



ATT MONITOR REPORT 2021

SUMMARY

COVER PHOTO:

**A26 SUBMARINE OF THE
SWEDISH NAVY SURFACING.**

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THE ATT MONITOR PROJECT

The ATT Monitor, an independent project of Control Arms, was launched in January 2015 with the support of the governments of Austria, Australia, Ireland, Netherlands, Norway and Trinidad and Tobago.

The project is now the de facto international monitoring mechanism for the Arms Trade Treaty (ATT) and serves as a source of information on the implementation of, and compliance with, the ATT. Its authoritative and quantitative research and analysis serves to strengthen Treaty implementation efforts and improve the transparency of the conventional arms trade.

The ATT Monitor produces research for its key audiences: government policymakers and export officials, civil society and international organizations, as well as the media and the general public.

THE ATT MONITOR ANNUAL REPORT

The ATT Monitor 2021 Annual Report seeks to take stock of existing state practice, create greater transparency in how the ATT is implemented, inform the work of the Conferences of States Parties (CSPs) and intersessional meetings, and support accountability of Treaty commitments.

This summary presents synthesized information from the ATT Monitor 2021 Annual Report and provides examples of analysis and research undertaken in support of strengthening Treaty implementation efforts.



MIRAGE 2000 AIRCRAFT AT
AMARI AIR BASE IN ESTONIA.

CREDIT: © NATO



**AT4 RECOILLESS
ANTI-TANK WEAPON.**

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MERLIN MK2 ASW
HELICOPTER ABOARD THE
HMS NORTHUMBERLAND.
CREDIT: © MOD CROWN

STATE OF THE ARMS TRADE TREATY: A YEAR IN REVIEW (JUNE 2020 – MAY 2021)

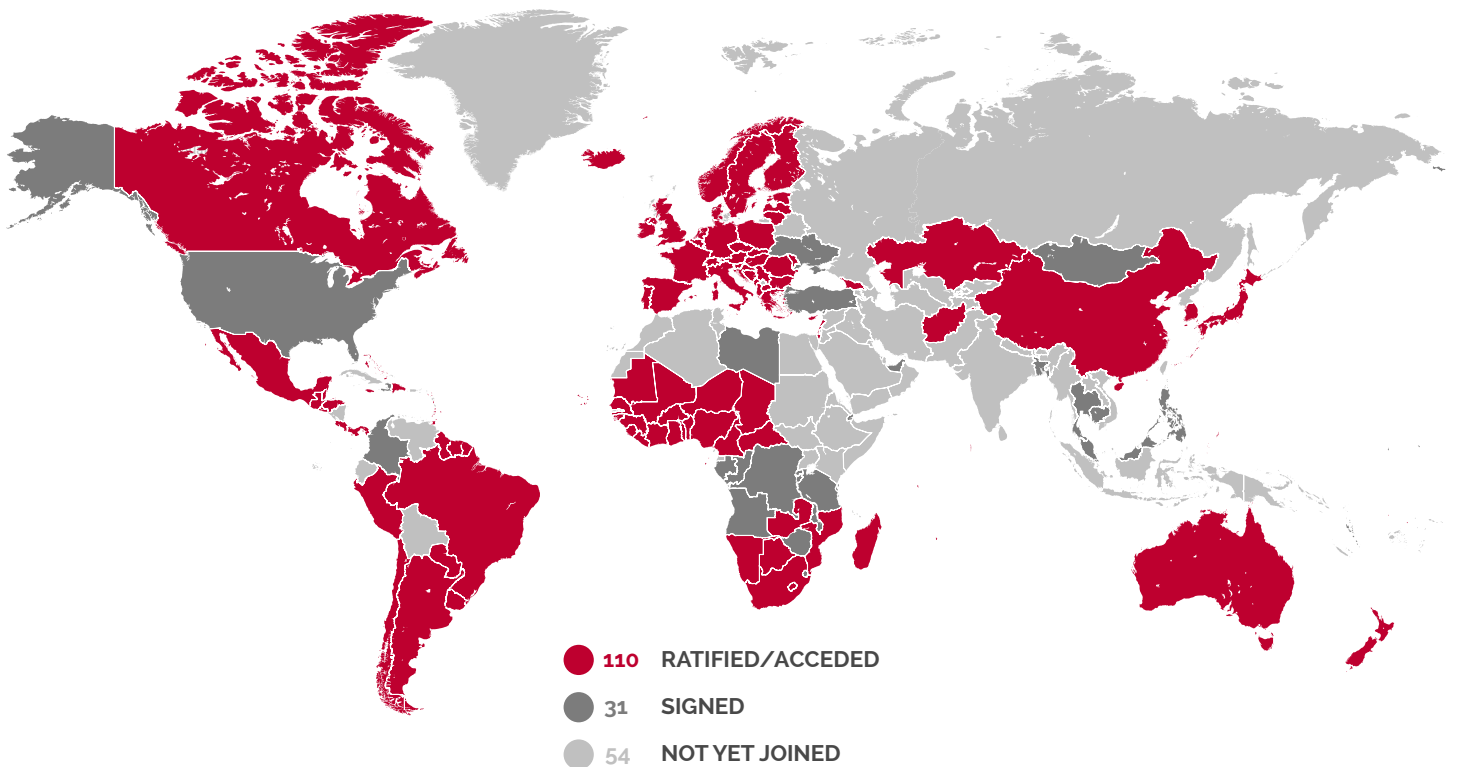
This review takes stock of the period between 1 June 2020 and 31 May 2021, up to and including the one week grace period for submission of Arms Trade Treaty (ATT) annual reports. It explores some of the key events and milestones during the past year and assesses their impacts on the overall performance of States Parties to the Treaty regarding universalization and compliance.

UNIVERSALIZATION

Four countries became States Parties to the ATT between 1 June 2020 and 31 May 2021. Afghanistan, China and Niue acceded, and São Tomé and Príncipe ratified the Treaty. Positively, all four new States Parties are from regions with the lowest ATT participation, though membership still remains geographically uneven.

This year's analysis shows that, with the exception of the 2018–2019 period when seven countries ratified the Treaty, universalization progress has remained relatively consistent. While the pace of new membership to any treaty generally slows over time, a pattern is emerging in which progress in ATT universalization remains slow.

FIGURE 1 - MAP OF STATUS OF RATIFICATIONS AND STATES PARTIES





ATT MONITOR ANALYSIS SHOWS THAT TWO TRENDS CONSISTENTLY THREATEN TO UNDERMINE TRANSPARENCY AND REPORTING: A DOWNWARD TREND IN COMPLIANCE WITH ARTICLE 13 REPORTING OBLIGATIONS, AS WELL AS AN INCREASE IN THE RATE AT WHICH REPORTS ARE KEPT PRIVATE.



THE OTHER WORKING GROUPS, HOWEVER, SET EXPECTATIONS LOW IN THEIR AGENDAS FOR INTERSESSIONAL WORK, MAKING CLEAR THAT THERE IS STILL PROGRESS TO BE MADE TOWARDS EFFECTIVE IMPLEMENTATION OF ALL TREATY PROVISIONS.

REPORTING ON IMPLEMENTATION AND COMPLIANCE

Reporting under the ATT is critical to achieving its object and purpose and to increasing transparency in the international arms trade. Article 13 of the Treaty mandates that every State Party submit an initial report that describes measures taken to implement the Treaty as well as annual reports on national arms exports and imports each year.¹

ATT reporting is one of the key tools for transparency at the disposal of States Parties. Annual Reports on national arms exports and imports contribute to greater transparency of the global arms trade and facilitate confidence-building, responsibility and accountability in national arms-transfer decisions. Initial reports, which describe measures taken by States Parties to implement the Treaty, shed light on national control systems and can be used to identify implementation gaps and good practice.

ATT Monitor analysis shows that two trends consistently threaten to undermine transparency and reporting: a downward trend in compliance with Article 13 reporting obligations, as well as an increase in the rate at which reports are kept private. In this year's report, the ATT Monitor evaluates the first five years of reporting to determine whether it has lived up to the promise and requirements of the ATT and shows that progress has been slow in this regard. Chapters 2, 3 and 4 present further analysis of compliance with reporting obligations, identify trends and highlight efforts made by ATT stakeholders to address challenges to reporting.

