

COVER PHOTO:

# A NEW ZEALAND DEFENCE FORCE LIGHT ARMOURED VEHICLE.

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# **CONTENTS**

ACk	NOWLEDGEMENTS	4
	NTENTS	
ACF	RONYMS	6
THE	E ATT MONITOR PROJECT	7
STA	TE OF THE ARMS TRADE TREATY: A YEAR IN REVIEW (JUNE 2021 – MAY 2022)	9
CHA	APTER 1: CHALLENGES, OPPORTUNITIES AND PROSPECTS FOR FURTHERING ATT UNIVERSALIZATION	19
CHA	APTER 2: ARMS EXPORTS AND IMPORTS – ASSESSING 2020 ANNUAL REPORTS	
2.1:	Annual Report Analysis	41
2.2:	Country Profiles	53
	APTER 3: ATT REPORTING UPDATES AND INSIGHTS FROM 2021	
3.1:	Preliminary Review of 2021 Annual Reports	178
3.2:	Updates on ATT Initial Reports and Monitoring Treaty Implementation	184

# **ACRONYMS**

ASEAN	Association of Southeast Asian Nations	UN	United Nations
ATT	Arms Trade Treaty	UNODA	United Nations Office for Disarmament Affairs
ATT-BAP	Arms Trade Treaty-Baseline Assessment Project	UN PoA	United Nations Programme of Action on Small
CARICOM	Caribbean Community		Arms and Light Weapons
CSOs	Civil Society Organizations	UNROCA	United Nations Register on Conventional Arms
CSP	Conference of States Parties to the ATT	UNSCAR	United Nations Trust Facility Supporting Cooperation on Arms Regulation
ECOWAS	Economic Community of West African States	VTF	ATT Voluntary Trust Fund
EU	European Union	WGETI	ATT Working Group on Effective Treaty
MANPADS	Man-portable Air-defence System		Implementation
OECD	Organization for Economic Cooperation and Development	WGTR	ATT Working Group on Transparency and Reporting
SALW	Small Arms and Light Weapons	WGTU	ATT Working Group on Treaty Universalization
SIPRI	Stockholm International Peace Research Institute		



ATT MONITOR 2022 THE ATT MONITOR PROJECT

# THE ATT MONITOR PROJECT

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

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 meets the research needs of ATT stakeholders by:

- Synthesizing information and analysing trends and developments on ATT compliance to advance the Treaty's universalization and implementation
- Assessing standards of national reporting (Article 13) and relevant transparency commitments

- Providing country-by-country analysis on reporting and transfer practices
- Identifying patterns and trends of exports/imports of conventional weapons and reporting them against ATT criteria
- Making research findings available in print and online, in user-friendly formats, and translating key publications into languages other than English
- Maintaining a global network of experts who contribute to ATT Monitor outputs through the International Reference Group (IRG), and contribute to development of ATT Monitor content through the Editorial Board

This information is used to:

- Advance the ATT's universalization and implementation
- Identify key challenges in advancing global acceptance of the ATT's norms and its full implementation, and propose steps to address these challenges
- Provide recommendations for government policy planning and decision-making
- Provide a research-based tool to civil society for use in developing advocacy campaigns and capacity-building and training programs





# STATE OF THE ARMS TRADE TREATY: A YEAR IN REVIEW JUNE 2021-MAY 2022

This review covers the period between 1 June 2021 and 31 May 2022, up to and including the deadline for submission of the Arms Trade Treaty (ATT) annual reports. It explores some of the key events and milestones during the past year, and it assesses their impacts on the overall performance of States Parties regarding Treaty universalization and compliance.

This section first takes stock of ATT universalization and implementation efforts around the world during the abovementioned period. It then considers the decisions and outputs of the Working Group on Treaty Universalization (WGTU), the Working Group on Transparency and Reporting (WGTR) and the Working Group on Effective Treaty Implementation (WGETI), which includes three sub-working groups on risk assessment (Articles 6 and 7), diversion (Article 11) and transit and trans-shipment (Article 9). The review also looks at compliance with the ATT's core provisions and assesses whether States Parties are complying with their obligations under the Treaty in the context of the conflict in Ukraine.

## UNIVERSALIZATION

As of 31 May 2022, the ATT Secretariat listed 111 countries as States Parties, accounting for 56 per cent of all United Nations (UN) member states.¹ It listed a further 30 countries as Signatories. The Philippines, which ratified the Treaty on 24 March 2022, was the only country to become a State Party to the ATT between 1 June 2021 and 31 May 2022. This represents a drop in the universalization rate of the previous two years, both of which saw the addition of four new States Parties. Table 1 shows numbers of new States Parties between 2015 and 2022.

Table 1 – New membership to the ATT by 31 May of each year

Year	Accessions	Ratifications	Total Number of States Parties
2021-2022	0	1	111
2020-2021	3	1	110
2019-2020	3	1	106
2018-2019	0	7	102
2017-2018	2	1	95
2016-2017	1	6	92
2015-2016	2	14	85

The geographic spread of States Parties remains uneven (see map). As of 31 May 2022, the regions with the lowest proportion of States Parties were Asia at 23 per cent (11 of 48 countries), Oceania at 43 per cent (six of 14 countries) and Africa at 52 per cent (28 of 54 countries). Europe at 91 per cent (39 of 43 countries) and the Americas at 77 per cent (27 of 35 countries) have the highest proportions of States Parties.

The accession of the Philippines is a positive development for ATT universalization in Asia and could help to further drive universalization efforts in the region, particularly given the accession of the People's Republic of China two years earlier.

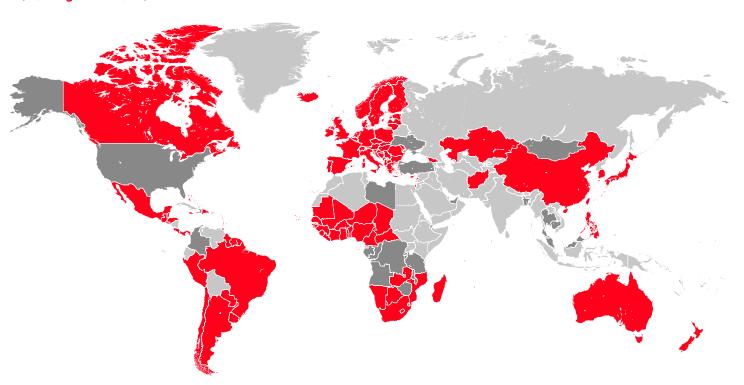
The ATT continues to enjoy particularly strong support in certain sub-regional blocs, such as:

- The European Union (EU), with all 27 members being States Parties
- The Economic Community of West African States (ECOWAS), with 14 of its 15 members (93 per cent) being States Parties
- The Caribbean Community (CARICOM), with 13 of 15 members (86.7 per cent) being States Parties.

<sup>1</sup> Since Niue and the State of Palestine are ATT States Parties but not UN members, they are not counted in this share.

<sup>2</sup> Analysis based on UN Statistics Division website, 'Geographic Regions'. https://unstats.un.org/unsd/methodology/m4g/. For more information on Treaty membership, see the ATT Secretariat website: https://thearmstradetreaty.org/treaty-status.html?templateId=209883#.

### MAP OF STATUS OF RATIFICATION AND SIGNATORIES (AS OF 31 MAY 2022)





111

RATIFIED/ACCEDED: Afghanistan, Albania, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bosnia and Herzegovina, Botswana, Brazil, Benin, Bulgaria, Burkina Faso, Cameroon, Canada, 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, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Republic of North Macedonia, Madagascar, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Republic of Moldova, Monaco, Montenegro, Mozambique, Namibia, Netherlands, New Zealand, Niger, Nigeria, Niue, Norway, Palau, State of Palestine, Panama, Paraguay, People's Republic of China, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, São Tomé and Príncipe, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Togo, Trinidad and Tobago, Tuvalu, United Kingdom, Uruguay, Zambia.



SIGNED: Andorra, Angola, Bahrain, Bangladesh, Burundi, Cambodia, Colombia, Comoros, Congo (Republic of), Djibouti, Gabon, Haiti, Israel, Kiribati, Libya, Malawi, Malaysia, Mongolia, Nauru, Rwanda, Singapore, Swaziland, Tanzania, Thailand, Turkey, Ukraine, United Arab Emirates, United States of America, Vanuatu, Zimbabwe.



NOT YET JOINED: Algeria, Armenia, Azerbaijan, Belarus, Bhutan, Bolivia, Brunei Darussalam, Cuba, DR Congo, Ecuador, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gambia, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Kyrgyzstan, Laos, 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.

# UNIVERSALIZATION AND IMPLEMENTATION ACTIVITIES

This year saw the fifth funding cycle of the ATT Voluntary Trust Fund (VTF), which 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 the first Working Group and Informal Preparatory meetings for the Eighth Conference of States Parties (CSP8) in February 2022, 28 States Parties had made voluntary contributions totalling US\$10.8 million over the course of the fund's lifespan,3 increasing the VTF budget by US\$0.9 million compared to the previous year. Germany and New Zealand contributed an additional US\$70,231.51 to the VTF Outreach Programme.4

The ATT Secretariat received 21 applications from 20 States Parties for 2021 VTF-funded projects and the VTF Selection Committee approved funding for 13 projects with a total budget of US\$1.3 million.5 This marks a decrease from the 26 project applications received for the 2020 VTF funding, despite the slight increase in the VTF's disbursement budget.6 Many of these projects were organized with civil society organizations (CSOs) as implementing partners, reinforcing the vital role partnerships play in meaningfully advancing universalization and implementation efforts. Overall, the COVID-19 pandemic continues to have a significant impact on the number of applications received for VTF projects, which have yet to return to pre-pandemic levels. A majority of VTF applications are for regional or national training programmes and workshops, which have been disproportionately affected by restrictions on travel and in-person meetings.

Table 2 shows the number of applications, the number of approved projects and the total budgets for projects approved by the Selection Committee since the VTF's first year of operation.

Table 2 – Approved VTF projects and committed funding per year <sup>7</sup>

Year	Number of Applications	Number of Projects Approved	Total Budget for Approved Projects
2021	21	13	US\$1.26 million
2020	26	10	US\$963.782
2019	39	20	US\$2 million
2018	23	10	US\$834,803
2017	21	17	US\$1.3 million

The COVID-19 pandemic has also had a significant impact on the implementation and completion of 2021 VTF-funded projects. While in previous funding cycles, a majority of VTF projects were completed within a 12-month period, only 11 of 20 projects funded in the 2019 cycle had been successfully completed by February 2022.8 Similarly, for the 2020 funding cycle, three of the ten funded projects had been successfully completed by February 2022.9

Other activities in support of universalization and implementation have also continued this year. Mechanisms such as the UN Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR), the EU ATT Outreach Project and bilateral assistance initiatives continued to commit resources to channel technical, material and financial assistance to States Parties and to countries in the process of ratifying or acceding to the Treaty.

UNSCAR grants were approved for the ninth year to a range of international and regional organizations, CSOs and research institutes. <sup>10</sup> These include Conflict Armament Research, Non-Violence International Southeast Asia, and the Parliamentary Forum on Small Arms and Light Weapons.

