

STATE OF THE ARMS TRADE TREATY: A YEAR IN REVIEW JUNE 2017-MAY 2018

This review covers the period between 1 June 2017 and 31 May 2018, up to and including the deadline for submission of the Arms Trade Treaty (ATT) Annual Reports.¹ It explores some of the key events and milestones during the past year, and assesses their impacts on the overall performance of States Parties to the Treaty regarding universalization and compliance.

This review first takes stock of universalization efforts around the world during the above-mentioned period. It then considers the decisions and outputs of the three working groups that were established as standing at the Third Conference of States Parties to the ATT (CSP 2017), which took place in Geneva in September 2017. Finally, the review looks at compliance with the ATT's core provisions, and assesses whether the cumulative actions have contributed to the Treaty's objective of reducing human suffering.

UNIVERSALIZATION

As of 31 May 2018, 95 countries were States Parties to the ATT,² accounting for nearly half (48 per cent) of all United Nations (UN) member states. A further 40 were signatories.

Three countries became States Parties to the ATT between 01 June 2017 and 31 May 2018. Kazakhstan and the State of Palestine acceded, and Chile ratified the Treaty.³ This is more

than a 50 per cent drop in new membership when compared to last year.⁴ In general, it is anticipated that the pace of new membership to any treaty will slow over time. However, these percentages represent a notable slowing in universalization progress and is a trend that continues from the previous year.⁵

Even with new members, the geographic spread of States Parties remains uneven again this year (see map). As of 31 May 2018, the regions with the lowest number of ATT States Parties are Asia (six of 14), Oceania, (four of 14), and Africa (22 of 54).⁶ Europe (39 of 43 countries) and the Americas (24 of 35) have greater regional proportionality of States Parties.⁷

The ATT continues to enjoy particularly strong support among certain sub-regional blocs, for example:

- The European Union (EU), where all members are ATT States Parties.
- The Economic Community of West African States (ECOWAS), with 13 of its 15 members (87 per cent) being States Parties.
- The Caribbean Community (CARICOM), with 12 of 15 members (80 per cent) being States Parties.⁸

Notably this year, the accession of the State of Palestine marks the first ATT State Party from the Middle East sub-region.

1 The ATT Secretariat extends a grace period of seven days to States Parties before a report is considered late, thereby setting a de facto deadline of 7 June 2018 for the 2017 annual reports.

2 Cameroon ratified the ATT after the 31 May 2018 deadline. Its participation in the ATT as a State Party will be captured in next year's ATT Monitor report.

3 UNODA (2018), "Arms Trade Treaty: Status of the Treaty", New York: UNODA, <http://disarmament.un.org/treaties/t/att/deposit/desc>.

4 Between 01 June 2016 and 31 May 2017, a total of 6 countries ratified and 1 acceded: See: UNODA (2018), "Arms Trade Treaty: Status of the Treaty", New York: UNODA, <http://disarmament.un.org/treaties/t/att/deposit/desc>.