SYSTEMS AND PROCEDURES

Intersessional work prior to CSP7 included one series of meetings of the ATT Working Groups and Informal Preparatory (PrepCom) meetings in April 2021, followed by virtual consultations in June 2021. This format was adopted in place of the two in-person sets of meetings that traditionally move forward intersessional work due to challenges related to the COVID-19 pandemic. The remote consultations were scheduled to prepare and finalize the documentation from the April meetings to be submitted to CSP7. Overall, the Working Groups and PrepCom meetings of CSP7 did not pursue ambitious agendas for continuing work and saw limited participation by ATT stakeholders. The Working Group on Transparency and Reporting (WGTR) maintained the most ambitious agenda, which included concrete efforts to continue reviewing the effectiveness of ATT reporting templates to increase transparency in the arms trade. The other Working Groups, however, set expectations low in their agendas for intersessional work, making clear that there is still progress to be made towards effective implementation of all Treaty provisions.

¹ ATT annual reports are due by 31 May each year, reflecting arms exports and imports from the previous calendar year. However, States Parties are granted a seven-day grace period by the ATT Secretariat to submit their reports, creating a de facto deadline of 7 June each year.



VARIOUS EFFORTS TO ENCOURAGE STATES PARTIES TO IMPLEMENT PROVISIONS OF THE ATT IN ACCORDANCE WITH ITS OBJECT AND PURPOSE – INCLUDING ARTICLE 6 (PROHIBITIONS) AND ARTICLE 7 (EXPORT AND EXPORT ASSESSMENT) OBLIGATIONS – AND TO STOP PROBLEMATIC ARMS TRANSFERS THAT FUEL THE YEMEN CONFLICT HAVE HAD MIXED RESULTS.

TAKING STOCK – ARE STATES PARTIES MEETING THEIR OBLIGATIONS?

States Parties' commitments to the humanitarian objectives of the ATT have been tested in the conflict in Yemen as problematic arms transfers to the Saudi-led coalition are ongoing. Various efforts to encourage States Parties to implement provisions of the ATT in accordance with its object and purpose – including Article 6 (prohibitions) and Article 7 (export and export assessment) obligations – and to stop problematic arms transfers that fuel the Yemen conflict have had mixed results. Positively, the number of States Parties reporting exports to Saudi Arabia in ATT annual reports has declined in recent years, and a number of states have implemented bans or partial bans on exports to Saudi Arabia. In contrast, some States Parties that are large exporters of conventional weapons, such as France and the United Kingdom, have continued to supply weapons to Saudi Arabia throughout the war despite evidence that all parties have committed serious violations of IHL and IHRL. These States Parties and others that continue selling weapons to the Saudi-led coalition have yet to live up to the object and purpose of the Treaty to reduce human suffering.



PARTICIPANTS IN CONTROL ARMS' 2018 ATT ACADEMY IN MEXICO.

CREDIT: © AGENCE FRANCE PRESSE / TIMOTHY A. CLARY



**DELEGATES AT THE UNITED
NATIONS APPLAUD THE
PASSAGE OF THE ATT.**

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TIMOTHY A. CLARY

CHAPTER 1: STOCKPILE MANAGEMENT PRACTICES IN SUB- SAHARAN AFRICA: STRENGTHENING EFFORTS TO ERADICATE THE ILLICIT TRADE IN SMALL ARMS AND LIGHT WEAPONS AND ENSURE EFFICIENT STOCKPILE MANAGEMENT



BY REINFORCING THE OBLIGATION OF STATES PARTIES TO MAINTAIN SUCH RECORDS, THE ATT SUPPORTS INTER-STATE CAPABILITY TO DETECT DIVERSION AND ENHANCES STATES' ABILITY TO RESPOND TO INTERNATIONAL TRACING REQUESTS WITHIN THE GLOBAL REGULATORY FRAMEWORK FOR INTERNATIONAL CONVENTIONAL ARMS TRANSFERS.

This chapter looks at stockpile management as a key mechanism for addressing the illicit trade in small arms and light weapons (SALW) in the context of ATT provisions and other global and regional arms control frameworks. It then explores the nature and dynamics of stockpile management practices in Sub-Saharan Africa as the region attempts to harmonize its past and present arms control standards. The chapter seeks to provide a nuanced understanding of the gaps in stockpile management practices and policies by focusing on the specific challenges faced by Ghana in establishing and implementing these systems.

STOCKPILE MANAGEMENT AND ADDRESSING THE ILLICIT TRADE IN SALW THROUGH THE ATT

Stockpile management includes a wide range of systems and procedures, including storage and warehouse management, physical security of arms in storage, control of internal transfers between warehouses and depots, staff training, documentation and record-keeping.

ATT States Parties are encouraged to identify links, increase collaboration and strengthen the implementation of ATT provisions alongside other global and regional arms control frameworks in order to enhance safe and secure accounting, storage and disposal of weapons as a means of addressing the illicit trade in conventional weapons – particularly SALW.

Diversion. Stockpile management is a crucial tool in limiting the potential for diversion at all stages of the arms transfer chain. To address these risks, the ATT sets out provisions that require States Parties to address diversion on the national level. Specifically, Article 11 addresses the responsibilities of States Parties in taking steps and implementing measures to prevent and address diversion.

International Assistance and Cooperation. Article 16 makes clear that states may seek assistance and support in implementing measures that help decrease the risks of diversion, including stockpile management and other post-delivery security measures, and Article 15 similarly encourages information sharing among ATT States Parties 'regarding illicit activities and actors in order to prevent and eradicate diversion of conventional arms.'

Reporting. The ATT's requirements with regard to recordkeeping and reporting serve to enhance efforts to detect and prevent diversion in the context of stockpile management. For example, Article 12 calls on States Parties to maintain national records on exports and imports licenses issued. By reinforcing the obligation of States Parties to maintain such records, the ATT supports inter-state capability to detect diversion and enhances states' ability to respond to international tracing requests within the global regulatory framework for international conventional arms transfers.



IN WORKING TOWARDS COHERENT IMPLEMENTATION OF THESE INITIATIVES, STATES MAY IDENTIFY GAPS UNDER OTHER INTERNATIONAL INSTRUMENTS THAT MAY BE ADDRESSED BY THE ATT AND COMMONALITIES BETWEEN RELEVANT ASSISTANCE PROGRAMS SPECIFIC TO STOCKPILE MANAGEMENT.

GLOBAL FRAMEWORK FOR SALW CONTROL

Specific ATT provisions that seek to strengthen stockpile management practices to address diversion can be bolstered when implemented along with other international and regional arms control instruments, as well as programs and initiatives seeking to contribute to the same goals. This chapter highlights examples of these instruments and initiatives.

The CSP7 President's Paper makes clear the usefulness of these instruments and initiatives in collectively addressing the illicit trade in SALW and enhancing efficient stockpile management practices. In working towards coherent implementation of these initiatives, states may identify gaps under other international instruments that may be addressed by the ATT and commonalities between relevant assistance programs specific to stockpile management.

STOCKPILE MANAGEMENT PRACTICES IN SUB-SAHARAN AFRICA

Sub-Saharan Africa experiences high levels of armed conflict and violence that are exacerbated by the uncontrolled circulation of SALW. Illicit arms in the region move by air and sea, but mainly across land borders in vehicles managed by a variety of state and non-state actors, including armed groups, criminal gangs, local arms manufacturers, returning peacekeepers and corrupt security officials. Across the continent, the diversion of national stockpiles and supplies from other states are also sources of illicit arms supplies to non-state armed groups. As such, poorly managed stockpiles pose a challenge to addressing illicit trafficking in SALW in the region.



DESTRUCTION OF 2,000 SEIZED AND OBSOLETE WEAPONS AND MORE THAN 10,000 AMMUNITION IN TOGO.

CREDIT: © UNREC

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IN PRACTICE, POST-COLONIAL AFRICAN STATES DID NOT FUNDAMENTALLY CHANGE COLONIAL-ERA LEGISLATIONS OR CHALLENGE THEIR UNDERLYING CONCEPTUAL FRAMEWORK. AS SUCH, THE GROWING INCREASE OF SALW IN NATIONAL STOCKPILES WAS NOT MATCHED WITH EFFECTIVE STOCKPILE MANAGEMENT POLICIES OR REFORMS TO COLONIAL-ERA SALW LEGISLATION.

