule 10 of the Rules of Procedure, the Conference confirmed Mr. Dumisani DLADLA, in his capacity as the Head of the Secretariat, as the Secretary of the Conference.

22. Recognizing the importance of effective Treaty implementation in advancing the object and purpose of the Treaty, the Conference considered the Working Group on Effective Treaty Implementation Chair’s Draft Report to CSP4, contained in document ATT/CSP4.WGETI/2018/CHAIR/355/Conf.Rep. It endorsed the conclusion by the Working Group Chair regarding the merit of addressing the implementation of specific ATT articles in dedicated sub-working groups as well as the importance of taking work forward, during the intersessional period of the Fifth Conference of States Parties, in
particular, on Articles 5, 6, 7 and 11, and taking into account the issues identified for further work in the report.

23. Furthermore, the Conference welcomed the documents listed below, contained as annexes to the report of the Working Group on Effective Treaty Implementation, as living documents of a voluntary nature to be reviewed and updated regularly by the Working Group, as appropriate, and posted on the ATT website:

   a. List of possible reference documents to be considered by States Parties in Article 5 implementation, (Annex A to the Chair’s report),

   b. List of possible reference documents to be considered by States Parties in conducting risk assessment under Article 7, (Annex B to the Chair’s report),

   c. List of possible reference documents to be considered by States Parties to prevent and address diversion (Annex C to the Chair’s report),

   d. Possible measures to prevent and address diversion, (Annex D to the Chair’s report),

   e. Possible voluntary guiding and supporting elements in implementing obligations under Article 6(1), (Annex E to the Chair’s report),

   f. Elements of a ‘welcome pack’ for new States Parties, (Annex F to the Chair’s report),

   g. Elements of reference documents to establish a national control system, (Annex G to the Chair’s report).

24. The Conference emphasized the significance of transparency and reporting as highlighted in the overview presentation by the Secretariat on the current status of reporting under the Treaty. The Conference considered the Working Group on Transparency and Reporting Co-chairs’ Draft Report to CSP4, contained in document ATT/CSP4.WGTR/2018/CHAIR/358/Conf.Rep, and:


   b. Called on relevant stakeholders, including international assistance providers, and interested States Parties to discuss the possible organization of regional information sessions on reporting.

   c. Requested the WGTR co-chairs and the ATT Secretariat to investigate the willingness of States Parties to offer basic support to other States Parties on reporting and consider options for announcing those willing to offer such support, including through an indication in the database of States Parties’ national points of contact, using the information exchange portal for this, or having a list of willing reporting focal points on the reporting webpage.

   d. Welcomed the development of the information exchange portal on the ATT IT platform in order to facilitate exchanges between States Parties and emphasizes the need for a holistic approach to future changes and improvements, in order to allow exchanges on all relevant topics.
e. Endorsed a three-tier approach to sharing information on diversion, subject to each State’s national laws, practices or policies: 1) policy-level exchanges on diversion in the sub-working group on Article 11 of the Working Group on Effective Treaty Implementation; 2) intersessional exchange of policy-related and relevant operational information via the information exchange portal that is under development; and 3) an informal meeting among interested States Parties (and possibly signatory States) to discuss concrete cases of detected or suspected diversion that they are dealing or have dealt with.

f. Supported the creation of an informal consultative group of participants of the Working Group on Transparency and Reporting to consider and propose future changes and improvements to the IT platform, including the web-based reporting functionality and the information exchange portal, and requests the ATT Secretariat to involve the consultative group in the future work on relevant aspects of the IT platform.

g. Endorsed the standing agenda-items and the recurring and specific tasks for the Working Group on Transparency and Reporting in the period between the Fourth Conference of States Parties and the Fifth Conference of States Parties, (Annex B to the Co-chairs’ report).

25. Acknowledging the importance of universal adherence to the Treaty, the Conference welcomed new States Parties to the Treaty and all Treaty universalization efforts undertaken, in particular those of the President of the Fourth Conference of States Parties, Ambassador Nobushige TAKAMIZAWA, and his team. To take forward Treaty universalization, acknowledging and building on efforts by successive presidencies, the Conference considered the report of Co-chairs of the Working Group on Treaty Universalization, contained in document ATT/CSP4.WGTU/2018/CHAIR/356/Conf.Rep, and:

a. Re-endorsed the Initial Work Plan (Rev 3), in Annex B to the report of the Working Group on Treaty Universalization to CSP3 (ATT/CSP3.WGTU/2017/CHAIR/160/Conf.Rep), and directed the Working Group to focus its attention on the following approaches in the period between the Fourth Conference of States Parties and the Fifth Conference of States Parties:

i. Targeting regions with the lowest numbers of States Parties;

ii. Taking advantage of the Working Group Co-Chairs’ states of origin and seeking the assistance of States Parties from focus regions to facilitate universalization efforts in those regions;

iii. Engaging with parliamentarians, on a continuous basis, to facilitate domestic ratification processes; and

iv. Utilizing regional events, as appropriate, to engage with a broad range of stakeholders involved in the ATT.

b. Tasked the Working Group to develop a universalization toolkit relying on the elements contained in Annex B of the Co-chair’s report, in the period leading up to the Fifth Conference of States Parties.
c. Encouraged the Working Group to consider all sources of information, as appropriate, in planning its future activities.