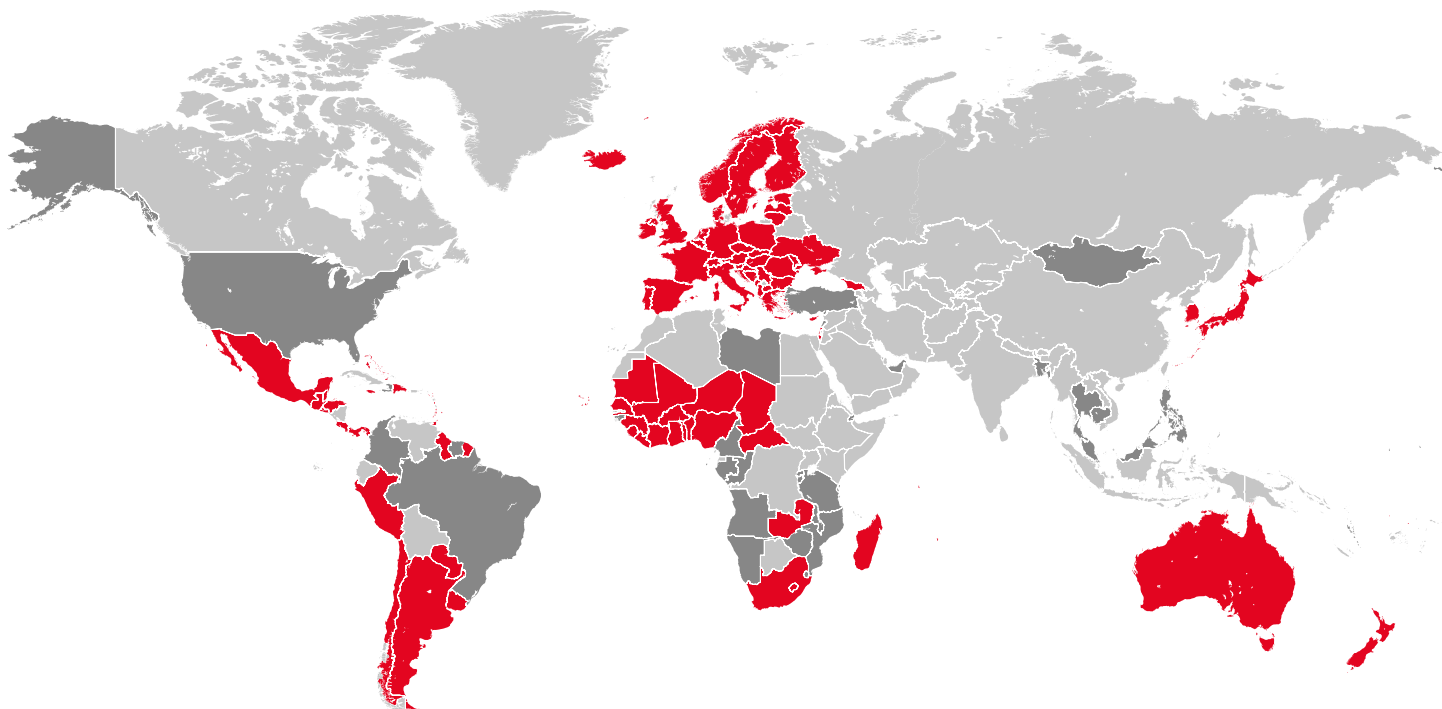
5 Between 1 June 2016 and 31 May 2017, six countries ratified and two one acceded. See Control Arms Secretariat (2017), 'ATT Monitor 2017', 11 September 2017. https://attmonitor.org/en/wp-content/uploads/2017/09/EN-ATT_Monitor-Report-2017_ONLINE-1.pdf, pg. 9.

6 This also does not account for Cameroon.

7 Analysis based on UN Statistics Division regional groupings. <https://unstats.un.org/unsd/methodology/m49/>.

8 CARICOM (N.D.). 'Membership'. <http://caricom.org/membership>. One of the members of CARICOM, Montserrat, is not a UN member state and so is not a State Party to the ATT.

MAP OF STATUS OF RATIFICATIONS AND STATES PARTIES (AS OF 31 MAY 2018)



● 95

RATIFIED/ACCEDED: Albania, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bosnia and Herzegovina, Benin, Bulgaria, Burkina Faso, Cape Verde, Central African Republic, Chad, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Georgia, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Madagascar, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Montenegro, Netherlands, New Zealand, Niger, Nigeria, Norway, State of Palestine, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Togo, Trinidad and Tobago, Tuvalu, United Kingdom, Uruguay, Zambia.

● 40

SIGNED: Andorra, Angola, Bahrain, Bangladesh, Brazil, Burundi, Cambodia, Cameroon*, Colombia, Comoros, Congo (Republic of), Djibouti, Gabon, Guinea-Bissau, Haiti, Israel, Kiribati, Lebanon, Libya, Malawi, Malaysia, Mongolia, Mozambique, Namibia, Nauru, Palau, Philippines, Rwanda, Sao Tome and Principe, Singapore, Suriname, Swaziland, Tanzania, Thailand, Turkey, Ukraine, United Arab Emirates, United States of America, Vanuatu, Zimbabwe.