HISTORY OF STOCKPILE MANAGEMENT IN SUB-SAHARAN AFRICA

Arms control efforts have a long history in Africa, dating back as early as the slave trade era. The 1890 Brussels Conference Act, which primarily sought to eradicate the slave trade, also sought to minimize the consequences of an influx of firearms in the region by prohibiting the export of modern weapons to what is now Sub-Saharan Africa, except for those used by colonial law enforcement authorities. The Convention for the Control of the Trade in Arms and Ammunition, and its Protocol, agreed in 1919 (1919 Convention), prohibited the importation of arms and ammunition to nearly the whole continent of Africa, but established that arms and ammunition imported under special licenses into the continent would be admitted at ports by the colonial ruling authority of that territory, and that those arms and ammunition would be stored in a warehouse managed by the same authorities. Stockpile management was also placed under the responsibility of the colonial ruling authorities.

The 1919 Convention's provisions were replicated in territories under British and French colonial rule and inherited by newly independent African states beginning in the 1950s. In practice, post-colonial African states did not fundamentally change colonial-era legislations or challenge their underlying conceptual framework. As such, the growing increase of SALW in national stockpiles was not matched with effective stockpile management policies or reforms to colonial-era SALW legislation.



UNREC ARMS MARKING
PROJECT AND UNDP
SECURITY SECTOR REFORM
PROJECT IN MADAGASCAR.

CREDIT: © UNREC



**DESPITE NUMEROUS
NORMATIVE FRAMEWORKS
FOR CONFLICT MANAGEMENT
AND PREVENTION,
CHALLENGES PERSIST IN
SUB-SAHARAN AFRICA TO
IMPLEMENT THEM, INCLUDING
PROVISIONS RELATED TO
STOCKPILE MANAGEMENT.**



**ARMS CONTROL LEGISLATION
IN GHANA DOES NOT ESTABLISH
STANDARDS FOR MAINTAINING
SAFE AND SECURE NATIONAL
STOCKPILES IN STATE-OWNED
ARMOURIES, THOUGH A NUMBER
OF STATE AGENCIES ARE
AUTHORIZED END-USERS OF
FIREARMS. AS SUCH, GHANA'S
LEGISLATIVE FRAMEWORK FOR
ARMS CONTROL ESTABLISHES
MULTIPLE ARMS MANAGEMENT
AUTHORITIES RESPONSIBLE
FOR IMPLEMENTING DIFFERENT
ELEMENTS OF THIS REGULATORY
FRAMEWORK.**

STOCKPILE MANAGEMENT IN SUB-SAHARAN AFRICA TODAY: CURRENT PRACTICES AND CHALLENGES

Inspired by the need for conflict prevention and conflict management, international arms control efforts came into focus at the start of the 21st century. With colonial-era national legislation still in place in much of Sub-Saharan Africa, efforts by the regional economic communities (RECs) of the African Union (AU) to embrace the international movement to curb the illicit arms trade grew. With this regional momentum, national governments, with or without the support of domestic legislative reform, were able to leverage newly-developed regional frameworks to implement the provisions of relevant and recent international arms control instruments. RECs continue to play a critical role in strengthening arms control policy in Sub-Saharan Africa.

Despite numerous normative frameworks for conflict management and prevention, challenges persist in Sub-Saharan Africa to implement them, including provisions related to stockpile management. The case study below illustrates some of these challenges as faced by Ghana in implementing efficient arms control legislation and effective stockpile management systems.

CASE STUDY: GHANA'S STOCKPILE MANAGEMENT CHALLENGES

Arms control legislation in Ghana does not establish standards for maintaining safe and secure national stockpiles in state-owned armouries, though a number of state agencies are authorized end-users of firearms. As such, Ghana's legislative framework for arms control establishes multiple arms management authorities responsible for implementing different elements of this regulatory framework.

Along with the colonial history of arms control in the region and the proliferation of illicitly-manufactured firearms in-country, this complex arrangement presents a number of challenges for Ghana in establishing and implementing efficient stockpile management systems. These include:

Problematic Historical Legacies. Ghana's legal and regulatory framework for the import, export, and trans-shipment of firearms and ammunition, including explosives, is still shaped by the historical arms and ammunition enforcement put in place by colonial powers in the region.

Challenges with inter-agency cooperation. Ghana's main arms and ammunition-related laws intersect with different social and economic sectors in the country, rather than collectively combine and contribute to focused and centralized arms control goals.



THE LOCATIONS OF SOME OF GHANA'S ARMS AND AMMUNITION DEPOTS ARE INCREASINGLY COMING UNDER PRESSURE FROM URBANIZATION AND WITHOUT APPROPRIATE SAFETY AND SECURITY MEASURES, THERE ARE RISKS NOT ONLY ASSOCIATED WITH THEFT OF STOCKPILES BUT ALSO EXPLOSIONS.



BY PRIORITIZING THE UNIVERSALIZATION AND IMPLEMENTATION OF THE ATT AND THE FOCUSED COORDINATION OF THE BROADER NORMATIVE AND LEGAL ARMS CONTROL FRAMEWORK WITHIN NATIONAL GOVERNMENTS, AMONG REGIONAL PARTNERS, AND ON THE INTERNATIONAL LEVEL, PROGRESS CAN BE MADE TO ERADICATE THE ILLICIT TRADE IN SALW, INCREASE TRANSPARENCY IN THE ARMS TRADE AND REDUCE HUMAN SUFFERING.

Outdated Stockpile Management Systems and Infrastructure.

The locations of some of Ghana's arms and ammunition depots are increasingly coming under pressure from urbanization and without appropriate safety and security measures, there are risks not only associated with theft of stockpiles but also explosions.

Illicit Locally Manufactured Firearms. Few or no regulations exist as it relates to artisan locally produced weapons. The colonial laws criminalized local arms manufacturing as a means of maintaining power and control through restricting access to weapons. As a result, locally produced weapons cannot be registered into the arms database managed by the police.

Regional vs. National Legal Frameworks. Ghana's national regulations do not always align with Ghana's commitments to the provisions of the different regional and international arms-control instruments it has ratified or signed. Current laws in Ghana have been in place for more than four decades, making it difficult to use them to address current SALW issues. In some cases, legal interpretation of these laws is ambiguous, and in others they are incompatible with the Economic Community of West African States (ECOWAS) Convention on Small Arms, Light Weapons, their ammunition and other associated material.

CONCLUSION

With the ATT and other international and regional arms control instruments, there exists a robust legal and normative framework for strengthening efforts to eradicate the illicit trade in SALW and improve stockpile management practices. However, there is still work to be done to support its effective implementation, as seen in the case study of Ghana in Sub-Saharan Africa. Nevertheless, collective efforts on the regional level continue to support national legislative reform and shift momentum toward more effective arms control. Internationally, states in Sub-Saharan Africa have the opportunity to strengthen these efforts by seeking both international assistance and cooperation in the context of the ATT and other instruments.

By prioritizing the universalization and implementation of the ATT and the focused coordination of the broader normative and legal arms control framework within national governments, among regional partners, and on the international level, progress can be made to eradicate the illicit trade in SALW, increase transparency in the arms trade and reduce human suffering.



**AN EC135 HELICOPTER AT
HMAS ALBATROSS IN NEW
SOUTH WALES, AUSTRALIA.**

CREDIT: © COMMONWEALTH
OF AUSTRALIA, DEPARTMENT OF
DEFENCE / CPOIS CAMERON MARTIN

CHAPTER 2: LOOKING BACK TO MOVE FORWARD: EVALUATING FIVE YEARS OF ATT REPORTING

This chapter evaluates the first five years of ATT reporting – which includes 2015–2019 annual reports and initial reports submitted through 7 June 2021 – to determine whether it has lived up to the promise and requirements of the ATT.

Despite a group of States Parties that consistently fulfil reporting obligations in full, this chapter finds that ATT annual reports, overall, are not increasing transparency in the global arms trade and ATT initial reports are not providing the insights required to effectively monitor ATT implementation.

ANNUAL REPORTS

Building on previous ATT Monitor analysis of annual reports each year, this chapter examines compliance with Article 13.3 reporting obligations, reporting that contributes to the transparency aims and objectives of the Treaty, and reporting that contributes to a higher standard of transparency. This chapter finds that a number of trends threaten to undermine both transparency in the global arms trade and States Parties' commitments to the object and purpose of the Treaty.