National and regional training workshops around the world again brought together CSOs and government representatives to support universalization and implementation of the ATT

- 3 Dladla, D. (2022). 'Arms Trade Treaty: Status of VTF Finances'. ATT Secretariat. 18 February 2022. https://bit.ly/3ygM1fi, p. 5.
- 4 Ibid., p. 6.
- 5 ATT Secretariat (2021). 'Report on the Work of the ATT Voluntary Trust Fund (VTF) for the Period August 2020 to August 2021'. ATT/VTF/2021/ CHAIR/678/Conf.Rep. 20 July 2021. https://bit.ly/3ybVgSs, p. 3.
- 6 ATT Secretariat (2020). 'Report on the Work of the ATT Voluntary trust Fund (VTF) for the Period August 2019 to August 2020'. ATT/VTF/2020/CHAIR/614/Conf.Rep. 17 July 2020. https://bit.ly/3779ceU, p. 3.
- 7 This table shows projects and funding that were approved by the VTF Selection Committee and does not take into consideration cases where a project was withdrawn or not completed.
- 8 One application (from Tuvalu) was withdrawn and one project (from Lebanon) was discontinued, leaving 18 projects in the 2019 cycle. Dlala, D. (2022). Ibid., p. 12.
- 9 One application (from Botswana) was withdrawn and one project (from Madagascar) was discontinued, leaving eight projects in the 2020 cycle. Dlala, D. (2022). Ibid., p. 13.
- 10 UNSCAR (2022). 'UNSCAR 2021 Call for Proposals Indicative as of 11 March 2022'. 11 March 2022. https://front.un-arm.org/wp-content/uploads/2022/03/Result-of-UNSCAR-2021-Call-for-Proposals-1.pdf.

by exploring the technical challenges, legal requirements of membership to the ATT and resources available to support national capacity-building efforts to implement ATT provisions.

#### Examples include:

- On 1–2 June 2021, the EU ATT Outreach Project organized a virtual activity for Malaysia, which was the fourth and final activity of the part of the Roadmap Project for Malaysia. The workshop 'dealt with enforcement training, best practice examples for the establishment of a national export control system and an interactive case study!<sup>11</sup> A total of 59 participants from 13 different Malaysian ministries and agencies (including the Attorney General's Chambers, the Joint Force Headquarters, the Malaysian Armed Forces and the Ministry of Defence) participated in discussions and presentations that identified key challenges in Malaysia's accession process and explored the possibilities of follow-up activities.<sup>12</sup>
- On 6–9 September 2021, the UN Regional Centre for Peace and Disarmament in Africa carried out two workshops in collaboration with the National Commission for the Fight against the Proliferation of Small Arms and

- Light Weapons in Mali. These were 'a three-day training on gender mainstreaming small arms control and a one-day workshop on gender-responsive monitoring and evaluation of SALW control National Action Plan. Thirty participants took part in the three-day training and 18 attended the one-day workshop, including the CNLPAL regional heads, government officials and civil society members. The trainings aimed at enhancing participants' understanding of strategic and technical approaches that could further advance the country's efforts in these areas: The workshops were made available with support from the EU.
- From 28 March to 11 April 2022, the Geneva Centre for Security Policy organized a two-week virtual executive course with three days of live sessions covering all aspects of the ATT and related instruments.<sup>15</sup> The course involved participants from at least 31 countries and aimed to clarify the obligations and implications of ATT membership, while also improving capacities to implement it with the aim of promoting a responsible global arms trade. The course was made available with support from UNSCAR.<sup>16</sup>



- 11 Arms Trade Treaty Mapping ATT-relevant Cooperation and Assistance Activities (2021). 'EU ATT OP II Fourth Roadmap (online) activity for Malaysia'. 1–2 June 2021. https://att-assistance.org/activity/eu-att-op-ii-fourth-roadmap-online-activity-malaysia.
- 12 Ibic
- 13 Arms Trade Treaty Mapping ATT-relevant Cooperation and Assistance Activities (2021). 'Gender Equality at the heart of Mali's Fight Against the Proliferation of Small Arms and Light Weapons'. 6–9 June 2021. https://att-assistance.org/activity/gender-equality-heart-malis-fight-against-proliferation-small-arms-and-light-weapons.
- 14 Ibid
- 15 Arms Trade Treaty Mapping ATT-relevant Cooperation and Assistance Activities (2022). 'GCSP 2022 Course on "Building Capacities in Effective Implementation of the Arms Trade Treaty'. 28 March–11 April 2022. https://att-assistance.org/activity/gcsp-2022-course-building-capacities-effective-implementation-arms-trade-treaty.
- 16 Ibid.

#### REPORTING ON IMPLEMENTATION AND COMPLIANCE

#### **ANNUAL REPORTS**

States Parties are required to submit by 31 May each year annual reports detailing their arms exports and imports from the previous calendar year. However, they 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.

As of 7 June 2022, 110 of the 111 States Parties<sup>18</sup> were required to submit their 2021 annual reports, in line with the requirements established by Article 13.3. Of these, 44 submitted an annual report by the deadline – a compliance rate of 40 per cent. This is one of the lowest ever compliance rates for on-time reporting, second only to that for the 2019 annual reports (37 per cent), which was heavily impacted by the early waves of the COVID-19 pandemic.

Fourteen States Parties made their 2021 reports confidential, representing nearly 32 per cent of on-time submissions. <sup>19</sup> By comparison, 28 per cent of reports submitted on time last year and 17 per cent in 2019 were confidential, continuing the concerning trend toward increased confidential reporting. This year, the trend has been driven not only by first-time reporters electing to report confidentially, but also by States parties shifting from public to confidential reporting. Of the 14 States Parties that submitted confidential reports in 2021, three had never submitted an annual report before (Guatemala, Niger and People's Republic of China) and four had submitted public annual reports for six years before reporting confidentially for the first time this year (Croatia, Latvia, Portugal and Spain).

A preliminary analysis of the contents of the 2021 annual reports can be found in Chapter 3.1.

#### **INITIAL REPORTS**

Article 13.1 of the ATT requires each States Party, within the first year after the Treaty's entry into force for that State Party, to submit an initial report to the ATT Secretariat on measures undertaken to implement it.<sup>20</sup> As of 7 June 2022, 110 of 111 States Parties were required to submit an initial report, of which 86 (78 per cent) had done so.<sup>21</sup>

This year, five States Parties (Afghanistan, Namibia, Niue, People's Republic of China and São Tomé and Príncipe) were required to submit their initial reports. As of 7 June 2022, only the People's Republic of China had done so. In addition, four States Parties (Botswana, Grenada, Guatemala and Niger) belatedly submitted their initial reports to the ATT Secretariat over the past year. Of these, only Niger elected to make its report public, continuing the concerning trend toward increased confidential reporting.

Article 13.1 requires States Parties to provide the ATT Secretariat, in addition to initial reports, with relevant updates or changes to their national arms-transfer control systems. One State Party (Romania) submitted an updated initial report this year, joining Japan, Hungary, New Zealand, Slovenia and Sweden as the only States Parties to have provided updates to the Secretariat.

An in-depth analysis of the contents of newly submitted initial reports and Romania's update can be found in Chapter 3.2.



AS OF 7 JUNE 2022, 110 OF THE 111 STATES PARTIES WERE REQUIRED TO SUBMIT THEIR 2021 ANNUAL REPORTS, IN LINE WITH THE REQUIREMENTS ESTABLISHED BY ARTICLE 13.3. OF THESE, 44 SUBMITTED AN ANNUAL REPORT BY THE DEADLINE – A COMPLIANCE RATE OF 40 PER CENT.

<sup>17</sup> 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.

<sup>18</sup> Having ratified the Treaty in March 2022, the Philippines' first annual report will not be due until 2023.

<sup>19</sup> Antigua and Barbuda, Barbados, Croatia, El Salvador, Greece, Guatemala, Latvia, Madagascar, Mauritius, Niger, People's Republic of China, Portugal, Spain and State of Palestine.

<sup>20</sup> 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.

<sup>21</sup> ATT Secretariat (2022). 'Initial Reports. Status: as of 28 April 2022'. https://www.thearmstradetreaty.org/initial-reports.html?templateId=209839.

#### SYSTEMS AND PROCEDURES

#### SEVENTH CONFERENCE OF STATES PARTIES

The Seventh Conference of States Parties (CSP7) was conducted in a hybrid format between 30 August and 3 September 2021. Representatives from 103 countries, including 86 States Parties, 15 Signatories and two Observer States attended.<sup>22</sup> Other stakeholders also attended, including representatives of seven international and regional organizations, including the EU and UN agencies, and 33 CSOs, research institutes and associations representing industry.<sup>23</sup> The thematic focus of CSP7 was strengthening efforts to eradicate the illicit trade in small arms and light weapons (SALW) and to ensure efficient stockpile management, with a particular emphasis on anchoring ATT implementation efforts firmly within the global framework for arms control and better linking the ATT to international and regional efforts to prevent the illicit trade in and diversion of SALW.<sup>24</sup>

Ambassador Lansana Gberie of Sierra Leone served as the President of the Conference. Procedural decisions adopted included the following:

- Endorsement of the revised annual reporting template
- Endorsement of the standing agenda items and the recurring and specific tasks for the WGTR in the period between CSP7 and CSP8
- Adoption of the new annual and initial reporting templates, as proposed by the WGTR
- Endorsement of the Draft Paper Outlining Elements of a Process for Assessing the Risk of Diversion as a living document to be reviewed and updated by the WGETI
- Appointment of Costa Rica, the Czech Republic, the Republic of Korea, South Africa and the United Kingdom as members of the Management Committee for two years, from CSP8 to CSPg
- Election of Ambassador Thomas Göbel of Germany as President of CSP8
- Election of Japan, Latvia, Mexico and South Africa as Vice-Presidents of CSP8
- Scheduling of CSP8 for 22–26 August 2022.<sup>25</sup>

# EIGHTH CONFERENCE OF STATES PARTIES – INTERSESSIONAL PERIOD

Preparations for CSP8 included the First Working Group and Informal Preparatory meetings on 15–18 February 2022 and the Second Working Group and Informal Preparatory meetings on 26–29 April 2022. The meetings were held in a hybrid format, owing to the protracted COVID-19 crisis and ongoing travel restrictions in some countries.

The WGETI, chaired by Ambassador Sang-beom Lim, deputy permanent representative of the Permanent Mission of the Republic of Korea, continued to address the implementation of specific ATT articles in dedicated sub-working groups on Articles 6 and 7 (prohibitions and export assessment), Article 11 (diversion) and Article 9 (transit and trans-shipment). The three appointed facilitators led the discussions on these items.