● 59

NOT YET JOINED: Afghanistan, Algeria, Armenia, Azerbaijan, Belarus, Bhutan, Bolivia, Botswana, Brunei Darussalam, Canada, China, Cuba, DR Congo, Ecuador, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gambia, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Kyrgyzstan, Laos, Maldives, Marshall Islands, Micronesia, Morocco, Myanmar, Nepal, Nicaragua, North Korea, Oman, Pakistan, Papua New Guinea, Qatar, Russia, Saudi Arabia, Solomon Islands, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Tajikistan, Timor-Leste, Tonga, Tunisia, Turkmenistan, Uganda, Uzbekistan, Venezuela, Vietnam, Yemen.

* Cameroon ratified the ATT after the 31 May 2018 deadline. Its participation in the ATT as a State Party will be captured in next year's ATT Monitor report.

Regional training workshops brought together CSOs and representatives from different countries to explore technical challenges and legal requirements of membership to the ATT.

A small sample of such workshops include:

- In New Zealand, 14 Pacific countries,⁹ and representatives from the International Committee of the Red Cross (ICRC) and civil society organizations attended the 'Pacific Conference on Conventional Weapons Treaties' to advance universalization and implementation of the ATT, along with two other conventional weapons treaties.¹⁰ The conference was hosted by the Ministry of Foreign Affairs of New Zealand in partnership with Australia.
- In Senegal, participants, including parliamentarians from 10 countries,¹¹ diplomats and civil society organizations from West Africa took part in a conference on 'Promoting Stakeholder and Parliamentary Dialogue on the Arms Trade Treaty'. Hosted by Parliamentary Forum on Small Arms and Light Weapons, in cooperation with the Friedrich-Ebert-Stiftung (FES) Berlin and the FES Competence Centre for Peace and Security in Sub-Saharan Africa, this event discussed the role of parliamentarians in promoting the universalization and implementation of the ATT.
- In Palau, representatives of the Palau Working Group for the Arms Trade Treaty, the Centre for Armed Violence Reduction (CAVR) and the Stimson Centre participated in the 'Palau National Arms Trade Treaty Workshop'. Participants took part in training modules to develop institutional, administrative, legislative and legal baselines needed for ratification and implementation of the ATT by Palau.¹²

- In Nepal, government representatives, parliamentarians and civil society from Afghanistan, Bangladesh, Bhutan, India, Nepal, Sri Lanka, and Pakistan came together for a roundtable meeting on 'Promoting Universalization and Strengthening Implementation of the Arms Trade Treaty in South Asia'. This meeting encouraged sharing of best practices to deepen knowledge of the ATT in support of advancing universalization and strengthening implementation of the ATT in the region.¹³

Cooperation and assistance activities in support of universalization efforts have also continued this past year. Mechanisms like the UNSCAR, the EU ATT Outreach Project and bilateral assistance initiatives have continued to provide resources to channel technical, material and financial assistance to States Parties and countries in the process of ratifying or acceding to the Treaty.

Among these funding mechanisms, UNSCAR grants were disbursed for the fifth year to a range of UN agencies, international and regional organizations, CSOs and research institutes. These include Nonviolence International, the Geneva Centre for Security Policy (GCSP), Stockholm International Peace Research Institute (SIPRI), and the Regional Centre on Small Arms (RECSA).¹⁴

This year marked the first funding cycle of the ATT Voluntary Trust Fund (VTF). The VTF is intended to support national implementation of the Treaty and relies on voluntary contributions to make up its entire disbursement budget. The ATT encourages each State Party to contribute resources to the VTF. As of 31 May 2018, 14 States Parties¹⁵ have made voluntary contributions totaling US\$6.5million.¹⁶

9 Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Papua New Guinea, Palau, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

10 In addition to the ATT, this conference covered universalization and implementation of the Convention on Cluster Munitions (2008) and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines (1997).