Text Box – Key Findings

- Declining rates of compliance with ATT reporting obligations are undermining transparency in the global arms trade. Less than half of States Parties have fulfilled all of their ATT annual reporting requirements in any given year.
- Declining rates of compliance with ATT reporting obligations and increasing rates of confidential reporting are reducing the percentage of reports submitted each year that contribute positively to the transparency aims and objectives of the Treaty. The percentage of reports due that are meaningfully transparent fell from 46 per cent to 30 per cent over the 2015–2019 period.
- The decline in reporting has not been offset by any significant improvement in the transparency in information provided in publicly available reports. The percentage of publicly available reports that are meaningfully transparent have remained relatively consistent at 58 per cent for 2015 and 59 per cent for 2019, indicating that capacity among States Parties may also have remained static.
- A group of States Parties that consistently submit publicly available reports each year has increased the occurrence of comments and descriptions of reported transfers, contributing to a higher standard of transparency in their reports.
- Only 12 States Parties have been fully compliant with Article 13.3 reporting obligations and have submitted reports that contribute to the transparency aims and objectives of the Treaty for every year a report was due.
- Only eight States Parties have been fully compliant with Article 13.3 reporting obligations, submit reports that contribute to the transparency aims and objectives of the Treaty for every year a report was due and include information that contributes to a higher standard of transparency.



**ONLY EIGHT STATES PARTIES
HAVE BEEN FULLY COMPLIANT
WITH ARTICLE 13.3 REPORTING
OBLIGATIONS, SUBMIT REPORTS
THAT CONTRIBUTE TO THE
TRANSPARENCY AIMS AND
OBJECTIVES OF THE TREATY FOR
EVERY YEAR A REPORT WAS DUE
AND INCLUDE INFORMATION
THAT CONTRIBUTES TO A HIGHER
STANDARD OF TRANSPARENCY.**



LESS THAN HALF OF STATES PARTIES HAVE FULFILLED ALL ARTICLE 13.3 REPORTING REQUIREMENTS IN ANY GIVEN YEAR.

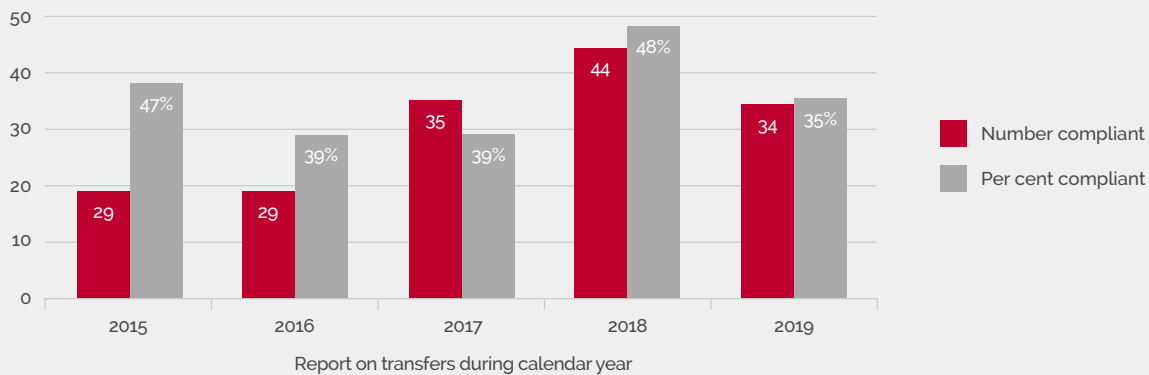
ARTICLE 13.3 ANNUAL REPORTING REQUIREMENTS

The ATT Monitor considers an annual report to be fully compliant with the requirements laid out in Article 13.3 if a report:

1. Is submitted to the ATT Secretariat
2. Is submitted on time within one week of the 31 May deadline
3. Includes both exports and imports of conventional arms covered under Article 2.1 and/or relevant 'nil' reports

Less than half of States Parties have fulfilled all Article 13.3 reporting requirements in any given year.

FIGURE 2 – NUMBER AND PERCENTAGE OF STATES PARTIES FULLY COMPLIANT WITH ARTICLE 13.3 REPORTING OBLIGATIONS



**ITALIAN AIR FORCE EUROFIGHTER
TYPHOON EF2000 DURING A NATO
AIR FORCE EXERCISE.**

CREDIT: © NATO



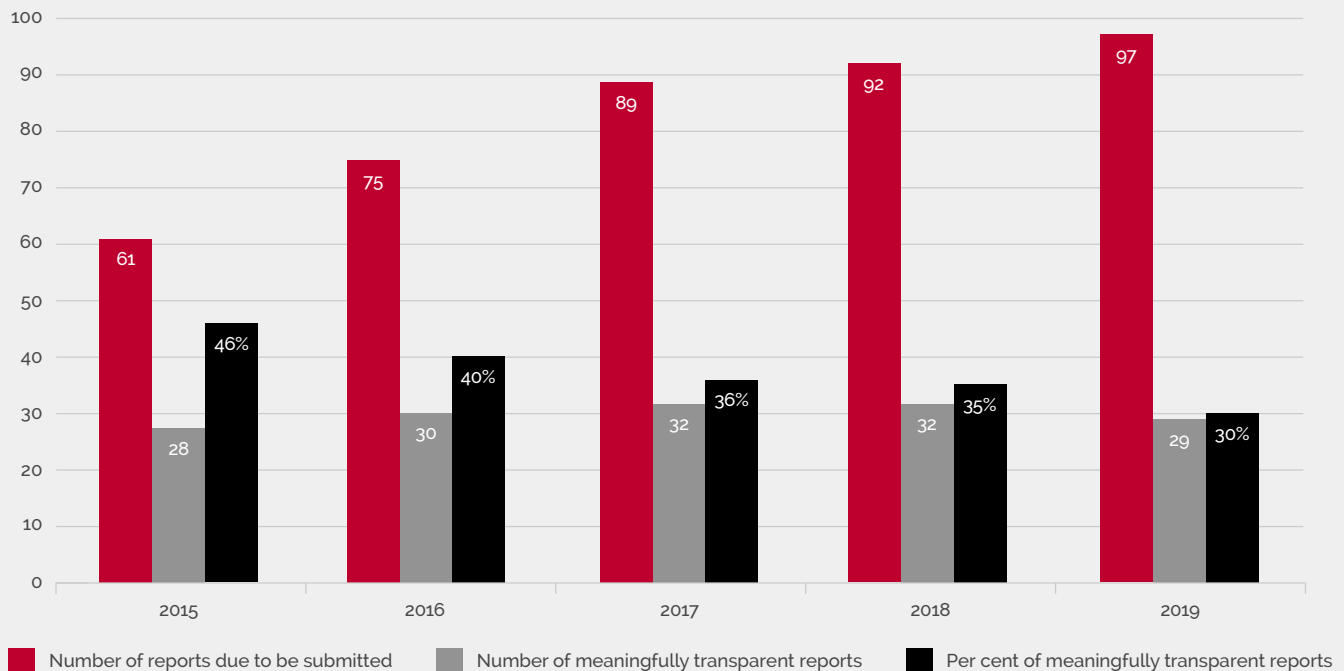
THE ATT MONITOR ALSO CONSIDERS AN ANNUAL REPORT TO INCLUDE THE MINIMUM INFORMATION NEEDED IN ORDER TO BE MEANINGFULLY TRANSPARENT IF A REPORT CLEARLY SUBMITS 'NIL' REPORTS ON EXPORTS AND/OR IMPORTS.

FULFILLING THE TRANSPARENCY AIMS AND OBJECTIVES OF THE TREATY

The ATT Monitor considers an annual report to include the minimum information needed in order to be meaningfully transparent and contribute to the aims and objectives of the ATT in Article 1 if a report:

1. Is submitted and made publicly available on the ATT Secretariat website
2. Provides information that is disaggregated by weapon type
3. Provides information that is disaggregated by importer/exporter
4. Indicates whether transfer data concerns authorizations or actual transfers (or both)
5. Provides the number of units or financial value (or both) for each weapon type

FIGURE 3 – NUMBER AND PERCENTAGE OF REPORTS DUE TO BE SUBMITTED THAT ARE MEANINGFULLY TRANSPARENT





THE PERCENTAGE OF REPORTS DUE EACH YEAR THAT COMPLY WITH ARTICLE 13.3 REPORTING REQUIREMENTS AND ALSO PROVIDE THE MINIMUM INFORMATION NEEDED IN ORDER TO ACHIEVE THE AIMS AND OBJECTIVES OF THE ATT FELL FROM 34 PER CENT FOR 2015 TO 21 PER CENT FOR 2019.