The WGETI sub-working group on Articles 6 and 7, facilitated by Ambassador Ignacio Sánchez de Lerín of Spain, reviewed possible draft elements for Chapter 1 (Key concepts) of the proposed Voluntary Guide to assist States Parties in implementing Articles 6 and 7. During the first meeting of the sub-working group, inputs were collected from delegations to help improve the draft text. The second meeting continued these discussions and also saw a focus on Topic 6 and 7 of the work plan, which addressed the scope of Article 6 and encouraged participants to exchange views on how to interpret the terms of the article.<sup>26</sup>

The WGETI sub-working group on Article 11, facilitated by Ms Stela Petrović of Serbia, considered in its February meeting the role of transit and trans-shipment states in diversion. States Parties discussed their different national control systems, with a particular emphasis on transit via air and land, and stressed the importance of inter-agency collaboration. In line with the WGETI's multi-year plan, in April the sub-working group covered three areas: the role of importing states in preventing diversion, post-delivery cooperation and the role of the private sector and civil society in mitigating diversion risk. Discussions focused on the importance of importing and exporting states sharing the burden of diversion-mitigation measures with a strong emphasis on cooperation, both between states and between governments and industry.<sup>27</sup>

<sup>22</sup> The ATT Monitor captures attendance at CSPs as indicated by the CSP Final Report each year. See ATT Secretariat (2021). 'Final Report'. 2 September 2021. ATT/CSP7/2021/SEC/681/Conf.FinRep.Rev1. https://bit.ly/3bQgKIR, p. 3

<sup>23</sup> Ibid

<sup>24</sup> Arms Trade Treaty (2021). 'Draft Working Paper Presented by the President of the Seventh Conference of States Parties to the Arms Trade Treaty (ATT): Strengthening efforts to eradicate the illicit trade in small arms and light weapons and ensure efficient stockpile management'. 14 July 2021. ATT/CSP7/2021/PRES/659/Conf.SALWPSSM.Rev3. https://bit.ly/3lak5ye

 $<sup>25 \</sup>text{ ATT Secretariat (2021)}. \\ \text{`Final Report'. 2 September 2021}. \\ \text{ATT/CSP7/2021/SEC/681/Conf.FinRep.Rev1}, \\ \text{https://bit.ly/3ARrbGw, pp. 6-10}. \\ \text{The positive of the positive o$ 

<sup>26</sup> ATT WGETI (2022). 'Chair Letter and Sub-Workgroups Documents for 26-29 April 2022'. 12 April 2022. ATT/CSP8.WGETI/2022/CHAIR/719/M2.LetterSubDocs. https://bit.ly/3ul7WAX, pp. 4-5.

<sup>27</sup> Ibid., pp. 27-28.

The WGETI sub-working group on Article 9, facilitated by Mr Rob Wensley of South Africa, focused on measures to regulate transit and trans-shipment of arms by land and air in its February meeting, with the objective of exploring options and common practice for strengthening national regulatory processes. The second meeting of the sub-working group, in April, addressed transit and trans-shipment of arms by sea and looked at the role of the private sector in arms transit and trans-shipment. Discussions emphasized the importance of including sub-contractors in arms control efforts and stressed that only a holistic approach that fosters cooperation between maritime and land operators can be effective in mitigating illicit transfers during transit and trans-shipment.<sup>28</sup>

The WGTR, co-chaired by Ms Sabine Visser of the Netherlands and Ms Griselle del Carmen Rodriguez Ramirez of Panama, continued to pursue an agenda including substantive work to support reporting by States Parties in the CSP8 preparatory meetings. Along with an update on the state of play in compliance with reporting obligations, discussions focused on challenges concerning reporting and related substantive reporting and transparency issues, including in relation to data aggregation in annual reports and the rise in confidential reporting. The co-chairs also reiterated their appeals for States Parties to make use of the information-sharing tools at their disposal.<sup>29</sup>

The WGTU, co-chaired by Ambassador Thomas Göbel of Germany and Ambassador Lansana Gberie of Sierra Leone, discussed the activities of Germany's Presidency to promote universalization of the ATT, the efforts by the WGTU co-chairs and States Parties to promote universalization, the status of ratifications and accessions to the Treaty, and efforts by civil society and industry to promote universalization.<sup>30</sup>

The first Informal Preparatory meeting for CSP8 was held on 18 February 2022 and the second on 29 April 2022. Ambassador Thomas Göbel of Germany, President of CSP8, opened the first Informal Preparatory meeting by introducing the priority theme for the German Presidency – post-shipment controls and on-site verifications – and outlined how this would be taken forward during the CSP8 cycle. There was also an update on the status of gender participation in ATT meetings, pursuant to

CSP5 commitments. The second Informal Preparatory meeting saw an update on the informal consultations conducted regarding this priority theme, along with progress reports from all ATT subsidiary bodies, while the ATT Secretariat provided updates on financial contributions, the status of operation of the VTF and the status of the EU-funded project to support ATT implementation.<sup>31</sup>

Overall, the Working Groups and Preparatory meetings of CSP8 did not pursue ambitious agendas. However, the meetings in February and April had diverse in-person attendance, in part due to the presence of numerous sponsored delegates, and were enriched by the high number of statements from representatives of states in the Global South.<sup>32</sup> The WGTR had the most ambitious agenda, which included efforts to continue reviewing the effectiveness of the ATT reporting templates to increase transparency in the arms trade. The other Working Groups set expectations low in their agendas for intersessional work.

There is still progress to be made in working toward effective implementation of all Treaty provisions. Nearly eight years after the Treaty entered into force, States Parties remain reluctant to discuss compliance with, and possible violations of, the ATT in terms of transfer decisions. Notably, there are still no agreed mechanisms for such discussions, and States Parties appear unlikely to provide space to address these matters in general exchanges.

# TAKING STOCK – ARE STATES PARTIES MEETING THEIR OBLIGATIONS?

More than seven years after the Arms Trade Treaty's entry into force, States Parties continue to grapple with its full and meaningful implementation. Nowhere has this been truer than in the current war in Ukraine, which was sparked by Russia's unlawful invasion on 24 February 2022 and was met with widespread condemnation, as seen both at the UN Security Council and the UN General Assembly.<sup>33</sup>

Between 2015 and 2020, at least 10 States Parties reported the transfer of weapons to Ukraine. Since October 2021, when Russia started massing troops at its border with the country, at least eight States Parties have delivered weapons

<sup>28</sup> Ibid., pp. 25-26.

<sup>29</sup> ATT WGTR (2022). 'Working Group on Transparency and Reporting Co-Chairs' Report of 17 February 2022 Meeting'. 13 April 2022. ATT/CSP8. WGTR/2022/CHAIR/722/M1.Rep https://bit.ly/3bMKohL, p. 3.

<sup>30</sup> ATT WGTU (2022). 'ATT Working Group on Treaty Universalization Draft Agenda for the Second CSP8 Preparatory Meeting: 28 April 2022.' 8 April 2022. ATT/CSP8.WGTU/2022/CHAIR/720/M2.WorkPlan. https://bit.ly/3P5igoN

<sup>31</sup> ATT Secretariat (2022). 'Draft Annotated Agenda Second CSP8 Informal Preparatory Meeting 29 April 2022, 13:00-16:00 (Geneva Local Time)'. 8 April 2022. ATT/CSP8/2022/SEC/723/PM2.AnnAgenda. https://bit.ly/3agnb98

<sup>32</sup> For details on interventions and daily summary reports from the February and April meetings for CSP8, see Control Arms. 'Eighth Conference of States Parties (CSP 2022): ATT Working Groups and CSP8 Informal Preparatory Meetings'. https://controlarms.org/csp/csp-2022/

<sup>33</sup> United Nations General Assembly (2022). 'Resolution adopted by the General Assembly on 2 March 2022'. A/RES/ES/-11/1. https://digitallibrary.un.org/record/3965290?ln=es.

and military aid to Ukraine.<sup>34</sup> Days after the invasion, the EU Council decided to supply €450 millions of lethal military assistance to Ukraine and more than 20 States Parties have delivered defensive and offensive weaponry.<sup>35</sup> By June 2022 the EU's financial support to Ukraine's military had reached €2 billion.<sup>36</sup> Notably, countries like Germany or Sweden that have traditionally pursued a more cautious policy with regard to arms export to conflict areas have delivered military equipment to Ukraine. As of 18 May 2022, more than US\$68 billion had been pledged or authorized for the delivery of weapons and military assistance to Ukraine.<sup>37</sup>

The Ukraine conflict poses significant challenges for ATT States Parties. While the country has the right to self-defence under Article 51 of the UN Charter and there is no evidence that the weapons being supplied to it are being used to commit serious violations of international law, most of these weapons flows have been the subject of little oversight. Indeed, 'the desire to urgently send arms as a matter of practical and symbolic support for Ukraine has obscured some of the well-known risks associated with funneling arms to conflict zones'. This significantly increases the risk of weapons, including sophisticated technologies, being diverted into the hands of Russian soldiers, organized criminal groups or extremist organizations. The 2021 Global Organized Crime Index described Ukraine as one 'of the largest illegally trafficked arms markets in Europe, especially when it comes

to small arms and ammunition;<sup>39</sup> Interpol has warned that weapons risk falling into the hands of criminal groups.<sup>40</sup> In 2010, researchers evaluated the number of SALW in circulation in Ukraine at 6.2 million, the third-highest number in the world after the People's Republic of China and Russia.<sup>41</sup> Furthermore, the Ukrainian authorities recorded the disappearance of 300,000 SALW from military stocks in eastern Ukraine between 2013 and 2015.<sup>42</sup>

In this context, it is important to recall that one of the ATT objectives is to prevent and eradicate the illicit trade in conventional arms and to prevent their diversion. Since diversion can take place at any stage of the transfer chain, in the case of Ukraine it is crucial for exporting States Parties to conduct substantial due diligence in the application of Article 11.2, which obliges them to assess the risk of diversion, and to encourage them, together with importing States Parties, to consider the establishment of diversion risk-mitigation measures, including confidence-building measures and joint programmes.<sup>43</sup>

A second angle in the analysis of the war in Ukraine concerns arms transfers to Russia. After Russia's invasion of Crimea in 2014, the EU imposed an arms embargo that 'prohibited any involvement in the supply of arms and services related to military to Russia or dual use items for military use or military end-users in Russia by nationals of EU states or from the territories of EU states, unless contracts or agreements for

- 34 Canada, Estonia, Latvia, Lithuania, Netherlands, Poland, Slovenia and United Kingdom. See Forum on the Arms Trade. 2022. 'Arms Transfers to Ukraine.' https://www.forumarmstrade.org/ukrainearms.html. On the background to the conflict see Center for Preventive Action. 2022. 'Conflict in Ukraine'. Council on Foreign Relations. 12 May 2022. https://www.cfr.org/global-conflict-tracker/conflict-ukraine.
- 35 European Union (2022). 'Council Decision (CFSP) 2022/338 of 28 February 2022 on an assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force'. 28 February 2022. Official Journal of the European Union. https://eur-lex.europa.eu/eli/dec/2022/338/oj. ATT States Parties that have supplied military equipment and aid are: Australia, Belgium, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, North Macedonia, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom. See Forum on the Arms Trade. 2022. 'Arms Transfers to Ukraine.' https://www.forumarmstrade.org/ukrainearms.html.
- 36 European Council (2022). 'EU Support to Ukraine: Council agrees on further increase of support under the European Peace Facility'. 24 May 2022. https://www.consilium.europa.eu/en/press/press-releases/2022/05/24/eu-support-to-ukraine-council-agrees-on-further-increase-of-support-under-the-european-peace-facility/
- 37 Kiel Institute for the World Economy (2022). 'Ukraine Support Tracker Military Aid'. https://www.ifw-kiel.de/topics/war-against-ukraine/ukraine-support-tracker/
- 38 Yousif, E. & Stohl, R. (2022). 'Under Caution: Assessing Arms Transfer Risk in Ukraine.' Stimson Center, Technology & Trade, Commentary. 7 March 2022. https://www.stimson.org/2022/under-caution-assessing-arms-transfer-risk-in-ukraine/
- 39 Cohen, J. (2022). 'Sending Weapons to Ukraine Could Have Unintended Consequences'. Inkstick. 1 March 2022. https://inkstickmedia.com/sending-weapons-to-ukraine-could-have-unintended-consequences/
- 40 Willsher, K. (2022). 'Arms Sent to Ukraine Will End up in Criminal Hands, says Interpol Chief'. The Guardian. 2 June 2022. https://www.theguardian.com/world/2022/jun/02/ukraine-weapons-end-up-criminal-hands-says-interpol-chief-jurgen-stock.
- 41 Jolly, E., Robin, L. & Carrouget, A. (2021). 'Stray Bullets: An Introduction to the Fight Against Trafficking in Conventional Weapons' ['Balles Perdues: Une Introduction à la Prévention et à la Lutte Contre les Traffics d'Armes Classiques']. Institut de Recherche Stratégique de l'Ecole Militaire. Étude No. 77. January 2021. https://www.irsem.fr/media/5-publications/etudes/etude-irsem-77-jolly-balles-perdues.pdf, p. 70.
- 42 Magnenou, F. (2022). "War in Ukraine: Could Weapons Sent to the Front be Illegally Trafficked back to Western Europe?" ['Guerre en Ukraine: les armes envoyées sur le front risquent-elles de revenir illégalement en Europe de l'Ouest']. France Info. 6 June 2022. https://www.francetvinfo.fr/monde/europe/manifestations-en-ukraine/guerre-en-ukraine-les-armes-envoyees-sur-le-front-risquent-elles-de-revenir-illegalement-en-europe-de-louest\_5168269.html#xtor=CS2-765-lautres]-
- 43 ATT Expert Group (2014). 'Key issues for ATT implementation: information exchange under the ATT'. Saferworld. Briefing No 1. https://www.saferworld.org.uk/downloads/pubdocs/key-issues-for-att-implementation---preventing-and-combating-diversion.pdf, p. 4.