11 Cameroon, Ghana, Mali, Mozambique, Palestine, Serbia, Tanzania, Togo, Uruguay and Zimbabwe.

12 CARV (2018). 'Capacity-Building Workshop on Enhancing the Arms Control System in Palau.' 16 February 2018. <http://www.armedviolencereduction.org/capacity-building-workshop-enhancing-palau-arms-control-system/>.

13 Control Arms Secretariat (2018). 'Important progress made towards ATT Universalization in South Asia.' 15 June 2018. <https://controlarms.org/blog/important-progress-made-towards-att-universalization-in-south-asia/>

14 United Nations Office for Disarmament Affairs (UNODA) (2017). 'UNSCAR projects selected in 2017.' New York: UNODA. <https://www.un.org/disarmament/unsscar/2017-2/>.

15 Argentina, Australia, Czech Republic, Finland, France, Germany, Ireland, Japan, Netherlands, New Zealand, Spain, Sweden, Switzerland and the United Kingdom. Germany also contributed to the VTF Outreach Programme.

16 ATT Secretariat (2018). 'Arms Trade Treaty: Status of VTF Finances'. 1 June 2018. http://www.thearmstradetreaty.org/images/CSP4/CSP4_preparatory_process/May_WG_Prep_Meetings/180601_-_ATT_Secretariat_-_Status_of_VTF_Finances_01_June_2018.pdf.

After making its first call for project proposals in December 2016, the ATT Secretariat approved VTF funding for 17 projects to be implemented in 15 countries,¹⁷ with a combined total budget of US\$1.3million.¹⁸ Many of these projects will be implemented by or with CSOs as implementation partners, as part of the vital role partnerships play in meaningfully advancing universalization and implementation efforts.

SYSTEMS AND PROCEDURES

CSP 2017 was attended by 106 countries, including 79 States Parties, 23 Signatories and four observers. Also attending the conference were representatives of 13 international and regional organizations, including UN agencies, 53 member organizations of the Control Arms Coalition, and 23 other civil society organizations, research institutes, and associations representing industry.¹⁹ Ambassador Klaus Korhonen of Finland served as the President of the conference. Procedural decisions adopted included the following:

- Exploring and highlighting synergies between the ATT and the 2030 Agenda for Sustainable Development, with particular emphasis on the Sustainable Development Goals (SDGs).
- Establishing the Working Group on Effective Treaty Implementation (WGETI), Working Group on Transparency and Reporting (WGTR) and the Working Group on Treaty Universalization (WGTU) as standing working groups.
- Emphasizing the need for a sponsorship programme to support the participation of States in all conferences, not only conferences held in Geneva.
- Electing Ambassador Nobushige Takamizawa of Japan as President for CSP 2018.
- Electing Argentina, Georgia, France and South Africa as Vice Presidents for CSP 2018.
- Setting the date for CSP 2018 as 20-24 August 2018.²⁰

Two informal preparatory meetings to develop an agenda and working plan for CSP 2018 were also held during this time period. Working groups met prior to these meetings.

Chaired by Switzerland, the WGETI appointed facilitators to lead discussions on three priority sub-topics: general implementation (Article 5), prohibitions and risk assessment (Articles 6 and 7), and diversion (Article 11). The sub-division was meant to provide for more focused and substantive discussion among States Parties.

Discussions around the implementation of Articles 5, 6 and 7 highlighted that States Parties are at different baselines in the extent of their engagement within the arms trade as exporters, importers, transit or transshipment, or no engagement at all. States Parties are also at different baselines in experience developing necessary structures and mandates to implement these obligations. For example, some States Parties have long-established systems and norms and others are currently developing those systems. This was kept in mind as States Parties, including Costa Rica, Jamaica, and Côte d'Ivoire, shared concrete experiences, case studies, and practical measures related to the implementation and compliance with Articles 5 and 11. States Parties were less forthcoming in sharing concrete experiences with the implementation of Articles 6 and 7, and instead focused more on the development of guidance documents.²¹

The WGTR, co-chaired by Mexico and Belgium, focused mainly on challenges to reporting as highlighted by States Parties, as well as measures that can be taken to promote implementation of reporting obligations. The WGTR agreed to work towards establishing more practical guidelines to ease and facilitate reporting obligations of States Parties, including a FAQ document and increased support and capacity-building.