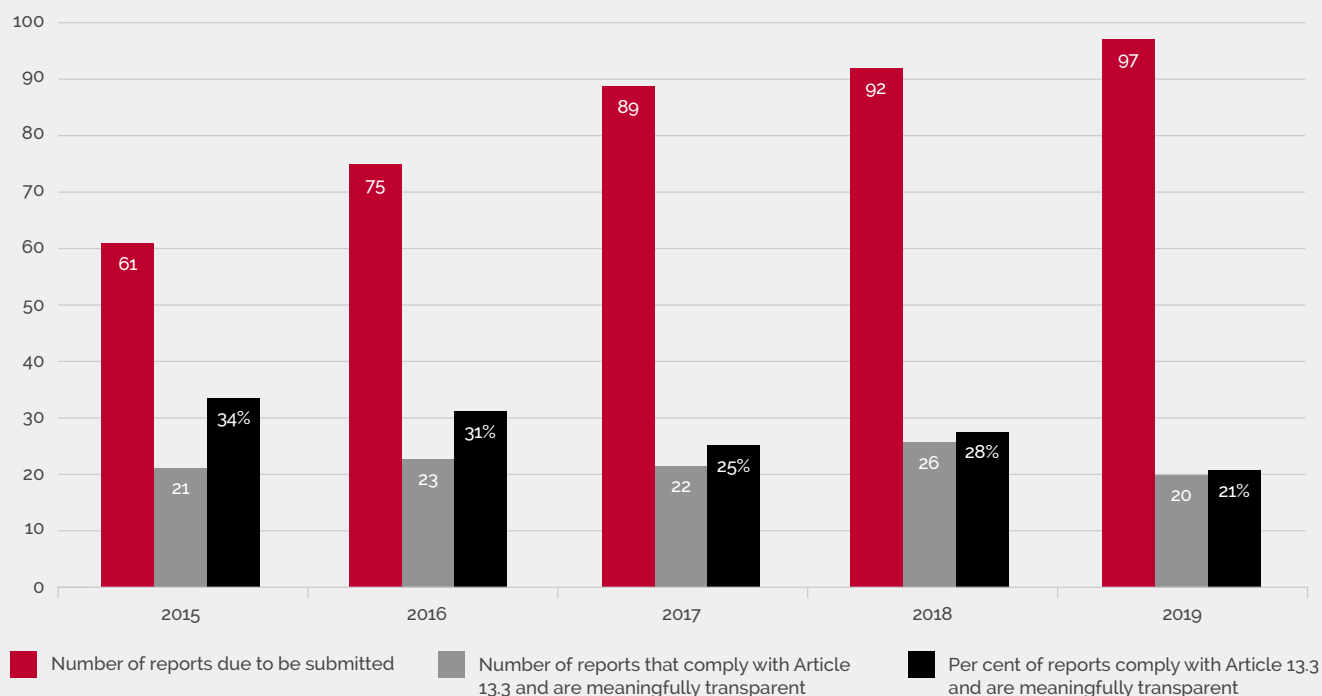
States Parties that submit 'nil' reports can also contribute to the transparency aims and objectives of the Treaty. As such, the ATT Monitor also considers an annual report to include the minimum information needed in order to be meaningfully transparent if a report clearly submits 'nil' reports on exports and/or imports.

There has been a consistent decline in the percentage of meaningfully transparent reports. Figure 4 shows that over the 2015–2019 period, the percentage of States Parties that submitted meaningfully transparent reports fell from 46 per cent to 30 per cent. Decreasing reporting rates, as more States Parties are due to submit reports each year, as well as the increasing rate of private reports, have the most significant impact on transparent reporting.

FULL COMPLIANCE WITH ARTICLE 13.3 REPORTING REQUIREMENTS AND FULFILMENT OF THE TRANSPARENCY AIMS AND OBJECTIVES OF THE TREATY

The percentage of reports due each year that comply with Article 13.3 reporting requirements and also provide the minimum information needed in order to achieve the aims and objectives of the ATT fell from 34 per cent for 2015 to 21 per cent for 2019.

FIGURE 4 – NUMBER AND PERCENTAGE OF DUE REPORTS THAT COMPLY WITH ARTICLE 13.3 AND ARE MEANINGFULLY TRANSPARENT



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THERE HAS BEEN A HIGH AND RISING PERCENTAGE OF PUBLICLY AVAILABLE REPORTS THAT INCLUDED TRANSFER DATA (EXCLUDING 'NIL' REPORTS) THAT ALSO INCLUDED DESCRIPTIONS. THE PERCENTAGE ROSE FROM 70 PER CENT FOR 2015 TO 76 PER CENT FOR 2019, WITH A HIGH POINT OF 80 PER CENT FOR 2018.

REPORTS WITH A HIGHER STANDARD OF TRANSPARENCY

States Parties may provide information in ATT annual reports that goes beyond the minimum information needed in order to contribute to the aims and objectives of the Treaty in Article 1, as well as information required by Article 13.3. This information contributes to a higher standard of transparency and is in some cases encouraged (though not required) by other ATT provisions.

The ATT Monitor considers an annual report to include information that contributes to this higher standard if, for example, States Parties provide descriptions and/or comments of reported transfers, include 'o', 'nil', '/' or any indication that no transfers were made in relevant weapons categories or include any other kind of additional information (see report for full methodology).

In the context of descriptions of reported transfers, the number of reports that include descriptions for one or more transfers rose between 2015 and 2018, and then fell in 2019. However, the percentage of reports due that included descriptions fell consistently, from 52 per cent for 2015 to 35 per cent for 2019. This is mainly due to the overall decline in reporting.

Nonetheless, there has been a high and rising percentage of publicly available reports that included transfer data (excluding 'nil' reports) that also included descriptions. The percentage rose from 70 per cent for 2015 to 76 per cent for 2019, with a high point of 80 per cent for 2018.