such supplies had been concluded before 1 August 2014.¹⁴⁴ A recent report, based on information provided by EU members to the EU Working Party on Conventional Arms Exports, found that 'between 2015 and 2020, at least 10 EU member states land ATT States Parties] have exported a total of €346 million worth of arms to Russia',⁴⁵ possibly by using loopholes in the wording of the arms embargo.⁴⁶ Article 7.7 encourages States Parties to reassess authorizations already granted if they become aware of new relevant information that could indicate there are risks associated to a given export. The ongoing war in Ukraine therefore could provide the space to renew States Parties' commitments in relation to the existing EU arms embargo on Russia.

As the war in Ukraine continues, it should not distract global attention from the ongoing humanitarian and human rights crises in Yemen or Myanmar, among many others, where thousands of civilians have been killed and millions of others have been forced to flee. Arms continue to flow to these regions from States Parties, although in smaller quantities than in the case of Ukraine. In February 2022, the UN special rapporteur on Myanmar highlighted how the People's Republic of China and Serbia continued to supply weapons to Myanmar after the coup that returned a military government to the country.<sup>47</sup> Similarly, weapons deliveries to Saudi Arabia have continued apace. As States Parties progress in their efforts to implement the ATT in accordance with its object and purpose of reducing human suffering, the spread of conflicts around the world creates an urgent need for States Parties to begin to openly discuss - and better comply with - their obligations in relation to Articles 6 and 7.

### THE 2022 ATT MONITOR REPORT

Chapter 1 provides a comprehensive picture of the challenges and opportunities that countries face as they look to align their national systems and become States Parties to the ATT. It lays out the political, strategic, systemic and institutional challenges that have complicated pathways to Treaty membership in different regions. The chapter includes case studies of the experiences from Colombia, Kenya and Malaysia, and it also considers the experience of the Philippines, which ratified

the ATT in March 2022. It concludes with recommendations to continue promoting universalization and effective implementation of the ATT.

Chapter 2.1 provides an in-depth look at 2020 ATT annual reports. It examines States Parties' compliance with Article 13.3 reporting obligations and reporting that contributes to the transparency aims and objectives of the Treaty as well as to a higher standard of transparency. It shows that, while a group of States Parties have shown themselves to be committed to public reporting, the lack of meaningfully transparent reporting by many others is a matter of concern as reporting is vital to the implementation of the Treaty.

Chapter 2.2 includes country profiles for each State Party required to submit a 2020 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.

Chapter 3.1 includes a summary assessment of 2021 annual reports submitted on or before the reporting deadline. It is anticipated that more States Parties will submit their report between the legal deadline of 31 May and the beginning of CSP8. Therefore, this analysis will be expanded in next year's ATT Monitor report. The chapter shows that the seventh year of ATT annual reporting has seen a continuation of the trends that characterized the previous six years, including widespread non-reporting and increasing rates of confidential reporting.

Chapter 3.2 includes a summary assessment of initial reports and updates to them submitted by States Parties as of 7 June 2022. From this assessment comes an analysis of reporting non-compliance, highlighting challenges States Parties face in fulfilling reporting obligations and the efforts of the WGTR and ATT Secretariat to address them. The chapter also presents some examples of how States Parties, in their initial reports, have described the implementation of post-shipment controls and on-site verifications, the theme of the CSP8 Presidency.

<sup>44</sup> Stockholm International Peace Research Institute (SIPRI). (2022). 'EU Embargo on Russia'. Updated 8 April 2022. https://www.sipri.org/databases/embargoes/eu\_arms\_embargoes/Russia/EU-embargo-on-Russia.

<sup>45</sup> The list of EU members and ATT States Parties include Austria, Bulgaria, Czech Republic, Croatia, France, Finland, Germany, Italy, Slovakia and Spain. See Brillaud, L. et al. (2022). 'EU member states exported weapons to Russia after the 2014 embargo.' Investigate Europe. 17 March 2022. https://www.investigate-europe.eu/en/2022/eu-states-exported-weapons-to-russia/.

<sup>46</sup> Guarascio, F. (2022). 'EU closes loophole allowing multimillion-euro arms sales to Russia'. Reuters. 14 April 2022. https://www.reuters.com/world/europe/eu-closes-loophole-allowing-multimillion-euro-arms-sales-russia-2022-04-14/

<sup>47</sup> UN Human Rights Council (2022). 'Enabling atrocities: arms transfers by States Members to the United Nations to the Myanmar military: Conference room paper of the Special Rapporteur on the situation of human rights in Myanmar'. 22 February 2022. A/HRC/49/CRP.1. TT https://reliefweb.int/report/myanmar/enabling-atrocities-arms-transfers-states-members-united-nations-myanmar-military.



# CHAPTER 1: CHALLENGES, OPPORTUNITIES AND PROSPECTS FOR FURTHERING ATT UNIVERSALIZATION

#### INTRODUCTION

The Arms Trade Treaty (ATT) is the first treaty regulating the international trade in conventional arms. The United Nations process leading to the ATT began in 2006, with the approval of General Assembly Resolution 61/89.¹ Further General Assembly resolutions in 2008² and 2009³ enabled the preparatory work and established the first diplomatic conference that initiated Treaty negotiations in 2012. A final resolution in December 2012⁴ allowed for the conclusion of the process in 2013.⁵

The Treaty was adopted by the UN General Assembly on 2 April 2013 by an overwhelming majority of UN members and it entered into force on 24 December 2014 when the 50th ratification instrument was deposited. At the time of writing, there are 111 ATT States Parties and 30 Signatories to the Treaty, while 54 countries have neither signed nor ratified.

Since the Treaty entered into force, efforts to universalize the ATT have been conducted by numerous stakeholders. Under the formal Treaty regime, the 2nd Conference of States Parties established the Working Group on Treaty Universalization (WGTU), which became a standing Working Group of the Conference in 2017. The Voluntary Trust Fund (VTF) and the Sponsorship Programme, 6 both administered by the ATT Secretariat in Geneva, also support universalization efforts. The European Union ATT Outreach Project, the UN Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR), the UN Office for Disarmament Affairs (UNODA) and a variety of civil society organizations have also in recent years contributed to efforts to universalize the Treaty.7 Nevertheless, Treaty uptake remains low in some parts of the world, most notably in the Asia-Pacific region and in the Middle East and North Africa. To expand its membership, ATT State Parties and institutions, together with civil society, can support efforts to

promote universalization of the ATT in these regions, including by pointing to how its growing membership is building the relevance and international legitimacy of the Treaty.

This chapter provides a comprehensive picture of the challenges and opportunities that countries face to align their national systems and become States Parties to the ATT. It lays out the political, strategic, systemic and institutional challenges that thus far have complicated pathways to ATT membership in different regions. The chapter includes case studies of the experience of Colombia, Kenya and Malaysia in their efforts to join the ATT, and it also considers the experience of the Philippines, which ratified the ATT in March 2022. It concludes with recommendations to continue promoting universalization and effective implementation of the ATT, while improving inclusiveness and compliance.



TO EXPAND ITS MEMBERSHIP, ATT STATE PARTIES AND INSTITUTIONS, TOGETHER WITH CIVIL SOCIETY, CAN SUPPORT EFFORTS TO PROMOTE UNIVERSALIZATION OF THE ATT IN THESE REGIONS, INCLUDING BY POINTING TO HOW ITS GROWING MEMBERSHIP IS BUILDING THE RELEVANCE AND INTERNATIONAL LEGITIMACY OF THE TREATY.

- 1 A/RES/61/89, 18 December 2006. https://bit.ly/3zngytT.
- 2 A/RES/63/240, 24 December 2008, https://bit.ly/3PjhftA.
- 3 A/RES/64/48, 2 December 2009, https://bit.ly/3zleq5R.
- 4 A/RES/67/234, 24 December 2012, https://bit.ly/3vjAn2u.
- 5 For a historical review of the ATT process, see Kytömäki, E. (2010). 'Supporting the Arms Trade Treaty Negotiations through Regional Discussions and Expertise Sharing'. Final Report of the EU-UNIDIR project. https://www.sipri.org/sites/default/files/research/disarmament/dualuse/pdf-archive-att/pdfs/eu-un-supporting-the-att-negotiations-through-regional-discussions-and-expertise-sharing-final-report-of-the-eu-unidir-project.pdf, pp. 7-14.
- $6 \quad ATT \; Secretariat \; (2019). \; 'ATT \; Sponsorship \; Programme: \; Draft \; Administrative \; Guidelines'. \; ATT/CSP5/2019/SEC/530/SponProgRep. \; https://bit.ly/3uLov9z. \; ATT/CSP5/2019/SEC/530/SponProgRep. \; https://bit.ly/sec/50/SponProgRep. \; https://bit.ly/sec/50/SponProgRep. \; https://bit.ly/sec/50/SponProgRep. \; https://bit.ly/sec/50/Sp$
- 7 Stohl, R. (2021). 'Taking Stock of the Arms Trade Treaty: Universalization'. SIPRI. August 2021. https://www.sipri.org/sites/default/files/2022-01/att\_first\_six\_4\_universalization\_stohl\_0.pdf, pp. 1-18.

#### **KEY FINDINGS**

- As of June 2022, 56 per cent of UN member states were ATT States Parties, across a variety of regions and economic or political blocs.
- Membership of the ATT surged in the first three years following its adoption and has since slowed down significantly. Between 2020 and 2022, just six states ratified or acceded to the ATT.
- The main challenges to ATT universalization include a combination of political, security, strategic and systemic factors that form the root of an individual state's decision not to ratify or accede to the Treaty. For this reason, initiatives to promote Treaty universalization require a nuanced and balanced approach that takes into account the broad range of challenges that states face and that pays particularly close attention to national and regional contexts.
- The examples of Colombia, Kenya and Malaysia provide valuable insight into the variety of obstacles to ratification and accession. Despite these countries' initial support of the ATT, a combination of political, security, legal, procedural and systemic factors have thus far precluded their ATT membership. Understanding the particularities of each country's historic, political, social and cultural dynamics is crucial to assessing why the ratification or accession process has been fraught with challenges for them and what prospects are for such states when it comes to the Treaty.
- In supporting Treaty universalization, states must also maintain a balance between the benefits of an increase in the quantity of States Parties in the Treaty with the quality of each membership, which is measured by a state's compliance with its provisions. Focusing narrowly on increasing membership, ratifications and accessions could undermine the strength of the Treaty if compliance with its requirements is not also emphasized.