And finally, the WGTU, co-chaired by Finland and Japan, heard updates from a number of States Parties on their ratification processes. This included a detailed update from new State Part Kazakhstan. The Stimpson Centre stated that there is general support for ATT universalization from the heavy conventional weapons U.S. industry, arguing that its ratification would provide transparency and predictability for the defence industry.

17 Cameroon, Costa Rica, Côte d'Ivoire, El Salvador, Guatemala, Liberia, Mauritius, Palau, Philippines, Samoa, Senegal, Sierra Leone, Togo, Zambia and Swaziland.

18 For a complete list of projects, see ATT Secretariat (2017). '1st Voluntary Trust Fund Cycle (2017): Overview of Projects Approved for ATT VTF Funding'. 8 November 2017. http://thearmstradetreaty.org/images/ATT_VTF/ATT_Secretariat_-_Overview_of_2017_VTF_Projects_08_November_2017.pdf.

19 ATT Secretariat, 'Final Report of Third Conference of States Parties', ATT/CSP3/2017/11-15.

http://www.thearmstradetreaty.org/images/CSP3_Documents/Statements/CSP3_Draft_Final_Report_-_ATT.CSP3.2017.SEC.184.Conf.FinRep.Rev1.pdf.

20 Ibid., paragraphs 4-10.

21 Control Arms Secretariat (2018). 'Summary of ATT CSP 2018 Preparatory Committee Meeting'.

Informal Preparatory Committee (PrepCom) meetings for CSP 2018 were held on 9 March 2018 and 1 June 2018. The first PrepCom meeting for CSP 2018 offered cursory discussion of the agenda for CSP 2018. Japan took this opportunity to pledge a US\$3 million contribution to the Voluntary Trust Fund, part of which will be earmarked towards universalization efforts in Asia Pacific. The second PrepCom meeting built on these discussions and included an additional substantive thematic session exploring synergies between the ATT and SDGs, continuing discussions from CSP 2017.

Overall, preparatory meetings ahead of CSP 2018 have marked a more positive move towards slightly more substantive conversation and debate, a shift from previous CSP agendas focused almost exclusively on procedural matters. The sharing of concrete experiences of implementation of Treaty obligations, as well as more open dialogue regarding concerns and challenges, are examples of this positive shift. However, it is imperative that States Parties also ensure that adequate discussions are held in relation to issues such as compliance with, and violations of, the ATT.

REPORTING ON IMPLEMENTATION AND COMPLIANCE

INITIAL REPORTS

As of 31 May 2018, nearly every State Party was required by Article 13.1 of the ATT to submit their Initial Reports on implementation.²² Of the 92 States Parties that were required to report on efforts undertaken to implement the treaty, 67 States Parties have done so as of June 2018. This represents a compliance rate of 73 per cent.²³

Ten new reports were due since the last edition of the ATT Monitor.²⁴ As of June 2018, six of these new reports – Benin, Cyprus, Honduras, Madagascar, Monaco, and Republic of Korea – have been submitted to the ATT Secretariat. A seventh report, Georgia, was submitted early and captured in the 2017 ATT Monitor.²⁵

Though States Parties are only required to complete an Initial Report once within the first year of the entry into force for that State Party, Article 13.1 requires them to provide the ATT Secretariat with relevant updates or changes to their national arms transfer control systems. To date, no States Parties have provided these updates to the Secretariat, despite reporting to the WGTR that steps were taken to adapt national policies and procedures to better align with ATT provisions.²⁶ This lack of updated information could stymie efforts towards comprehensive treaty implementation and undermine the value of transparency in national control systems.