**BRITISH CHALLENGER 2 MAIN
BATTLE TANKS AND ESTONIAN CV90
INFANTRY FIGHTING VEHICLES
DURING A JOINT EXERCISE.**

CREDIT: © MOD CROWN

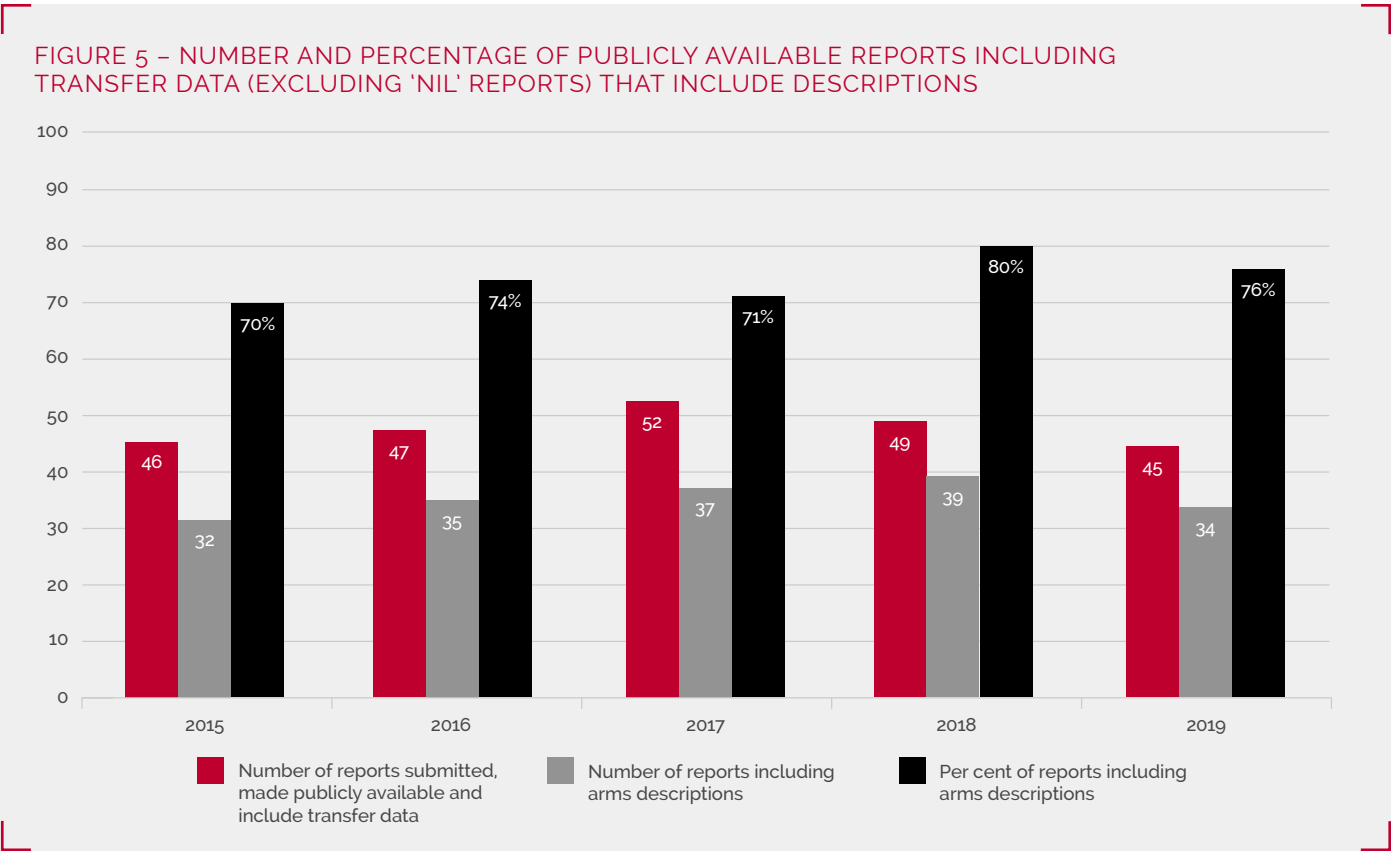


'NIL' REPORTS DO NOT PROVIDE THE SAME OPPORTUNITY FOR STATES PARTIES TO PROVIDE ADDITIONAL INFORMATION THAT CONTRIBUTES TO A HIGHER STANDARD OF TRANSPARENCY [...] EVEN SO, STATES PARTIES THAT SUBMIT 'NIL' REPORTS MAY STILL HAVE AN EQUIVALENT COMMITMENT TO TRANSPARENCY.

EXCEPTIONALLY TRANSPARENT STATES PARTIES

Eight States Parties (Benin, Germany, Liechtenstein, New Zealand, the Republic of Korea, Romania, Slovenia and Switzerland) have consistently complied with Article 13.3 reporting obligations, provided information in annual reports that goes beyond the minimum information needed in order to contribute to the aims and objectives of the ATT in Article 1, and provided information that supports a higher standard of transparency.

'Nil' reports do not provide the same opportunity for States Parties to provide additional information that contributes to a higher standard of transparency as reports that contain transfer information. Even so, States Parties that submit 'nil' reports may still have an equivalent commitment to transparency.





WHILE THE NUMBER OF SUBMITTED REPORTS HAS INCREASED EACH YEAR SINCE 2016, THE OVERALL COMPLIANCE RATE FOR ATT INITIAL REPORTING HAS REMAINED RELATIVELY CONSTANT, AS DEMONSTRATED IN FIGURE 7.

INITIAL REPORTS

This chapter offers reflections on five years of ATT initial reporting, examines trends in reporting compliance and provides a snapshot of progress made towards Treaty implementation based on publicly available information as provided by States Parties in their initial reports. This chapter shows that over the first five years of the Treaty, States Parties' reporting compliance is not living up to the promise or requirements of the ATT and initial reports are not providing the insights required to effectively monitor ATT implementation. Without full compliance with initial reporting obligations, it is not possible to discern whether the Treaty is being effectively implemented or to match gaps and needs with assistance and resources.

ATT INITIAL REPORTING AT A GLANCE

While the number of submitted reports has increased each year since 2016, the overall compliance rate for ATT initial reporting has remained relatively constant, as demonstrated in Figure 7. The steady compliance rate raises several concerns about reporting and transparency norms, as well as about the ability to conduct objective assessments of Treaty implementation.

There are regional trends in these missing reports. Of the 24 States Parties that have yet to submit their initial reports, 13 are from Africa, nine are from the Americas, one is from Asia and one is from Europe.

JAVELIN MISSILES FIRED DURING A LIVE-FIRE COMBAT REHEARSAL AT COMBINED ARMS TRAINING CENTER CAMP FUJI, JAPAN.

CREDIT: © US NAVY / LANCE CPL. JONATHAN WILLCOX



FIGURE 6 – RATE OF ATT INITIAL REPORTING COMPLIANCE BY YEAR (IN APPROXIMATE PER CENT)