### **DEFINING ATT UNIVERSALIZATION**

Not only does the ATT not define the term universalization, it seldom makes specific reference to it. The most immediate reference can be found in its preamble, which mentions 'Emphasizing the desirability of achieving universal adherence to this Treaty.' Article 17.4 also mandates the Conference of States Parties to 'Iclonsider and adopt recommendations regarding the implementation and operation of this Treaty, in particular the promotion of its universality. More broadly, the establishing of the highest possible common international standards for the regulation of the international trade in weapons is one of the Treaty's main objectives, which is underpinned by the need to universalize the Treaty as much as possible. 10

The WGTU, established in 2016, developed a working definition for universalization: 'expanding the membership of the Treaty to ensure there are as many States Parties as possible.' Fundamentally, it is important to ensure that as many states as possible join the ATT because an international regulatory system only works if enough subscribe to it. However, when assessing a Treaty's universality, the number of its members is not the only consideration that should apply. A further conceptualization adds to the WGTU definition by suggesting that 'universalization means both expanding the number of States Parties and ensuring that they live up to their obligations.' As these definitions are complementary, this chapter embeds both into its analysis.

<sup>8</sup> Arms Trade Treaty. Preamble. (adopted 2 April 2013, entered into force 24 December 2014)\_UNTS\_(ATT Preamble). https://thearmstradetreaty.org/treaty-text.html.

<sup>9</sup> Arms Trade Treaty. Article 17.4 (b) (adopted 2 April 2013, entered into force 24 December 2014)\_UNTS\_(ATT Art 17.4 (b)). https://thearmstradetreaty.org/treaty-text.html.

<sup>10</sup> Arms Trade Treaty, Article 1 (adopted 2 April 2013, entered into force 24 December 2014). UNTS\_(ATT) Art 1. https://thearmstradetreaty.org/treaty-text.html.

<sup>11</sup> ATT Working Group on Treaty Universalization - WGTU (2019). 'ATT Working Group on Treaty Universalization - Co-Chairs' Draft Discussion Paper', ATT/CSP5,WGTU/2019/CHAIR/443/M2.DiscPaper. https://bit.ly/3ywLCWa, p. 3.

<sup>12</sup> Ibid

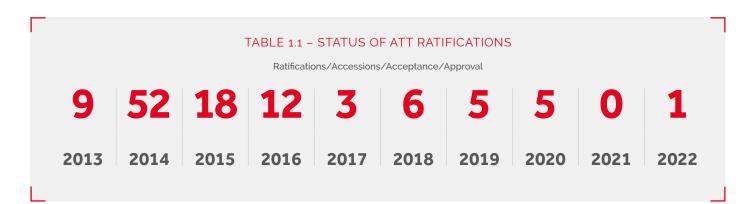
#### ATT UNIVERSALIZATION - STATE OF PLAY

The current status of ATT membership (111 States Parties, 30 Signatories and 54 non-signatories) means that 56 per cent of all UN member states are full members of the Treaty, a proportion that would grow to 73 per cent if all Signatory countries were to ratify it.<sup>14</sup>

While membership of the Treaty surged in the first three years following its adoption, it has slowed down considerably since then (see Table 1.1).  $^{15}$ 



WHILE MEMBERSHIP OF THE TREATY
SURGED IN THE FIRST THREE YEARS
FOLLOWING ITS ADOPTION, IT HAS SLOWED
DOWN CONSIDERABLY SINCE THEN.



Whereas the number of new State Parties to international treaties generally tends to slow down over time, the downward trend with regard to the ATT points back to some of the original fault lines that emerged during the diplomatic negotiations of the Treaty. These relate to the adoption of norms and standards of state behaviour that are prevalent primarily in the Global North, the universal promotion of existing rules that govern Western arms exporters and the prioritization of the needs and concerns of exporting states over those of importing states. There is a need to carefully consider these

issues in the context of ongoing and future efforts to promote greater adherence to, and implementation of, the ATT.

There are also considerable regional and sub-regional variations in ATT membership. In the Americas, 27 of 35 countries (77 per cent) are States Parties. However, there are only 28 States Parties among the 55 members of the African Union (50.9 per cent), but 14 States Parties among the 15 members (93 per cent) of the Economic Community of West African States (ECOWAS). Whereas 13 of the 15 members

<sup>14</sup> It should be noted that two ATT States Parties (Niue and the State of Palestine) are not UN member states; hence, the number of States Parties, Signatories and non-signatories totals 195 countries and there are 193 UN member states.

<sup>15</sup> ATT Secretariat (2022). 'States Parties to the ATT (in order of deposit of instruments of ratification, approval, acceptance, or accession)'. 25 March 2022. https://bit.ly/3|qlBwg.

<sup>16</sup> For an overview of some of the key areas of contention for the ATT, see the review article by the UN Department for Public Information, which summarizes the statements by delegations when the UN General Assembly's voted to adopt the ATT on 2 April 2013: United Nations Department of Public Information – News and Media Division (2013). 'Overwhelming Majority of States in General Assembly Say 'Yes' to Arms Trade Treaty to Stave off Irresponsible Transfers that Perpetuate Conflict, Human Suffering'. New York, 2 April 2013. https://bit.ly/3B2VnhL. See also the statement by the Indian delegation on the same occasion: Government of India Ambassador Sujata Mehta. Ministry of External Affairs (2013). 'Why India Abstained on the Arms Trade Treaty'. The Hindu. 3 April 2013. https://mea.gov.in/articles-in-indian-media.htm?dtl/21503/Why+India+abstained+on+Arms+Trade+Treaty

<sup>17</sup> Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Brazil, Canada, Chile, Costa Rica, Dominica, Dominican Republic, El Salvador, Grenada, Guatemala, Guyana, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago and Uruguay.

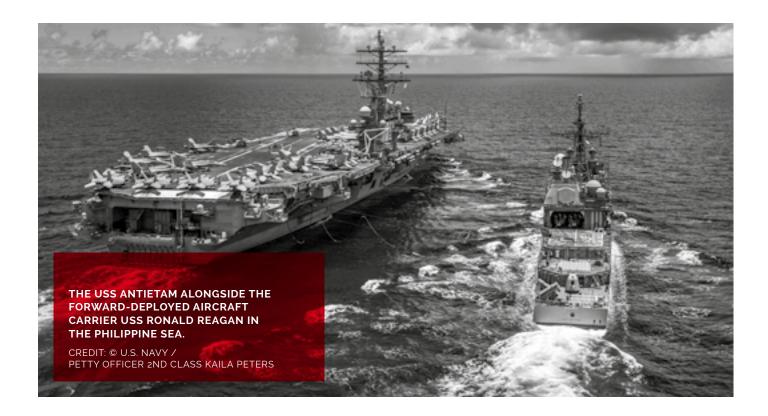
<sup>18</sup> ATT Secretariat (2022). 'List of ATT States Parties' (alphabetical order). 25 March 2022. Ibid.

<sup>19</sup> Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo. The one remaining ECOWAS member (The Gambia) has declared its intention to accede to the ATT in the coming months.

(86.7 per cent) of the Caribbean Community (CARICOM)<sup>20</sup> and all 27 members of the European Union are States Parties,<sup>21</sup> only one<sup>22</sup> of the ten members of the Association of South-East Asian Nations (ASEAN) is a State Party, although a further four are Signatories.<sup>23</sup> Only six of the 16 members of the Pacific Islands Forum are States Parties, while two more are Signatories.<sup>24</sup> Finally, Asia, which includes 25 per cent of all countries of the world, accounts for a mere 9 per cent (11 countries) of States Parties.<sup>25</sup> These numbers underscore the need to intensify efforts to expand the ATT's reach in those underrepresented regions and sub-regions.

# MEMBERSHIP AMONG ARMS EXPORTERS AND IMPORTERS

Membership of the ATT is high among the top 20 arms exporters, 13 of which are States Parties and five are Signatories (see Table 1.2.) These 18 countries accounted for 36.2 per cent of all arms exports between 2017 and 2021.<sup>26</sup> Of these Signatories, four accounted for 4.4 per cent of all arms exports but the remaining one (the United States) was the largest arms exporter, responsible for more than the cumulative total of the next three largest exporters.<sup>27</sup> Russia, the second-largest exporter in the world, has not joined the Treaty in any capacity.



- 20 Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucía, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago. Haiti is a Signatory.
- 21 ATT Secretariat (2022). 'List of ATT States Parties'. Ibid.
- 22 Philippines.
- 23 Cambodia, Malaysia, Singapore and Thailand.
- 24 Australia, New Zealand, Niue, Palau, Samoa and Tuvalu are States Parties. Kiribati, Nauru and Vanuatu are Signatories.
- 25 Dladla, D. (2022). 'Arms Trade Treaty: Status of Participation'. ATT Secretariat. 16 February 2022. https://bit.ly/3PjTqSb
- 26 Wezeman, P., Kuimova, A. & Wezeman, S. (2022). 'Trends in International Arms Transfers 2021'. SIPRI Fact Sheet. March 2022. https://www.sipri.org/sites/default/files/2022-03/fs\_2203\_at\_2021.pdf , p. 2.
- 27 In 2019, President Donald Trump announced that the United States had 'unsigned' the ATT. As Rachel Stohl points out, 'a country cannot "un-sign" a treaty [and this] simply confirmed that the United States did not intend to ratify the treaty or act in ways bound by the object and purpose of the treaty. The ATT Secretariat continues to consider the United States a Signatory. Stohl, R. (2022). 'Why is the Biden Administration Still Silent on Arms Trade Treaty?' April 27, 2022. Stimson Center, Technology and Trade Commentary. https://www.stimson.org/2022/why-is-the-biden-administration-still-silent-on-arms-trade-treaty/.

# TABLE 1.2 – TOP 20 ARMS EXPORTERS AND THEIR ATT MEMBERSHIP STATUS

Exporter	Percentage of global arms exports 2017–2021	ATT membership status
United States	39	Signatory
Russia	19	non-signatory
France	11	State Party
People's Republic of China	4.6	State Party
Germany	4.5	State Party
Italy	3.1	State Party
United Kingdom	2.9	State Party
Republic of Korea	2.8	State Party
Spain	2.5	State Party
Israel	2.4	Signatory
Netherlands	1.9	State Party
Turkey	0.9	Signatory
Sweden	0.8	State Party
Ukraine	0.7	Signatory
Switzerland	0.7	State Party
Australia	0.6	State Party
Canada	0.5	State Party
United Arab Emirates	0.4	Signatory
South Africa	0.3	State Party
Belarus	0.3	non-signatory
TOTAL	98.9	

The membership status among the major arms importers is in stark contrast to the high levels of ATT membership among major arms exporters. The three largest importers between 2017 and 2021 (India, Saudi Arabia and Egypt) have neither signed nor ratified or acceded to the Treaty. Non-signatories accounted for 40.9 per cent of arms imports during the period while States Parties accounted for 22.3 per cent and Signatories for 10 per cent (see Table 1.3).