Chapter 3 of this report explores in more detail the implications of what States Parties reported in their Initial Reports, and the extent to which their national systems are in compliance with the ATT. It also identifies areas of good practice that may provide elements for replication in other country/institutional contexts.

ANNUAL REPORTS

As of the 31 May 2018 deadline, 89 States Parties were required by Article 13.3 of the ATT to submit their 2017 Annual Reports.²⁷ Of them, only 36 States Parties submitted their Annual Transfer reports on time, and a further four submitted their reports shortly after the deadline – bringing the tally to 40 out of 89 (45 per cent).²⁸ An in depth analysis of the contents of these reports can be found in Chapter 3.

The overwhelming majority of submitted Annual Reports were made public (95 per cent). Only two States Parties, Argentina and Madagascar, elected to keep their 2017 Annual Reports private. This is a continuation of the positive trend identified during the last reporting timeframe, and will pay dividends in reinforcing the norms that the ATT is built upon – transparency, accountability, and mutual security and confidence building.

22 Each ATT State Party must submit its Initial Report within the first year after entry into force of the ATT for that State Party. Arms Trade Treaty, Article 13.1 (adopted 2 April 2013, entered into force 24 December 2014)_UNTS_(ATT) Art 13.1
<https://unoda-web.s3-accelerate.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>.

23 ATT Secretariat (2018), 'Reporting', <http://www.thearmstradetreaty.org/index.php/en/2017-01-18-12-27-42/reports>.

24 Benin, Cape Verde, Cyprus, Georgia, Guatemala, Honduras, Madagascar, Monaco, Republic of Korea, Zambia.

25 Additionally, information for two States Parties (Greece and Paraguay) that were due to submit their initial reports in previous years but had not yet done so in time to be included in the 2017 ATT Monitor.

26 ATT Secretariat (2018), 'ATT Working Group on Transparency and Reporting Co-chairs' Report of 8 March 2018 meeting', 4 April 2018.
http://thearmstradetreaty.org/images/CSP4/CSP4_preparatory_process/May_WG_Prep_Meetings/ATT_WGTR_CSP4_8_March_2018_meeting_Co-chairs_report.pdf.

27 Arms Trade Treaty, Article 13.3. (adopted 2 April 2013, entered into force 24 December 2014)_UNTS_(ATT Art 13.3.
<https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>.

28 ATT Secretariat, 'Reporting', <http://thearmstradetreaty.org/index.php/en/2017-01-18-12-27-42/reports>

TAKING STOCK – DID STATES PARTIES LIVE UP TO THEIR OBLIGATIONS?

Ongoing arms transfers play a continued, destabilizing role in conflict and armed-violence situations around the world. In Yemen, a devastating attack on the port city of Hodeidah that began in June 2018 adds to the mounting evidence of serious breaches of international humanitarian law and human rights law documented by the UN, the ICRC, Human Rights Watch, Amnesty International and Mwatana Organisation for Human Rights, among other CSOs.²⁹

This evidence poses important questions for States Parties in their efforts to implement the ATT in accordance with its object and purpose of reducing human suffering. As implementation increases, it should be expected that transfers that violate the Treaty decline. There have been encouraging signs that some States Parties are actively implementing and amending national policies and procedures that increase compliance with ATT obligations.

In December 2017, Norway suspended exports of weapons and ammunition to the United Arab Emirates over concerns regarding their use in Yemen, citing 'increasing risks' of the UAE-military involvement in the conflict.³⁰ Norway suspended export licenses that had already been issued, taking measures to ensure the export of arms and ammunition to the United Arab Emirates would cease immediately.³¹ Also at this time, Germany announced that it would stop authorizing arms exports to any party to the conflict in Yemen.³² However, it seems that deliveries from previously agreed contracts can continue.³³