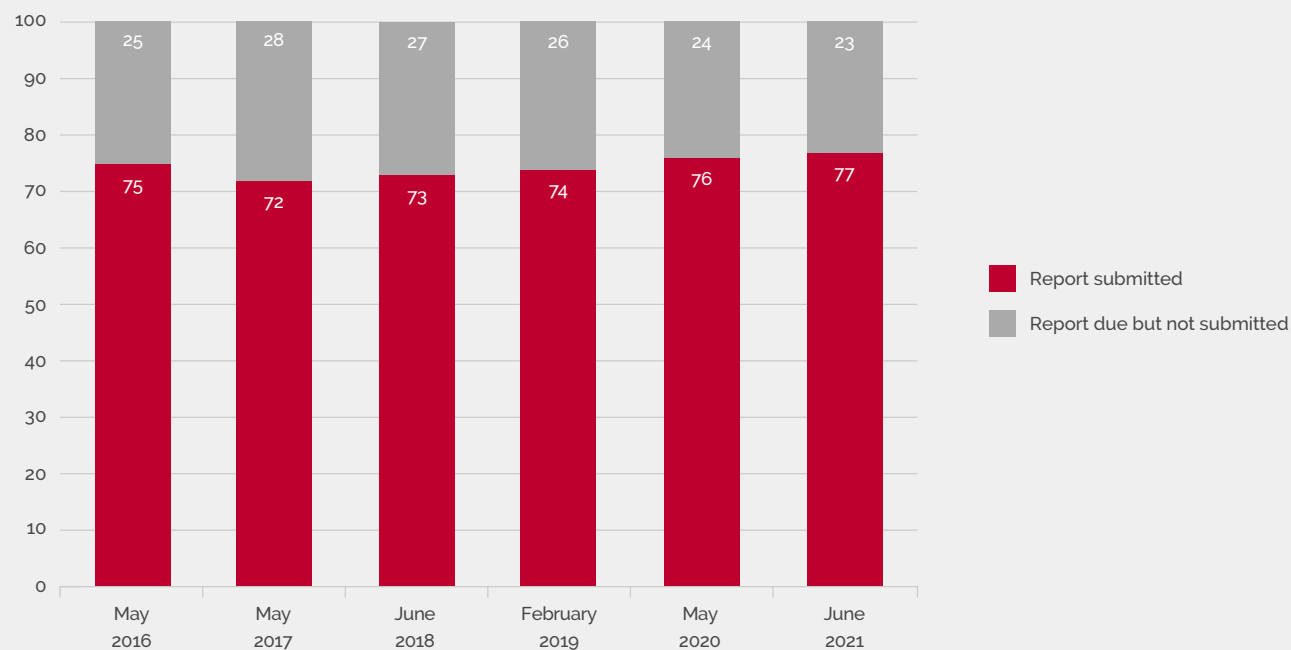


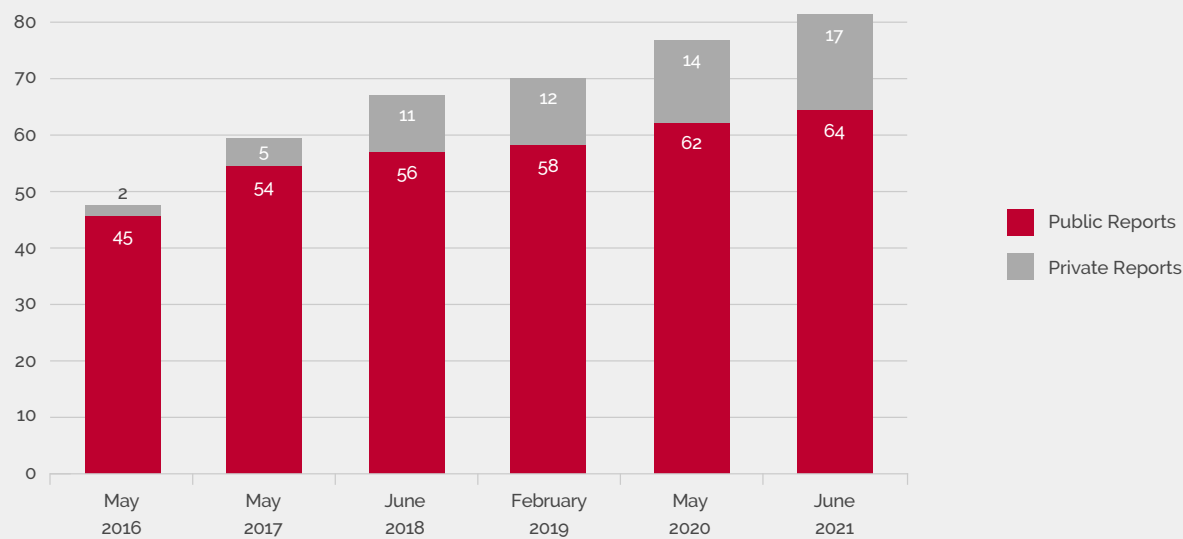
FIGURE 7 – INITIAL REPORT SUBMISSIONS BY REGION (AS OF 7 JUNE 2021)

Region	Number of States Parties Due to Report	Number of States Parties that Have Reported	Regional Reporting Rates
Africa	26	13	50%
Americas	27	18	67%
Asia	8	7	88%
Europe	39	38	97%
Oceania	5	5	100%

Only five States Parties have provided information on 'any new measures undertaken in order to implement' the ATT, as required under Article 13.1 of the Treaty (Hungary, Japan, New Zealand, Slovenia and Sweden). They each provided updates in different ways, underscoring the lack of standardization and challenges with identifying new elements in updated reports.

Of the 81 submitted initial reports to date, 17 are private, representing approximately 21 per cent of all submitted reports. Private reports continue to represent an increasing share of overall initial reports, as shown in Figure 9.

FIGURE 8 – PRIVATE REPORTING OVER TIME





SIXTY-FOUR STATES PARTIES HAVE PROVIDED PUBLICLY AVAILABLE INITIAL REPORTS TO THE ATT SECRETARIAT. THESE REPORTS OFFER AN OVERVIEW OF KEY ELEMENTS OF STATES PARTIES' NATIONAL TRANSFER CONTROL SYSTEMS AND PROVIDE IMPORTANT INSIGHTS INTO NATIONAL INTERPRETATIONS OF TREATY PROVISIONS.



SPECIFICALLY, THE INITIAL REPORTING TEMPLATE HAS A COMPLICATED STRUCTURE AND CONTAINS SEVERAL QUESTIONS THAT LACK SPECIFICITY OR DEPTH TO ALLOW STATES PARTIES TO ELABORATE ON SPECIFIC MEASURES AND PRACTICES THEY HAVE IN PLACE TO IMPLEMENT THE ATT.

INSIGHTS ON IMPLEMENTATION

Sixty-four States Parties have provided publicly available initial reports to the ATT Secretariat. These reports offer an overview of key elements of States Parties' national transfer control systems and provide important insights into national interpretations of Treaty provisions.

National Control System. Fifty-two States Parties indicated that their national control system includes a national control list, 60 indicated their system contains import controls, 58 indicated their national control system covers transit/trans-shipment, and at least 49 indicated that their national system regulates brokering.

Prohibitions. Fifty-six States Parties indicated that they prohibit arms transfers in all circumstances detailed in Article 6.

Exports. Fifty-three States Parties indicated that they have measures in place to ensure authorizations are detailed and issued prior to exports, and 49 reported that they have systems in place through which they can reassess export authorizations if they become aware of new and relevant information.

Diversion. Sixty States Parties indicated that they have measures in place to prevent diversion, and 51 indicated that their national control systems include measures to be taken when diversion is detected.

Enforcement. Fifty-six States Parties indicated that they have measures in place to enforce national laws and regulations as they pertain to ATT implementation, and 53 indicated that their national legislation allows for the provision of joint assistance in investigations, prosecutions and judicial proceedings in the event that relevant laws and regulations are violated.

MOVING FORWARD AND ADDRESSING CHALLENGES TO REPORTING

The ATT Working Group on Transparency and Reporting (WGTR) retains as one of its priority issues the need to improve reporting compliance. In 2015, the WGTR developed provisional initial and annual reporting templates to encourage consistent reporting and support assessments of Treaty implementation through standardized information collection.

Specifically, the initial reporting template has a complicated structure and contains several questions that lack specificity or depth to allow States Parties to elaborate on specific measures and practices they have in place to implement the ATT.

These challenges can compound other complications that States Parties experience in meeting their initial reporting requirements. Therefore, it will remain important to monitor progress towards revising the reporting templates and to continue engaging States Parties on good reporting practices for informative understandings of Treaty implementation.



**CANADIAN ARMED FORCES
FIRE THE 84MM CARL-GUSTAF
RECOILLESS RIFLE AT CFB
VALCARTIER, CANADA.**

CREDIT: © DND CANADA /
CPL HUGO MONTPETIT

CHAPTER 3: ARMS EXPORTS AND IMPORTS – ASSESSING 2019 ANNUAL REPORTS



OTHER REPORTING TRENDS MAY HELP DETERMINE WHY STATES PARTIES DO OR DO NOT SUBMIT REPORTS AND MAY ALSO HELP ATT STAKEHOLDERS IDENTIFY STATES PARTIES' NEEDS FOR ASSISTANCE IN FULFILLING REPORTING OBLIGATIONS. A NUMBER OF TRENDS – INCLUDING REGIONAL REPORTING RATES, HISTORY OF ATT PARTICIPATION AND STATUS AS LARGE EXPORTERS/IMPORTERS – ARE EXPLORED IN THIS CHAPTER.

This chapter takes an in-depth look at 2019 ATT annual reports downloaded by 1 February 2021. It presents analysis of compliance with reporting obligations, identifies reporting challenges and examples of good practice and disaggregates reporting data on a country-specific basis in country profiles.

This chapter shows a downward trend in compliance with Article 13 reporting obligations, as well as an increase in the rate at which reports are kept private. Notably, the on-time completion rate for 2019 annual reports was the lowest of any year, and challenges raised by the COVID-19 pandemic have likely affected some States Parties' ability to submit reports. Many submitted 2019 reports after 1 February 2021, and in some cases reports from previous years, likely as states continued to address COVID-19 challenges. While these late reports are not part of the analysis below, the ATT Monitor takes stock of these late submissions in its review of five years of ATT annual reports in Chapter 2.

QUANTITY OF REPORTS

Ninety-seven States Parties were required to submit their 2019 annual report on arms exports and imports within one week of 31 May 2020. Of these, 55 States Parties submitted reports by the 1 February cut-off date for analysis. Notably, five States Parties that had submitted a report every year from 2015–2018 did not submit a 2019 report by this date (Bulgaria, Costa Rica, the Republic of North Macedonia, Samoa and South Africa).

Only 45 reports due were submitted by the ATT Monitor cut-off date for analysis and made publicly available. Ten States Parties kept their reports private. Though the number of reports kept private remained the same for 2019 and 2018 reports, the rate of private reporting among submitted reports increased to 18 per cent in 2019 from 16 per cent in 2018.

DIVING DEEPER INTO REPORTING RATES

Other reporting trends may help determine why States Parties do or do not submit reports and may also help ATT stakeholders identify States Parties' needs for assistance in fulfilling reporting obligations. A number of trends – including regional reporting rates, history of ATT participation and status as large exporters/importers – are explored in this chapter.

For example, ongoing analysis of ATT annual reports shows States Parties that acceded to the Treaty after it came into force are less likely to be compliant with reporting obligations and to submit reports. Of the 55 reports due and submitted, 42 (75 per cent) were submitted by States Parties who were among the first to ratify the Treaty, most of which had the capacity and systems in place to complete and submit reports prior to the Treaty's entry into force.



