

CHAPTER 4: ATT REPORTING UPDATES AND INSIGHTS FROM 2020

4.1 – PRELIMINARY REVIEW OF 2020 ANNUAL REPORTS

INTRODUCTION

Article 13.3 of the Arms Trade Treaty (ATT) requires every State Party to submit an annual report, by 31 May each year, on its national arms exports and imports that occurred during the previous calendar year. ATT annual reports serve as a critical tool for increasing transparency and providing greater understanding of the global arms trade, as well as for building confidence in responsible and accountable government actions when making arms-transfer decisions.

The Treaty requires States Parties to submit their first annual report following the first full calendar year after its entry into force for that State Party, and then every year thereafter. The ATT Secretariat grants States Parties a seven-day grace period to submit their reports, creating a de facto deadline of 7 June each year.

PREVIEW OF 2020 ANNUAL REPORTS

Of the 110 States Parties to the ATT, only 105 were required to submit their 2020 annual reports on arms exports and imports. Forty-six States Parties did so by the 7 June 2021 deadline, representing an on-time compliance rate of 44 per cent. 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.

Uneven reporting compliance may be the result of several factors, including the ongoing COVID-19 pandemic, competing government priorities, limited resources, and/or enduring questions or uncertainties about the ATT's reporting requirements.

Table 4.1: 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%

The following 46 States Parties submitted their 2020 ATT annual reports on time:

- Albania, Antigua and Barbuda, Argentina, Barbados, Belgium, Benin, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, El Salvador, Finland, France, Georgia, Germany, Greece, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Maldives, Mauritius, Mexico, Montenegro, Netherlands, New Zealand, Palau, Peru, Poland, Portugal, Republic of Korea, Republic of North Macedonia, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, State of Palestine, Sweden and Switzerland

Thirteen States Parties (Albania, Antigua and Barbuda, Barbados, Benin, El Salvador, Georgia, Greece, Kazakhstan, Lithuania, the Maldives, Mauritius, the Republic of North Macedonia and the State of Palestine) 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. This continues a worrying trend towards increased private reporting.

Private reporting continues to pose a challenge to transparency, and at least eight States Parties shifted their reporting patterns towards more privacy. Six States Parties (Albania, Georgia, Greece, Lithuania, Mauritius and the Republic of Macedonia) continued to submit their annual reports privately despite having previously submitted public reports. Two States Parties (Benin and El Salvador) for the first time made their annual reports private, after submitting public annual reports in previous years.

The growing practice and increasing rate of private reporting not only challenges transparency – a core object and purpose of the ATT – but also hinders public accounting of global arms-transfer dynamics and obstructs efforts to identify problematic sales or potentially dangerous accumulations.

REPORTING UPDATES

In 2021, eight States Parties (Botswana, Canada, Guinea Bissau, Lebanon, the Maldives, Mozambique, Palau and Suriname) were required to submit their first annual reports, capturing arms exports and imports that occurred during the 2020 calendar year. As of 7 June 2021, three of these (Canada, the Maldives and Palau) had done so.¹ The relatively low rate of compliance among first-time reporters this year may reflect the continued impact of the COVID-19 pandemic, which has disrupted work dynamics, delayed scheduling, and hampered the reporting capacities of many States Parties, particularly those that did not have a standard and systematic process for reporting to the ATT Secretariat already in place.

Reporting compliance rates have varied each year since ATT reporting began. At the time of publication, 41 States Parties had submitted their annual report for every year they were required to do so, not including the three States Parties (Canada, the Maldives and Palau) that were required to report for the first time this year and did so.² Commendably, one State Party (Barbados) submitted an ATT annual report for the first time this year, while it had been required to do so every year for the last five years.

Meanwhile, 26 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).³ The number of States Parties that have been consistently non-compliant with their annual reporting obligations has remained constant over the last two years. This years-long lack of reporting by 26 States Parties highlights the extent to which faltering ATT reporting is an enduring challenge and one that cannot be explained solely by the COVID-19 pandemic.

Since the publication of last year's ATT Monitor, 27 States Parties submitted their 2019 annual reports, bringing the total number of 2019 annual reports received by the ATT Secretariat to 63. At least two of these 27 States Parties (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.



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.