# TABLE 1.3 – TOP 20 ARMS IMPORTERS AND THEIR ATT MEMBERSHIP STATUS

Importer	Percentage of global arms imports 2017 – 2021	ATT membership status
India	11	non-signatory
Saudi Arabia	11	non-signatory
Egypt	5.7	non-signatory
Australia	5.4	State Party
People's Republic of China	4.8	State Party
Qatar	4.6	non-signatory
Republic of Korea	4.1	State Party
Pakistan	3	non-signatory
United Arab Emirates	2.8	Signatory
Japan	2.6	State Party
Algeria	2.6	non-signatory
United Kingdom	2.5	State Party
United States	2.4	Signatory
Israel	1.9	Signatory
Indonesia	1.7	non-signatory
Norway	1.6	State Party
Turkey	1.5	Signatory
Singapore	1.4	Signatory
Netherlands	1.3	State Party
Viet Nam	1.3	non-signatory
TOTAL	73.2	

Membership in the ATT thus remains very uneven between the largest arms-exporting and arms-importing states. While the ATT was not designed to represent only exporters' interests, the impression has grown since its negotiations that it has benefited exporters more than importers, <sup>28</sup> as the following section on challenges to ATT universalization will show.

On the positive side, over the past three years there have been notable new States Parties, each of whom could serve as a catalyst to further accessions within their respective regions. The most significant of these – in terms of its role in the international arms trade and its global reach – is the People's Republic of China, which acceded to the ATT in July

2020. In March 2022, the Philippines became the first country from Southeast Asia to ratify the Treaty, which has raised hopes that the remaining four ASEAN signatories (Cambodia, Malaysia, Singapore and Thailand) could follow suit. In the Pacific, the recent ratifications by Niue and Palau further elevate the potential positive impact of the Treaty within a sub-region where more membership is urgently needed. While engagement with the ATT has been even lower in the Middle East and North Africa, Lebanon's ratification in 2019 represents an important step in furthering engagement between countries in the sub-region concerning the Treaty's core tenets.

#### PRIORITIZING UNIVERSALIZATION OF THE ATT

Since the Second Conference of States Parties (CSP2), efforts to promote universalization of the ATT have been a consistent part of the work and discussions during the Conference of States Parties and the Working Group on Treaty Universalization.<sup>29</sup> Efforts include: targeted outreach activities that included visits from the Presidents of CSP3 and CSP4 to Africa, Asia, and the Americas to promote universalization of the ATT; the development of universalization materials in multiple languages;<sup>30</sup> the creation of a troika mechanism to make 'universalization efforts more coherent over the longer term;'<sup>31</sup> and the provision of assistance through the ATT Voluntary Trust Fund (see below) and the ATT Sponsorship Programme, among others.

The role of co-chair of the WGTU falls to the sitting CSP President. As the holder of the CSP8 Presidency (2021–2022) and co-chair of the WGTU, Germany has made universalization one of its key priorities. The CSP8 Presidency developed and initiated an active engagement process in the first half

of 2022 focused on the 17 countries that have signed the Treaty but have not yet ratified it.<sup>32</sup> Two preliminary findings have emerged from this outreach effort. First, the failure of some of the largest arms-exporting states to join the Treaty creates and reinforces a negative cycle for other states to join. Second, Signatories and non-signatories continue to identify informational and technical assistance needs that are barriers to their joining the Treaty.

While the ATT Voluntary Trust Fund (VTF) was established in 2017 to support national implementation of the Treaty, to date, just 9 out of 55 projects have been implemented in non-signatory and Signatory states. This underscores the need to intensify efforts to prioritize ATT universalization through funding and support mechanisms. In this regard, the ATT Secretariat has launched a new project with the support of the EU to establish an expert's roster to improve technical capacity by 'training the trainers' to continue furthering ATT universalization and implementation in six regions.<sup>33</sup>

# CHALLENGES TO ATT UNIVERSALIZATION – THE GAP BETWEEN SIGNATURE AND RATIFICATION

As the pace of ATT universalization has slowed down in recent years, questions have arisen around the challenges associated with membership of the ATT. These challenges can be grouped as political, security-related and strategic on one side and procedural and systemic on the other. However, as the March 2022 ratification of the Philippines demonstrates, progress toward universalization is possible despite challenging political, diplomatic and institutional dynamics (see Text Box 1). This section explores some of these challenges to ratification and accession and identifies lessons and drivers that can serve to accelerate the universalization process.



AS THE PACE OF ATT UNIVERSALIZATION HAS SLOWED DOWN IN RECENT YEARS, QUESTIONS HAVE ARISEN AROUND THE CHALLENGES ASSOCIATED WITH MEMBERSHIP OF THE ATT. THESE CHALLENGES CAN BE GROUPED AS POLITICAL, SECURITY-RELATED AND STRATEGIC ON ONE SIDE AND PROCEDURAL AND SYSTEMIC ON THE OTHER.

<sup>29</sup> For an in-depth analysis of efforts by regional organizations, the UN and civil society to promote universalization, see Stohl, R. (2021). Ibid., pp. 3-7. 30 ATT Secretariat (2019). 'Tools and Guidelines. Working Group on Treaty Universalization'. https://thearmstradetreaty.org/tools-and-guidelines.html 31 Stohl, R. (2021). Ibid., p. 5.

<sup>32</sup> ATT Secretariat (2022). 'ATT Working Groups' and 1st CSP8 Informal Preparatory Meetings, Day 2, as delivered' [Video]. Youtube. https://www.youtube.com/watch?v=g\_GP4|X-KZQ

<sup>33</sup> The Council of the European Union (2021). Council Decision (CFSP) 2021/649 of 16 April 2021 on Union support for activities of the ATT Secretariat in support of the implementation of the Arms Trade Treaty. 20 April 2021. Office Journal of the European Union, L 133/59. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX;32021D0649&from=EN

#### TEXT BOX 1: ATT RATIFICATION - THE PHILIPPINES

In March 2022, the Philippines – the first Southeast Asian country to sign in 2013 – ratified the Arms Trade Treaty. The government's ability to address a variety of diplomatic, political and strategic considerations shows that progress is possible, even in challenging contexts, like the one created by the coronavirus pandemic.

As a Signatory, the Philippines participated in every ATT CSP and consistently signalled its intent to ratify. During this period, the country's government, Senate and relevant line agencies were engaged in a process of strengthening interagency cooperation, clarifying institutional responsibilities and tightening legislation to ensure that the national control system was in compliance with the ATT.<sup>34</sup>

The Strategic Trade Management Act (STMA) of 2015 provided the legislative framework to guide and clarify the regulation of arms and ammunition transfers by the Philippines.<sup>35</sup> The Strategic Trade Management Office (STMO), under the Department of Trade and Industry, is responsible for the day-to-day implementation of this law. Together with the Office of the Special Envoy on Transnational Crime, the Strategic Management Office coordinated diplomatic engagements at the regional and international level covering the ATT and related issues of transnational organized crime. The STMA is broadly compliant with the requirements of Article 5 of the ATT in that it contains a national control list - the National Strategic Goods List - and identifies a national control authority. The STMA also defines key concepts such as import, export, transit, trans-shipment and brokering that align with corresponding definitions in the ATT.

During the process of ratification, procedural deadlock proved a significant challenge, including the issue of overlapping mandates between the STMO and the Firearms and Explosives Office of the National Police when it came to specific arms listed in the National Strategic Goods List. The challenge was overcome through a collaborative approach between the Department of Trade and Industry, the national police, and the armed forces. As a result of allocating ownership over different aspects of the control list across these different stakeholders (for example, small arms and light weapons to the national police and major conventional weapons systems to the military), each government agency maintains responsibility for the categories of arms under their respective operational mandates. Technical support provided by partners such as the EU, through its ATT Outreach Project was also key to ensuring coherence between the firearms law and the existing control list under the STMA.

The regular turnover of civil servants in key agencies also had an impact on the timeline for the Philippines to ratify the ATT. Each time a key official moved on to a new role, the momentum toward ratification dissipated and required concerted effort to rebuild. This affected levels of influence among government agencies in the ratification process, and exacerbated capacity constraints within these agencies. However, civil society organizations, like Non-Violence International Southeast Asia, consistently engaged with critical government agencies to ensure that momentum for ratification remained strong. This kind of external advocacy and engagement by civil society was a key driver in mitigating the impact of staff turnover and institutional capacity constraints in order to push forward with the ratification process.

Another factor that slowed the ATT ratification process was the Philippines' emphasis on achieving compliance prior to ratification, an objective to which the government attached great importance.<sup>36</sup> Despite the delay, its focus on developing a compliant control system prior to ratification places the Philippines in a strong position to comply with ATT requirements from the outset.

<sup>34</sup> Arms Trade Treaty Secretariat (2020). 'Statement by the Permanent Mission of the Republic of the Philippines to the United Nations and other international organizations in Geneva.' 20 August 2020. https://bit.ly/3v0UPVW

<sup>35</sup> The Strategic Trade Management Act of 2015 (Republic Act No. 10697). https://bit.ly/3RKzWrK.

<sup>36</sup> Arms Trade Treaty Secretariat (2016). 'Statement by the Philippines on the Occasion of the Second Conference of States Parties to the ATT'. Geneva. 22-26 August 2016. https://bit.ly/30lloee.

### POLITICAL, SECURITY AND STRATEGIC CHALLENGES:

#### **PRIORITIZATION**

In certain contexts, arms transfer control is not a major priority among the variety of security threats that are of concern to governments and legislatures. For example, countries at the frontline of the climate change crisis concentrate their political, legislative, financial and bureaucratic efforts on mitigating its negative impacts. For instance, while Fiji has undertaken efforts to accede to the Treaty with support from the VTF and UNSCAR funding facilities, as an island state, climate change remains its primary international political focus.<sup>37</sup> It is likely that this necessary prioritization of climate change is a factor that slows Fiji's progress toward ATT accession.38 This reflects the prioritization that many countries must implement in order to tackle the myriad of threats they face. This reality highlights the need for flexible, long-term, contextual and consistent support to move ATT universalization efforts forward in all regions of the world.

#### **ACCESS**

Another long-standing challenge to universalization is the Geneva-centric approach of diplomatic and outreach activities. As with many international processes that consistently centralize operations in the Global North, meaningful inclusion and participation across regions remains a major issue, especially for those countries typically facing the greatest implementation challenges. Intersessional meetings of the annual Conference of States Parties are usually held in Geneva because it is the seat of the ATT Secretariat, which simplifies cost and logistical expediency. Even when meetings were held virtually during the COVID-19 pandemic, the schedule linked directly to the Geneva time zone. This resulted in limited engagement from those in different time zones where meetings took place outside of working hours. Even without the meeting and travel restrictions imposed due to the COVID-19 pandemic, many countries do not have permanent missions in Geneva and others have only small delegations there. Some countries must rely on an individual diplomat in Geneva who covers a wide range of thematic and political

issues. And, particularly important for technical treaties like the ATT, many national technical experts are based in their respective capitals rather than in Geneva and therefore face substantial resource challenges relating to meeting attendance. For example, only eight of the 18 countries of the Pacific Island Forum have permanent missions in Geneva.<sup>39</sup> Of these, only three are ATT States Parties (Australia, New Zealand and Samoa).

### **EXPORTER FOCUS**

Since its inception, the standards for overall compliance with the ATT have been set largely by the existing systems and practices of arms-exporting states. Most of the existing best practices relating to the ATT are focused on and drafted by exporting states, while the availability of guidance directly addressing the interests and concerns of arms-importing states is limited. States can address this imbalance by providing meaningful opportunities within the ATT CSP structure to explore and incorporate perspectives of importing states. Until such balance is achieved, efforts to socialize the ATT as a necessary universal norm for all states regardless of their position in the arms trade will remain uneven.