OF THE STATES PARTIES THAT DID NOT MEET THESE CRITERIA, MANY CONTINUED TO PROVIDE EXCESSIVELY AGGREGATED DATA, WHICH MEANS INFORMATION WAS AGGREGATED TO THE EXTENT THAT IT WAS EITHER DIFFICULT OR IMPOSSIBLE TO DISCERN THE QUANTITY OR TYPE OR WEAPONS THAT WERE TRANSFERRED TO OR FROM A PARTICULAR STATE.



ATT ANNUAL REPORTS MAY INCLUDE INFORMATION THAT GOES BEYOND THE MINIMUM CRITERIA OUTLINED ABOVE. IN PROVIDING MORE THAN THE MINIMUM AMOUNT OF REQUIRED INFORMATION, A GROUP OF STATES PARTIES CONSISTENTLY DISPLAYS COMMITMENTS TO COMPREHENSIVE REPORTING.

QUALITY OF REPORTS

Of the 97 States Parties that had an obligation to submit a 2019 annual report, 28 (29 per cent) submitted one that met the ATT Monitor's criteria to provide the minimum necessary information needed in order to meaningfully assess a State Party's arms transfers:

- Specify weapon type
- Provide the number of units or financial value (or both) for each weapon type
- Clearly name the final exporting/importing country
- Identify whether the data concerns an authorized or an actual transfer

Of the States Parties that did not meet these criteria, many continued to provide excessively aggregated data, which means information was aggregated to the extent that it was either difficult or impossible to discern the quantity or type or weapons that were transferred to or from a particular state.

GOOD PRACTICE

ATT annual reports may include information that goes beyond the minimum criteria outlined above. In providing more than the minimum amount of required information, a group of States Parties consistently displays commitments to comprehensive reporting. The ATT Monitor identifies and provides examples of good practice in this area, including: providing comments and descriptions on reported transfers, including additional types of weapons and clarifying blank spaces in reporting templates by indicating 'nil' or writing in 'o' to indicate where no transfers were made.

Of the 55 due and submitted annual reports, 33 (60 per cent) provided descriptions of items exported and/or imported, and 25 (45 per cent) included comments on the context of reported exports and/or imports.

COUNTRY PROFILES

By disaggregating analysis of 2019 annual reports on a country-specific basis, the ATT Monitor seeks to provide easily comparable and nationally relevant findings to help inform future practice. Chapter 3 includes country profiles for each State Party obliged to submit a 2019 ATT annual report. 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 reporting practice and areas for improvement. 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 2019.

A US AIR FORCE F-16 FIGHTING
FALCON AT GRAF IGNATIEVO
AIR BASE IN BULGARIA.

CREDIT: © NATO



CHAPTER 4:
ATT REPORTING UPDATES
AND INSIGHTS FROM 2020



**POSITIVELY, 27 STATES PARTIES
BELATEDLY SUBMITTED THEIR
2019 ANNUAL REPORTS. AT
LEAST TWO OF THESE (ANTIGUA
AND BARBUDA AND CROATIA)
ALSO BELATEDLY SUBMITTED
PAST-DUE ANNUAL REPORTS
FOR PREVIOUS YEARS.**

This chapter presents preliminary analysis of 2020 annual reports, as well as updates on initial reports and monitoring implementation during the past year. Of particular concern is the trend towards private reporting, which continues to pose a challenge to transparency. This trend is equally as troubling for annual reports as it is for initial reports, as private reports create a challenge for identifying global arms exports and imports, prevent a public accounting of arm sales and impede identification of irresponsible transfers.

PRELIMINARY REVIEW OF 2020 ANNUAL REPORTS

One-hundred and five States Parties were required to submit their 2020 annual report on arms exports and imports. Forty-six of these did so by 7 June 2020, reflecting an on-time compliance rate of 44 percent. This reflects a notable increase in on-time reporting compliance from the previous year when States Parties submitted reports in the early waves of the COVID-19 pandemic, though nevertheless underscores the persistent challenge with low compliance rates in ATT reporting overall.

FIGURE 9 – ATT ANNUAL REPORTS ON-TIME REPORTING RATES

Reporting Year	Number of On-Time Reports Submitted	On-Time Completion Rate
2015	28	46%
2016	32	43%
2017	36	40%
2018	45	49%
2019	36	37%
2020	46	44%

Thirteen States Parties elected to make their 2020 reports private, representing approximately 28 per cent of on-time submissions. By comparison, 17 per cent of reports submitted on time in the previous year were private. At least eight States Parties shifted their reporting patterns towards more privacy.

Twenty-six States Parties have never submitted an annual report, despite being required to do so for one or more years (not including those States Parties that were required to report for the first time this year). The number of States Parties that have been consistently non-compliant with their annual reporting obligations has remained constant over the last two years.

Positively, 27 States Parties belatedly submitted their 2019 annual reports. At least two of these (Antigua and Barbuda and Croatia) also belatedly submitted past-due annual reports for previous years. In the past year, Antigua and Barbuda submitted all of its five past-due annual reports after years of non-compliance, covering arms exports and imports from 2015 through 2019. Additionally, Croatia not only submitted its 2020 annual report as required by the de facto 7 June 2021 deadline, but also submitted its 2018 and 2019 annual reports.

The approach of Antigua and Barbuda and Croatia to submitting their overdue reports serves as an example of good practice towards improving compliance with the ATT's reporting requirements as well as demonstrating a positive commitment towards transparency in the global arms trade.



INITIAL REPORTS, WHICH ALLOW STATES PARTIES TO REPORT ON THE MEASURES THEY ARE TAKING TO IMPLEMENT THE ATT, ARE ESSENTIAL TO UNDERSTANDING HOW STATES PARTIES INTERPRET THEIR OBLIGATIONS AND WHERE CRUCIAL GAPS REMAIN.



STATES PARTIES OFTEN TALK ABOUT TREATY UNIVERSALIZATION, BUT REPORTING UNIVERSALIZATION REMAINS AN ELUSIVE CHALLENGE, DESPITE THE SUBMISSION OF INITIAL REPORTS BEING AN OBLIGATION.

UPDATES ON ATT INITIAL REPORTS AND MONITORING TREATY IMPLEMENTATION

Initial reports, which allow States Parties to report on the measures they are taking to implement the ATT, are essential to understanding how States Parties interpret their obligations and where crucial gaps remain. This chapter provides a brief update on the current status of initial reporting, offering an overview of newly submitted initial reports as well as on reporting non-compliance.

Five States Parties submitted their initial reports between June 2020 and June 2021. Five States Parties (Botswana, Canada, Lebanon, the Maldives and Palau) were due to submit their initial reports to the ATT Secretariat within that period. Of these, three (Canada, the Maldives and Palau) did so. Two additional States Parties (Cameroon and Saint Vincent and the Grenadines) also belatedly submitted their initial reports to the ATT Secretariat within the last year.

Cameroon and Saint Vincent and the Grenadines were required to submit their initial reports in September 2019 and December 2015, respectively. Their past-due reporting marks the second year in a row in which multiple States Parties submitted an overdue initial report to the ATT Secretariat. This is a positive shift for reporting compliance and eases the stigma of late reporting.

However, three of the five States Parties that submitted their initial reports within the last year (Cameroon, Maldives and Saint Vincent and the Grenadines) elected to make their reports private, continuing a concerning trend in private reporting on ATT implementation. Two States Parties (Canada and Palau) reported publicly.

Article 13.1 of the Treaty requires States Parties to update their initial reports and to provide the ATT Secretariat with information 'on any new measures undertaken in order to implement this Treaty, when appropriate.' Since the publication of the 2020 ATT Monitor Annual Report, one State Party (Hungary) has submitted updates to its initial report, joining Japan, New Zealand, Slovenia, and Sweden as the only five States Parties to have submitted updates to date.

ATT initial reporting remains stagnant, with just over three-quarters of States Parties meeting their reporting obligations. As a result, a less-than-complete picture of Treaty implementation hampers efforts to develop strategies to support ATT implementation. States Parties often talk about Treaty universalization, but reporting universalization remains an elusive challenge, despite the submission of initial reports being an obligation.