In June 2018, a number of export licenses for arms sales to Saudi Arabia were suspended in the Walloon region of Belgium after the Council of State, an independent judicial body, found that the Walloon government had not demonstrated in practice that it had carried out a risk assessment sufficiently in line with Belgian laws on arms exports. On the contrary, it found that the condition of urgency was no longer fulfilled since the licenses in question were fully executed.³⁴ Previously, the Walloon government announced that it would no longer supply arms to the Saudi Arabia Ministry of Defence for use in operations outside of Saudi-territory, though this new restriction was not being applied to the Saudi Royal and National Guards on the grounds that these forces only operate internally.³⁵

While the relevant authorities have not explicitly referenced the ATT when announcing these policies, it is this type of behavioural change that monitors of the ATT will look toward as indicators of the Treaty's impact in effect.

Yet, not all signs are encouraging. An initial survey of data from the 2017 Annual Reports indicates that exports of arms have continued to take place to countries where risks of misuse of arms persist and information about such misuse is available. The conflict in Yemen is one of the most concerning cases in which arms transfers have continued, and the attack on Hodeidah has reignited calls by governments and civil society for countries to re-evaluate arms sales to members of the Saudi-led coalition. For this to become commonplace, more examples of good practices must be made available, and States Parties must openly and actively reference their Treaty obligations in their arms-transfer decisions.

29 See, for example, Amnesty International (2018). 'Stranglehold: Coalition and Huthi Obstacles Compound Yemen's Humanitarian Crisis'. London. <https://www.amnesty.org/download/Documents/MDE3185052018ENGLISH.pdf>; Human Rights Watch (2016). 'Yemen: US Bombs Used in Deadliest Market Strike'. 7 April 2016. <https://www.hrw.org/news/2016/04/07/yemen-us-bombs-used-deadliest-market-strike>; Amnesty International (2016). 'Yemen: Children Among Civilians Killed and Maimed in Cluster Bomb 'Minefields''. 23 May 2016. <https://www.amnesty.org/en/latest/news/2016/05/yemen-children-among-civilians-killed-and-maimed-in-cluster-bomb-minefields/>; Amnesty International (2016). 'Yemen's Horror Exposes the Deadly Hypocrisy of Arms Exporters Like the UK and the USA'. 26 August 2016. <https://www.amnesty.org/en/latest/news/2016/08/yemens-horror-exposes-the-deadly-hypocrisy-of-arms-exporters-including-britain-and-the-u/>; Médecins Sans Frontières (2016). 'MSF Internal Investigation of the 15 August Attack on Abs Hospital Yemen: Summary of Findings'. 27 September 2016. http://reliefweb.int/sites/reliefweb.int/files/resources/Yemen_Abs_investigation_summary_final.pdf; Human Rights Watch (2016). 'Yemen: US-Made Bombs Used in Unlawful Airstrikes'. 8 December 2016. <https://www.hrw.org/news/2016/12/08/yemen-us-made-bombs-used-unlawful-airstrikes>.

30 Ministry of Foreign Affairs, Netherlands (2017). 'Suspension of export licenses to the United Arab Emirates'. 1 January 2018. <https://www.regjeringen.no/en/aktuelt/suspension-of-export-licences-to-the-united-arab-emirates/id2583359/>.

31 Ibid.

32 DW News (2018). 'Germany halts weapons exports to parties in the Yemen conflict'. 19 January 2018. <https://www.dw.com/en/germany-halts-weapons-exports-to-parties-in-yemen-conflict/a-42229376>.

33 Saferworld (2018). 'The beginning of the end? European arms exports for the Yemen war'. 1 March 2018. <https://www.saferworld.org.uk/resources/news-and-analysis/post/759-the-beginning-of-the-end-european-arms-exports-for-the-yemen-war>.

34 Conseil d'État (2018). 'Licences d'exportation d'armes et de matériel lié à la défense vers l'Arabie Saoudite'. 29 June 2018. <http://www.raadvst-consetat.be/?page=news&lang=fr>.