#### **COMPLIANCE**

To encourage a state to commit to the obligations set out in the ATT, the most persuasive universalization tool is clear and consistent compliance by all States Parties. However, some of the largest arms exporters are involved with arms transfers that are in violation of the Treaty. To this end, citizen groups have taken governments - including those of Canada, Germany, Italy and the United Kingdom – to court within their national jurisdiction in an effort to bring a halt to arms sales into contexts of heightened concern.40 Exports by Signatories such as Israel, Turkey and the United States to similar contexts also create challenges to the achievement of overall ATT compliance, as Signatories must comply with the Treaty's object and purpose. The optics of these ongoing engagements in arms transfers that do not comply with the obligations or the object and purpose of the ATT remains a major political challenge to universalization.

<sup>37</sup> See 'Fiji Climate Change & National Designated Authority (NDA)', https://fijiclimatechangeportal.gov.fj/

<sup>38</sup> BBC News (2022). 'Climate Change a Bigger Threat than War, Fiji Tells Security Summit'. 12 June 2022. https://www.bbc.co.uk/news/world-asia-61774473.

<sup>39</sup> They are Australia, Fiji, Marshall Islands, Nauru, New Zealand, Samoa, Solomon Islands and Vanuatu. The remaining ten members are Cook Islands, Federated States of Micronesia, French Polynesia, Kiribati, New Caledonia, Niue, Palau, Papua New Guinea, Tonga and Tuvalu.

<sup>40</sup> See, for example, Sabbagh, D. (2021). 'High court to hear legal battle over UK arms sales to Saudi Arabia'. The Guardian, 22 April 2021. https://www.theguardian.com/world/2021/apr/22/campaigners-to-challenge-decision-to-resume-selling-arms-to-saudi-in-high-court; MacAskill, E. (2022). 'Italian officials and German firm face legal action over Saudi arms sales'. The Guardian, 18 April 2021. https://www.theguardian.com/world/2018/apr/18/italian-officials-and-german-firm-face-legal-action-over-saudi-arms-sales; Trudel Johnston & Lespérance (N. D.). Daniel Turp v. Attorney General of Canada. 'Light Armoured Vehicles: judicial control against the Minister of Foreign Affairs'. https://tjl.quebec/en/recours-interet-public/light-armoured-vehicles-judicial-control-against-the-minister-of-foreign-affairs/

### **REGIONAL DYNAMICS**

Regional dynamics in particular can have a significant impact on ATT universalization. In some regions and sub-regions, mutual support and cooperation has played an enabling role in the development, universalization and implementation of the ATT. For example, CARICOM and ECOWAS were very active and influential regional blocs during the negotiations. The states in these regional groups continued to support the ATT with high numbers of early signatures and ratification.41 At this time, these regions are nearly fully represented within the membership of the ATT. Conversely, ASEAN countries have a long-standing commitment to the principle of noninterference in the internal affairs of states. They are also reluctant to behave in ways that may be perceived as being out of step with the rest of their fellow members or to support agreements that may be perceived as interference with the national security of other ASEAN countries. Countries from the Middle East and North Africa were largely sceptical of the Treaty during its negotiation and this sentiment has continued to date. These long-held positions can explain in part why ATT membership is so low in the region to date.42

### PROCEDURAL AND SYSTEMS CHALLENGES

In order to gain a deeper understanding of the dynamics of ATT universalization, it is essential to consider the steps required on the national level to implement procedures and systems that will move the ratification or accession process forward. In many states, challenges to developing, implementing and sustaining these procedures and systems need to be addressed before ratification or accession can be achieved. These challenges include:

Legislative alignment: Several governments have identified the need to bring national firearms and armstransfer legislation into alignment with the requirements of the Treaty. As the ATT Monitor illustrated in its Annual Report of 2021, many African, Asian and Pacific countries inherited at independence colonial-era legislation dating at best back to the 1950s and 1960s, and most have been slow in fundamentally changing these laws.<sup>43</sup> Placing the necessary legislative amendments onto the parliamentary agenda often requires significant time, technical expertise

and political support, all of which are often unavailable. It is these challenges that slow the pace of Signatories and nonsignatories in making their legislative framework compliant with the ATT.

Regulatory and systems compliance: Several countries possess a strong legislative arms control framework but their national systems require extensive overhaul to complete the core tasks of the ATT, including a comprehensive need for training and capacity-building for officials. These core tasks include developing record-keeping systems and processes, compiling reports, and undertaking risk assessments. The technical and financial resources to support an increase in capacity and compliance can be both significant and variable across countries and regions.

Regular rotation of civil servants: The rotation of officials, politicians and diplomats is also a key challenge to ATT universalization efforts.<sup>44</sup> Each time an official, parliamentarian or government member who is central to efforts to drive forward universalization moves on to a different role, there is an immediate gap in institutional memory, personal incentive and procedural clarity. Election cycles can have a debilitating effect on furthering ATT. Ratification or accession as politicians leading or supporting these efforts may lose their seats, necessitating further rounds of sensitization for newly elected decision-makers. Such changes slow universalization efforts and require renewed momentum, sometimes from the very beginning depending on the number or seniority of those leaving their roles.



SEVERAL COUNTRIES POSSESS A STRONG LEGISLATIVE ARMS CONTROL FRAMEWORK BUT THEIR NATIONAL SYSTEMS REQUIRE EXTENSIVE OVERHAUL TO COMPLETE THE CORE TASKS OF THE ATT, INCLUDING A COMPREHENSIVE NEED FOR TRAINING AND CAPACITY-BUILDING FOR OFFICIALS.

<sup>41</sup> For more information, see Control Arms Secretariat (2021). 'Arms Trade Treaty Regional Actor Study'. Control Arms. https://controlarms.org/wp-content/uploads/2021/11/Control-Arms\_Arms-Trade-Treaty-Regional-Actor-Study-1.pdf

<sup>42</sup> Austero, M. & Gorospe, P. (2019). 'Challenges in developing a risk assessment criteria for Arms Transfers in Southeast Asia'. History of Global Arms Transfers (8). http://www.isc.meiji.ac.jp/~transfer/paper/pdf/08/03\_Austero\_Gorospe.pdf, p. 46.

<sup>43</sup> Control Arms Secretariat (2021). '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' in ATT Monitor 2021 Annual Report. https://attmonitor.org/wp-content/uploads/2021/08/EN\_ATT\_Monitor-Report-2021\_Online.pdf, p. 27.

<sup>44</sup> Stohl, R. (2022). 'Taking stock of ATT Initial Reports.' Stimson Center. February 2022. https://www.stimson.org/wp-content/uploads/2022/02/Taking-Stock-of-ATT-Initial-Reports.pdf, p. 24.

## **CASE STUDIES**

With the challenges mentioned above in mind, the following case studies focus on countries that have been working for some years toward accession or ratification of the ATT. Colombia, Kenya and Malaysia have engaged with the process toward ATT membership in markedly different ways. Each was a supporter of the ATT process throughout the UN negotiations in 2012 and 2013. Their experiences since then show why this process can drag on for years, even for those that initially supported the development of the Treaty and had active involvement in the negotiations. The aim in sharing these case studies is to identify the specific blockages to ratification or accession in each context and how these challenges can be overcome. Each case study ends with an assessment of the prospects of accession or ratification specific to each context.

#### **CASE STUDY 1: COLOMBIA**

#### **BACKGROUND**

Colombia's long history of armed violence and protracted civil conflict has made the availability, proliferation and diversion of weapons – particularly small arms and light weapons – an issue of persistent concern. Weapons have been diverted through multiple channels throughout the five decades of conflict that Colombia has endured.<sup>45</sup> While the paramilitary groups M-19, AUC (United Self-Defence Forces of Colombia) and FARC (Revolutionary Armed Forces of Colombia) officially demobilized in 1990, 2003 and 2016 respectively, this led to a transformation of existing illicit economies that once revolved around these armed groups and their activities toward a more fractured set of networks controlled by various criminal groups and a thriving illicit market in SALW.

Colombia's contributions during the ATT negotiation process were informed by its experience of armed violence and conflict, and of the impact of arms on its society. From Colombia's perspective, issues such as diversion, the



<sup>45</sup> Aguirre Tobón, K. (2011). 'El tráfico de armas en Colombia: una revisión desde los orígenes a los destinos.' URVIO, Revista Latinoamericana de Estudios de Seguridad, 10 November 2011. pp. 36-59, and Control Arms Secretariat (2018). 'ATT Monitor 2018.' New York. 20 August 2018. https://attmonitor.org/wp-content/uploads/2020/07/EN\_ATT\_2018\_Chapter\_4.pdf, pp. 101-114.

prohibition of transfers to non-state armed actors, the inclusion in the scope of the ATT of SALW, ammunition and explosives, and the exchange of information to prevent diversion were all fundamental pieces of a robust Treaty.<sup>46</sup>

Its legacy of decades of violence cemented Colombia's commitment to the maintenance of peace and security at the national, regional and international levels. The country has ratified several international instruments, including the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction (the Ottawa Treaty). Colombia is a State Party to the Convention on Certain Conventional Weapons and four of its protocols as well as to the Convention on Cluster Munitions. However, Colombia's active participation during the ATT negotiation process and the signing of the Treaty in 2013 has yet to translate into ratification.

#### **CURRENT ARMS CONTROL POLICIES**

Colombia's legislation on arms control is covered by *Decree 2535 of 1993 and its amending laws on Arms, Ammunition and Explosives.* Article 57 of the decree assigns to the national government sole responsibility for the 'import and export of arms, ammunition, explosives, and their accessories in accordance with the regulations issued by the National Government, through the Ministry of National Defense'. Decree 1809 of 1994 on Firearms Regulations gives the state-owned military weapons manufacturer, INDUMIL, the responsibility to import and export firearms, ammunition and explosives on behalf of individuals and legal persons. 48

Because the government is ultimately responsible for the import and export of arms, there are no brokering regulations in Colombia. However, Article 19 of Decree 1809 regulates end-use and end-users of imports of weapons, while Decree 2535 contains provisions on storage, stockpile management and the transit of arms, ammunition and explosives.



Colombia actively participates in international initiatives on disarmament and arms control issues. For example, the negotiation and adoption of the United Nations Programme of Action on Small Arms and Light Weapons (UN PoA) in 2001 was chaired by a Colombian diplomat.<sup>49</sup> To ensure it maintains its commitment to reporting on the implementation of the UN PoA in a variety of areas, in 2006, Colombia created an internal inter-sectoral team led by the Ministry of Foreign Affairs to prevent the illicit export, import, transit and diversion of SALW.<sup>50</sup>

Colombia has also actively participated in the framework of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA, a cooperation project of the Organization of American States), and of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, which supplements the United Nations Convention against Transnational Organized Crime.

<sup>46</sup> Parliament of Colombia (2016) 'Ley 1782 de 2016'. Diario Oficial No. 49.879. 20 May 2016. https://www.cancilleria.gov.co/sites/default/files/Normograma/docs/ley\_1782\_2016.htm

<sup>47</sup> See Presidency of Colombia (1993). 'Decreto 2535 de 1993'. Diario Oficial. 17 December 1993. https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=1540

<sup>48</sup> Presidency of Colombia (1994) 'Decreto 1809 de 1994, por el cual se reglamenta el Decreto 2535 de 1993'. Diario Oficial. Año CXXX. N. 41473. 4 August 1994. https://bit.ly/30lcPkM.