26. The Conference agreed that all the ATT Working Groups should, within the context of their existing terms of reference, adopt working methods that deliver tangible assistance to States Parties in implementing the Treaty at a national level. These methods would, amongst others, include working intersessionally to make up for the limited time. The Conference also encouraged the ATT Working Groups to coordinate their work in order to avoid duplicating efforts. To further enhance and coordinate the work of the Working Groups and facilitate pre-sessional work, the Conference encouraged CSP Presidents to make early appointment of Chairs of the Working Groups.

27. The Conference welcomed the summary of the Joint Session of the ATT Working Groups on Sustainable Development Goals (SDGs) held on 01 June 2018, which confirmed that ATT implementation can contribute to the achievement of SDGs and strengthen the narrative on the benefits of joining the Treaty. In view of this, the Conference decided that the three ATT Working Groups should continue to explore the linkages between the Treaty and the SDGs that are relevant to their mandates in the context of their respective work plans. The Conference agreed that, moving forward, the Co-chairs of the Working Groups should continue to promote the linkages between the ATT and the SDGs, and identify appropriate opportunities to raise the issue as their work progresses.

28. The Conference welcomed the President’s non-paper summarizing his views on the outcomes of consultations he conducted regarding the procedure for holding closed meetings of ATT Working Groups. To that end, the Conference agreed that the current terms of reference of the ATT Working Groups form a good basis for the present operation of the ATT Working Groups. The terms of reference of the Working Groups should be kept under review.

29. The Conference re-emphasized the importance of the ATT Voluntary Trust Fund, a facility established under Article 16(3) of the Treaty to give effect to international implementation assistance to States. The Conference welcomed the work of the Voluntary Trust Fund undertaken in the 2017-2018 period, as reflected in the document ATT/VTF/2018/CHAIR/359/Conf.Rep, with respect to consolidation of the VTF governance infrastructure, management of received financial contributions, monitoring the 2017 VTF funded projects and evaluation and approval of proposals for funding in the 2018 project cycle. The Conference again expressed appreciation to the States that have made voluntary financial contributions to the Fund and encouraged all other States, in a position to do so, to contribute to the Fund in support of effective national Treaty implementation.

30. Furthermore, the Conference took the following decisions regarding the VTF:

   a. Adopted the amendments to the VTF Terms of Reference as contained in the document referenced ATT/VTF18/2018/SEC/251/ToR.Cons.Dr.v1.Rev1.


   c. Welcomed the plan for the VTF to conduct further work to improve its process through, amongst other things, the development of ‘Guidance for VTF Project Evaluation’ and further guidance material for potential VTF applicants.
d. Welcomed the decision for the VTF to undertake further outreach activities to promote the VTF in the period leading up to the Fifth Conference of States Parties.

31. The Conference welcomed the activity report submitted by the Secretariat contained in document ATT/CSP4/2018/SEC/351/Conf.SecRep and noted the conclusion of the process to select an additional member (60% part time) of the ATT Secretariat to assist with the administration of the Voluntary Trust Fund. The Conference further noted the imminent launch of an improved Secretariat IT system to support the work of the Secretariat and the ATT process.


34. With respect to the review of arrangements for the ATT sponsorship programme pursuant to the decision of the Second Conference of States Parties, the Conference decided, in view of the Secretariat’s changed circumstances and other findings presented by the Management Committee, the administration of the ATT sponsorship programme should be entrusted to the ATT Secretariat from the Fourth Conference of States Parties, with the understanding that: 1) this will not curtail the Secretariat’s ability to fulfil its functions in full; and 2) the Management Committee will report on the ATT Secretariat’s performance on the administration of the sponsorship programme at the Sixth Conference of States Parties. The Conference further decided that 8% of sponsorship funds will be allocated to the administration of the ATT sponsorship programme by the ATT Secretariat. In addition, the Conference directed the Secretariat and the Management Committee to elaborate the necessary protocols governing the administration of the ATT sponsorship programme by the ATT Secretariat, in consultation with States Parties and Signatory States, including a protocol to guide the selection process of the ATT sponsorship programme in order to ensure transparency, efficiency and impartiality in the work of the programme. The Conference re-emphasised the importance of the ATT sponsorship programme in facilitating broad participation in Conferences of States Parties and meetings of the Working Groups.

35. In reference to decisions of the Third Conference of States Parties regarding ATT financial contributions, the Conference, again, expressed deep concern about the unpaid contributions of States and called on States that have not done so to address their financial obligations in a prompt and timely manner. The Conference highlighted the risks that the ATT process and its essential activities, including the organization of future ATT meetings, will face if the situation is not addressed.