1 The Maldives also submitted a 2019 ATT annual report last year, despite not being required to do so at the time.

2 The 41 States Parties that, as of 7 June 2021, have consistently complied with their annual reporting obligations are: Albania, Antigua and Barbuda, Argentina, Belgium, Benin, Bosnia and Herzegovina, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Mauritius, Mexico, Montenegro, Netherlands, New Zealand, Peru, Poland, Portugal, Republic of Korea, Republic of North Macedonia, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, State of Palestine, Sweden and Switzerland.

3 The 26 States Parties that have never reported are: Bahamas, Belize, Brazil, Cabo Verde, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Dominica, Ghana, Grenada, Guatemala, Guinea, Guyana, Iceland, Lesotho, Mauritania, Niger, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Seychelles, Togo, Trinidad and Tobago and Zambia.

INITIAL ASSESSMENT

A preliminary review of the contents of the publicly available 2020 ATT annual reports received by 7 June 2021 offers the following observations:

- Eight of the 32 States Parties that submitted publicly available 2020 annual reports by 7 June 2021 used the online reporting tool.⁴ Of these, seven States Parties (the Czech Republic, Finland, Italy, Japan, Romania, Sweden and Switzerland) also used the online reporting tool in the previous year. By comparison, nine States Parties used the online reporting tool in 2019.⁵
- Three States Parties (Palau, Peru and Sierra Leone) submitted 'nil' reports for exports and three (Palau, Sierra Leone and Sweden) submitted 'nil' reports for imports.
- Six States Parties (Argentina, Finland, Mexico, Montenegro, the Republic of Korea and Sweden) – approximately 18 per cent of publicly available reports – indicated that some commercially sensitive and/or national security-related data was withheld from their 2020 annual reports. By comparison, approximately 20 per cent of States Parties reporting on time indicated that such information was withheld in the previous year.
- Five States Parties (Bosnia and Herzegovina, Croatia, Germany, New Zealand and Switzerland) indicated their 2020 reports included information on national definitions and categories of conventional arms, the same number as for States Parties reporting on time in the previous year.



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

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⁴ The eight States Parties that used the online reporting tool to submit their 2020 annual reports are: Argentina, Czech Republic, Finland, Italy, Japan, Romania, Sweden and Switzerland.

⁵ The nine States Parties that used the online reporting tool to submit their 2019 annual reports are: Belgium, Chile, Czech Republic, Finland, Italy, Japan, Romania, Sweden and Switzerland.

EXPORTS

- Fifteen States Parties (Belgium, Bosnia and Herzegovina, Canada, the Czech Republic, Finland, France, Germany, Italy, Netherlands, Poland, Serbia, Slovakia, Spain, Sweden and Switzerland) reported exports of major conventional weapons. Of these, 12 States Parties reported actual exports of major conventional weapons and two (Belgium and Italy) reported on export authorizations.⁶ Meanwhile, one State Party (Bosnia and Herzegovina) did not indicate whether it reported actual exports or authorizations, complicating comparative analyses and review.
- Thirty States Parties reported exports of SALW.⁷ Of these, 17 States Parties reported actual exports of SALW, nine reported SALW export authorizations, and two (Ireland and Spain) reported both authorizations and actual exports for SALW. It is unclear if two States Parties (Bosnia and Herzegovina and Montenegro) intended to report authorizations, actual SALW exports or both. Bosnia and Herzegovina left the field blank in its annual report and Montenegro selected both boxes when reporting SALW exports.
- Three States Parties reported differently on exports of major conventional weapons and of SALW. Germany and Switzerland reported actual exports of major conventional weapons and authorizations of SALW exports. Spain reported actual exports of major conventional weapons and a combination of authorizations and actual SALW exports.
- Twenty-three States Parties reported only the number of items exported.⁸ One State Party (Sweden) reported publicly only the value of items exported, and six reported both the number and value of items exported – to varying extents.⁹ For example, Belgium reported the number of major conventional systems exported but the value of its SALW exports. Ireland, by comparison, reported the number and value of its SALW export authorizations and only the number of its actual SALW exports.