35 Saferworld (2018). 'The beginning of the end? European arms exports for the Yemen war'. 1 March 2018. <https://www.saferworld.org.uk/resources/news-and-analysis/post/759-the-beginning-of-the-end-european-arms-exports-for-the-yemen-war>.

THE 2018 ATT MONITOR REPORT

This fourth edition of the ATT Monitor report seeks to build on the analysis of previous reports.

Chapter 1 of this report is a special thematic section on the ATT in Asia. CSP 2018 will be hosted in Japan, which helps focus attention on a region broadly categorized by low ATT membership, rising arms imports, and countries expanding or initiating moves to produce and export arms. This chapter profiles the state of conventional arms control in Northeast Asia, Southeast Asia and South Asia, and outlines challenges and barriers to ATT universalization in the region.

Chapter 2 assesses the current state of ATT Annual Reports. This chapter includes an overall analysis of reporting practices, comparing 2016 ATT Annual Reports with reports for 2015. This comparative analysis identifies changes in reporting practices and determines whether inconsistencies and gaps identified in the analysis of 2015 reports were resolved in 2016 reports.

Chapter 2 also includes country profiles for each State Party that was due to submit an ATT Annual Report for 2016. Each profile provides data on key reporting practice metrics (public reporting, timely reporting, withholding security information), as well as a summary of areas of good practice and areas for improvement in reporting. The profiles also contain a summary of transfers reported by each State Party, focusing on basic comparable information such as number and status of export/import partners, and highlighting the largest transfers reported by that State Party in the 2016 reporting calendar year.³⁶

Chapter 2 also looks at the extent to which exports and imports reported by States Parties in 2016 Annual Reports are comparable. For example, if one State Party reports an export of assault rifles to another, does the second State Party also

report the import? This analysis identifies the major types of discrepancies in reported figures of exports and imports and assesses the quality and functionality of the reports with a view to assisting States Parties in effective and meaningful reporting.


Chapter 2 also includes a summary assessment of Annual Reports submitted for arms exports and imports during 2017 before 31 May 2018.³⁷ It is anticipated that more States Parties will submit their report in the window between the legal deadline of 31 May and the beginning of the CSP 2018. As such, this analysis will be further expanded in next year's Monitor report.

Chapter 3 includes a summary assessment of Initial Reports submitted by States Parties as of June 2018. From this assessment comes an analysis of reporting non-compliance, highlighting challenges States Parties face in fulfilling reporting obligations. Article 13.3 of the ATT requires States Parties to provide the ATT Secretariat with relevant updates or changes to their national arms transfer control systems. This chapter finds that States Parties are not updating their initial reports. A lack of updated information could stymie efforts towards comprehensive treaty implementation and undermine the value of transparency in national control systems.

Finally, Chapter 4 presents an overview of diversion and the ATT through the regional lens of Latin America and the Caribbean (LAC). This chapter reviews what the ATT's provisions relating to diversion, as well as what LAC States Parties do to address diversion—both in terms of Initial Reports and specific policy and programming responses. To illustrate the diverse manifestations of diversion, this chapter applies a broad understanding of how and when it occurs – from the point of production to the point of end use.

³⁶ In 2016 Annual Reports, States Parties reported authorized or actual exports and imports of conventional arms from 1 January 2015 to 31 December 2015.

³⁷ Consistent with the ATT Monitor Annual Report 2017, reports are considered on time if they are published on the ATT Secretariat web site as of 7 June 2017 (one week after the deadline set out in Article 13). See Control Arms Secretariat (2017). 'ATT Monitor 2017'. 11 September 2017. https://attmonitor.org/en/wp-content/uploads/2017/09/EN-ATT_Monitor-Report-2017_ONLINE-1.pdf, pp. 52-55.



MYANMAR-MANUFACTURED
MA-4 ASSAULT RIFLE AND LIGHT
MACHINE GUN CAPTURED FROM THE
MYANMAR ARMY BY THE ALL BURMA
STUDENTS DEMOCRATIC FRONT
NORTH (ABSDF-N) NEAR LAI ZA,
KACHIN STATE, MYANMAR.

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