36. Following its tasking by the Third Conference of States Parties, the Management Committee presented its report (referenced ATT/CSP4.MC/2018/MC/353/Conf.UnpaidContr) setting out recommendations to address the issue of unpaid assessed contributions. After consideration, the Conference decided:

a. To task the ATT Secretariat and the Management Committee to implement the administrative measures to address some of the causes of delayed and non-payment of assessed contributions as outlined in Table 1 of the Management Committee report.
b. To mandate the Management Committee to further explore options to address problems related to financial liquidity, including the feasibility of establishing a reserve fund, with a view to putting forward proposals to be considered at the Fifth Conference of States Parties.

c. To mandate the Management Committee to undertake further work and prepare a detailed proposal to address the problem of assessed contributions in accordance with the Financial Rules, for consideration at the Fifth Conference of States Parties.

d. To include financial issues on the agenda during the intersessional process between the Fourth Conference of States Parties and the Fifth Conference of States Parties.

37. The Conference decided to hold its next formal annual session, the Fifth Conference of States Parties, in Geneva, Switzerland on 26 – 30 August 2019, at the Centre International de Conferences Geneve (CICG), a venue generously provided for by the Swiss government. Furthermore, the Conference decided that the informal preparatory meetings and the meetings of the Working Groups will also be held in Geneva, Switzerland, with dates to be confirmed by the President of the Fifth Conference of States Parties.

38. Pursuant to Article 17(3) of the Treaty, the Conference adopted the budget for the Fifth Conference of States Parties, submitted by the Secretariat as contained in document ATT/CSP4/2018/SEC.FIN/311/Conf.2019Bud, including costs for the informal preparatory meetings and meetings of the ATT Working Groups. The Conference further decided costs for informal preparatory and Working Groups meetings shall include costs for document translation and in-session interpretation. The Conference emphasised that any indirect meeting costs, such as for travel and accommodation, shall be borne by participants.

39. Pursuant to Rule 9.1 of the Rules of Procedure, the Conference elected, by acclamation, Ambassador Jānis KĀRKLIŅŠ of Latvia as the President of the Fifth Conference of States Parties.

40. Pursuant to the same Rule, the Conference elected, by acclamation, Benin, Chile, Ireland and the Republic of Korea as the four (4) vice-Presidents for the Fifth Conference of States Parties.

41. Pursuant to Article 6 of the VTF Terms of Reference, the Conference decided to appoint Australia, Chile, Finland, Germany, Japan, Madagascar, Mauritius, Mexico, New Zealand, Norway, South Africa, Sweden, Switzerland, the Netherlands, and the United Kingdom to serve on the VTF Selection Committee for two years, from the Fourth Conference of States Parties to the Sixth Conference of States Parties.

42. Pursuant to Article 17(4)(f) of the Treaty and Rule 42 of the Rules of Procedure, the Conference mandates the President of the Fifth Conference of States Parties to appoint the Chairs of the ATT Working Groups for a period until the conclusion of the following Conference of States Parties.

43. In reference to the decision of the Third Conference of States Parties articulated in paragraph 45 of the Final Report (ATT/CSP3/2017/SEC/184/Conf.Rep.Rev1), the President held informal consultations. The Conference noted that many views and options for resolving the issue of regional representation in the context of the Terms of Reference of the Management Committee were raised in the informal consultations conducted by the President. The Conference decided to further discuss and explore the issue during the informal preparatory process of the Fifth Conference of States Parties and requests the President to present a proposal for consideration at the Fifth Conference of States Parties.
44. The Conference noted the proposal to consider the possible expansion of the membership of the Management Committee, which was raised during the informal consultations in the context of the Terms of Reference of the Management Committee. The Conference invited interested states to submit a detailed proposal on this matter to the Conference for consideration during the informal preparatory process of the Fifth Conference of States Parties.

45. The Conference warmly thanked Ambassador Nobushige TAKAMIZAWA of Japan for his dedication and for the outstanding work done by the President and his team in advancing the interests of the Treaty, supporting States, and skilfully leading the intersessional work, which, together with his chairmanship, resulted in a successful Fourth Conference of States Parties.


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ANNEX

LIST OF DOCUMENTS

| ATT/CSP4/2018/SEC/341/Conf.Agenda | Provisional Agenda, submitted by the President |
| ATT/CSP4/2018/SEC/349/Conf.PoW | Provisional Programme of Work, submitted by the President |
ATT/VTF/2018/CHAIR/359/Conf.Rep  Report on the work of the ATT Voluntary Trust Fund (VTF) for the period August 2017 to July 2018, submitted by the Chairperson of the VTF Selection Committee


ATT/CSP4/2018/PRES/362/Conf.ClosedMeet  Summary of the informal consultation on the provisions of the terms of reference of the ATT Working Groups regarding the holding of closed meetings, non-paper submitted by the President

ATT/CSP4/2018/SEC/368/Conf.PartList  draft List of Participants, submitted by the Secretariat


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