IMPORTS

- Eighteen States Parties reported imports of major conventional weapons. Of these, two States Parties (Italy and Peru) reported import authorizations and 14 reported actual imports.¹⁰ It is unclear if two States Parties (Montenegro and Portugal) reported import authorizations or actual imports as they either selected both boxes in the reporting form or left the field blank.
- Thirty States Parties reported imports of SALW. Of these, 16 States Parties reported actual SALW imports, seven reported SALW import authorizations, and three (Belgium, Denmark and Liechtenstein) reported both authorizations and actual SALW imports.¹¹ It is unclear if four States Parties (Bosnia and Herzegovina, Montenegro, Peru and Portugal) reported import authorizations or actual imports, as they either selected both boxes in the reporting form or left the field blank.
- Two States Parties reported differently on imports of major conventional weapons and of SALW. Denmark reported actual imports of major conventional weapons and reported both actual SALW imports and authorizations. Spain reported actual imports of major conventional weapons but reported SALW import authorizations.
- Twenty-four States Parties reported only the number of items imported. One State Party (Belgium) reported only the value of items imported.¹² Five States Parties (Bosnia and Herzegovina, Japan, Latvia, Peru and Slovenia) reported both the number and value of items imported, to varying extents. For example, Japan and Latvia reported only the number of major conventional weapons imported and reported both the number and value of SALW imports. Peru, by comparison, reported the number and value for all reported imports.

6 The 12 States Parties that reported actual exports of major conventional weapons are: Canada, Czech Republic, Finland, France, Germany, Netherlands, Poland, Serbia, Slovakia, Spain, Sweden, Switzerland.

7 The 30 States Parties that reported SALW exports are: Argentina, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Ireland, Italy, Jamaica, Japan, Latvia, Liechtenstein, Mexico, Montenegro, Netherlands, New Zealand, Poland, Portugal, Republic of Korea, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden and Switzerland.

8 The 23 States Parties that reported only the number of items exported are: Argentina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Italy, Jamaica, Liechtenstein, Mexico, Montenegro, Netherlands, New Zealand, Poland, Portugal, Republic of Korea, Romania, Serbia, Slovakia, Spain and Switzerland.

9 The six States Parties that reported, to varying extents, both the number and value of items exported are: Belgium, Bosnia and Herzegovina, Ireland, Japan, Latvia and Slovenia.

10 The 14 States Parties that reported actual imports of major conventional weapons are: Argentina, Canada, Czech Republic, Denmark, Japan, Latvia, Mexico, Netherlands, Poland, Romania, Serbia, Slovakia, Slovenia and Switzerland.

11 The 16 States Parties that reported actual imports of SALW are: Argentina, Canada, Croatia, Czech Republic, Finland, France, Ireland, Japan, Latvia, Mexico, Netherlands, Poland, Romania, Serbia, Slovakia and Slovenia.

12 The 24 States Parties that reported only the number of items imported are: Argentina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Ireland, Italy, Jamaica, Liechtenstein, Mexico, Montenegro, Netherlands, New Zealand, Poland, Portugal, Republic of Korea, Romania, Serbia, Slovakia, Spain and Switzerland.

CONCLUSION

Throughout more than a year of disruption due to the COVID-19 pandemic, governments have adapted their processes and are starting to return their attention to issues of Treaty compliance. While annual reporting rates have increased from the lowest point – the submission of 2018 annual reports during the early waves of the COVID-19 pandemic – the reporting rate remains troublingly low.

States Parties need to be reminded of the importance and necessity of fulfilling their ATT reporting requirements. Equally problematic is the increasing rate of private reporting, preventing analysis of a growing number of annual reports. Without a comprehensive picture of global arms transfers, it is impossible to identify trade trends or potentially worrisome accumulations.

Still there were some positive developments in this year's round of annual reporting. States Parties that submitted past-due reports are a positive example for others to follow. Reporting compliance with first-time reporters is also a good sign of new States Parties recognizing and meeting their reporting obligations. Continued emphasis of the importance of reporting by the ATT Secretariat, the Working Group Chairs, and States Parties will be essential in ensuring that the Treaty's transparency objectives are met.



A CF-188 HORNET AT MIHAIL
KOGLNICEANU AIR BASE, ROMANIA.

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ERCAF  ARC

NO UNTESTED EXTERNAL POWER
TO BE CONNECTED

EXTERNAL
POWER SWITCH

115/200V AC
400Hz

IGN ELECT - NORMAL CANOPY CONTROL
SAFETY SWITCH - INSIDE