<sup>49</sup> Presidency of Colombia (2006) 'Decreto 4508 de 2006'. Diario Oficial 46487. 19 December 2006. https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=22462

<sup>50</sup> Programme of Action on Small Arms and Light Weapons. Country Profiles 'Implementation status of the Programme of Action – Colombia'. https://smallarms.un-arm.org/country-profiles/COL.

#### **OBSTACLES TO RATIFICATION**

Colombia has made an attempt to ratify the ATT. The process began as early as 2014 with Bill 059,<sup>51</sup> a procedure that started in the Second Commission of the Congress, which has responsibility for international and diplomatic affairs. After two years of debate, the Congress approved ratification of the ATT by means of Law 1782 in 2016.<sup>52</sup> However, in the following year, the Constitutional Court declared this law unconstitutional.<sup>53</sup> The court ruled in February 2017 that the procedural and legislative requirements undertaken by the Congress were not accredited for the approval of an international treaty.

Since then, the review of the ATT has resumed in the Ministry of Defence and the Ministry of Foreign Affairs, but the successor government to that which originally signed and pledged Colombia's support for the ATT has not yet prioritized ratification. This loss of momentum has caused the ratification process to stagnate within governmental institutions.



WHEREAS THE PROCESS OF RATIFICATION OF THE ATT WAS INITIALLY DELAYED DUE TO PROCEDURAL MATTERS, THE CURRENT CHALLENGE TO RATIFICATION IS POLITICAL.

#### CHALLENGES AND PROSPECTS FOR ATT RATIFICATION

Whereas the process of ratification of the ATT was initially delayed due to procedural matters, the current challenge to ratification is political.

In 2021, civil society organizations such as the Colombian Campaign to Ban Landmines alongside the Latin American and the Caribbean Human Security Network issued a letter to President Iván Duque Márquez calling for the reactivation of the procedure for the ratification of the ATT.<sup>54</sup> In addition, civil society has advocated its position to members of Congress, the government and specific ministries such as the ones of foreign affairs and defence to promote ratification of the ATT. The election of leftist candidate Gustavo Petro to the presidency in June 2022 could present new opportunities to bring the issue of ratification back to the table. Petro's campaign was founded on calls to combat inequality and fight for social justice, eliciting widespread support from civil society.<sup>55</sup>

Colombia has also received assistance from Germany's Federal Office for Economic Affairs and Export Control,<sup>56</sup> the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC)<sup>57</sup> and the VTF<sup>58</sup> for activities related to building capacity for implementation of, and compliance with, the ATT, as well as to the prevention and detection of the diversion of conventional arms. Finally, Colombia is implementing a VTF-funded project titled 'Build capacity to prevent, detect, and respond to the diversion of conventional weapons in line with Article 11 of the ATT in Chile and Colombia',<sup>59</sup> which is aimed at developing and implementing training for their respective security forces on the prevention and detection of diversion of conventional weapons.

- 51 Parliament of Colombia (2014). 'Proyecto de Ley 059 de 2014: Approving the "Arms Trade Treaty", adopted by the General Assembly of the United Nations through resolution 67/234 B of 2 April 2013 and signed in the city of New York, on 24 September 2013'. http://leyes.senado.gov.co/proyectos/index.php/textos-radicados-senado/proyectos-de-ley-2014-2015/331-proyecto-de-ley-059-de-2014
- 52 Parliament of Colombia (2016). 'Ley 1782 de 2016'. Diario Oficial. Año CLI. N. 49879. 20 May 2006. https://www.suin-juriscol.gov.co/viewDocument.asp?id=30021594#:~:text=por%20medio%20de%20la%20cual,24%20de%20septiembre%20de%202013
- 53 Constitutional Court of Colombia (2017). 'Sentencia C-47/ de 2017: Tratado sobre el Comercio de Armas-Existencia de vicio insubsanable por no haberse acreditado la aprobación de la ley en plenaria del Senado con el quórum reglamentario y la mayoría simple exigida por la Constitución'. https://www.corteconstitucional.gov.co/relatoria/2017/C-047-17.htm
- 54 Campaña Colombiana Contra Minas (2021). 'Solicitud de reactivación de trámite para la ratificación del Tratado de Comercio de Armas (TCA)'. 27 April 2021. https://colombiasinminas.org/wp-content/uploads/2021/04/Comunicado-TCA-Presidencia-2021.pdf
- 55 Dalichau, O. (2022). 'Colombia Votes for Social Justice'. International Politics and Society. 20 June 2022. Ips-journal.eu/topics/future-of-social-democracy/Colombia-votes-for-social-justice-6006/
- 56 Federal Office for Economic Affairs and Export Control Foreign Trade website'. https://www.bafa.de/EN/Foreign\_Trade/Outreach\_Projects/outreach\_projects.html
- 57 UNLIREC (N.D). 'UNLIREC apoya al Gobierno de Colombia en sus esfuerzos hacia la implementación del Tratado sobre el Comercio de Armas'. http://unlirec.screativa.com/unlirec-apoya-al-gobierno-de-colombia-en-sus-esfuerzos-hacia-la-implementacin-del-tratado-sobre-el-comercio-de-armas/
- 58 ATT Secretariat (2021). 'Report on the work of the ATT Voluntary Trust Fund (VTF) for the period august 2020 to august 2021.' 20 July 2021. ATT/ VTF/2021/CHAIR/678/Conf.Rep.. https://thearmstradetreaty.org/hyper-images/file/ATT\_CSP7\_VTF%20Report\_EN/ATT\_CSP7\_VTF%20Repo



#### CASE STUDY 2: KENYA

#### **BACKGROUND**

The outbreak of armed conflict in several African countries during the 1990s, including the genocide in Rwanda, the Sierra Leone civil war and the armed rebellion in the Democratic Republic of Congo, drew the world's attention to the need to take action to control the proliferation of illicit arms. These conflicts spurred UN efforts to agree to the 2001 Programme of Action (UN PoA) to prevent, combat and eradicate the illicit trade in small arms and light weapons (SALW) in all its aspects<sup>60</sup> and, five years later, to begin working toward the ATT.

As one of seven co-authors of Resolution 61/89 that was adopted by the UN General Assembly in 2006, which set the path for the negotiation of an arms trade treaty, Kenya was an early leader in the ATT process. During the 2012 ATT negotiations, Kenya highlighted the importance of having a robust and comprehensive treaty that would 'close loopholes that permit criminals and terrorists to acquire and use dangerous weapons that maim and kill innocent civilians', Expecially with regard to SALW and ammunition responsible for the increasing levels of violence in the country. However, despite its active involvement in the preparations for and negotiations of the ATT, at this time, Kenya has neither signed nor ratified the Treaty.

Civil society in Kenya has also had an active role in supporting ATT-related activities. Some civil society organizations have been involved in the ATT process since its negotiations and have provided their expertise to government agencies in the ongoing public awareness and participation campaigns on the ATT.<sup>63</sup> They have also complemented government efforts toward SALW control and management initiatives across the country.

### **CURRENT ARMS CONTROL POLICIES**

Kenya has a wide range of national laws and policies that regulate small arms. The most significant legislation includes the Firearms Act, <sup>64</sup> the Defence Forces Act, <sup>65</sup> the Police Act <sup>66</sup> and the Penal Code. <sup>67</sup> The Kenyan legislative framework includes provisions that are consistent with ATT requirements, including the regulation of the possession of weapons and the trade in firearms and ammunition as well as penalties for related human rights violations. Kenya has also adopted a national peacebuilding and conflict management policy that commits government resources to activities aimed at reducing the proliferation of illicit small arms and ammunition. <sup>68</sup>

Kenya is a member of, and is actively implementing, several regional arms control instruments. Foremost is the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes and the Horn of Africa. <sup>69</sup> It also hosts the Regional Centre on Small Arms in the Great Lakes, the Horn of Africa and Bordering States, which is the body charged with coordinating the implementation of the Protocol. <sup>70</sup> The protocol provides mechanisms for inter-state cooperation to stem the flow of illicit arms across borders. It also provides measures for mitigating arms diversion and for

- 60 United Nations (2001). 'Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects'. A/CONF.192/15. https://documents-dds-ny.un.org/doc/UNDOC/GEN/N01/507/20/PDF/N0150720.pdf?OpenElement.
- 61 The other six co-authors were Argentina, Australia, Costa Rica, Finland, France and Japan. Resolution 61/89 sought to establish 'common international standards for the import, export and transfer of conventional arms' and requested the UN Secretary-General to establish a group of governmental experts to examine the feasibility, scope and draft parameters for such a legal instrument, and to transmit the report of the group of experts to the General Assembly for consideration. The final report of this group of experts, which included a representative from Kenya, in 2008 formed the basis for the ATT
- 62 Permanent Mission of the Republic of Kenya to the United Nations. (2012). 'Statement by Hon. David Musila, MP, Assistant Minister for Defence of the Republic of Kenya during the United Nations Conference on Arms Trade Treaty (ATT)'. UN Headquarters, New York. 5 July 2012. https://reachingcriticalwill.org/images/documents/Disarmament-fora/att/negotiating-conference/statements/5July\_Kenya.pdf.
- 63 See Security Research and Information Center (N.D.). 'Kenya Action Network on Small Arms (KANSA)'. http://www.srickenya.org/kan.
- 64 National Council for Law Reporting. 1991 [Revised Edition 2012]. 'Firearms Act. Chapter 114'. http://kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/FirearmsAct\_Cap114.pdf.
- 65 National Council for Law Reporting, 2012 [Revised Edition 2012]. 'Kenya Defence Forces Act'. https://mod.go.ke/the-kenya-defence-forces-act/
- 66 National Council for Law Reporting. 1988 [Revised Edition 2010]. 'The Police Act. Chapter 84'. http://kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/PoliceAct.pdf.
- 67 National Council for Law Reporting. 2010 [Revised Edition 2012]. 'Penal Code. Chapter 63'. https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/28595/115477/F-857725769/KEN28595.pdf.
- 68 Ministry of Interior and Co-Ordination of National Government (2014). 'Sessional Paper No. 05 of 2014 on National Policy for Peacebuilding and Conflict Management'. https://bit.ly/3PmmJ75
- 69 The Nairobi Protocol for the Prevention, Control, and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa. (adopted 21 April 2004, entered into force 5 May 2005). https://bit.ly/3PZxxrJ.
- 70 Regional Center on Small Arms website: https://recsasec.org/index.php/page/listdownloads.

physical security and stockpile management, among other initiatives, all of which align with the provisions of the ATT.71 Kenya is a Signatory to the Pact on Security, Stability and Development in the Great Lakes Region, a legally binding treaty signed in 2006 by member states of the International Conference on the Great Lakes Region (ICGLR).72 The ICGLR implements a regional programme for fighting the proliferation of SALW and it oversees regional cooperation on ATT-related initiatives.73

## **OBSTACLES TO RATIFICATION**

Despite Kenya's strong engagement in efforts to control the proliferation of SALW, political barriers to ATT accession remain. Observers have claimed that, since Kenya has recently become a small-arms manufacturer, there could be uneasiness, particularly from the country's Ministry of Defence, that the ATT provisions may work against its national interests in respect of arms production and sales. However, such a concern is unfounded since the provisions of the ATT clearly underline respect for 'the legitimate interests of States to acquire conventional arms [...] and to produce, export, import and transfer conventional arms.'74

Administrative challenges also go some way to explaining why Kenya remains outside of the ATT. For instance, the high turnover of senior officials within the relevant Ministries of Interior, Defence, Foreign Affairs, and the Office of the Attorney General could have hampered efforts to move the necessary bureaucratic processes forward toward accession. A final challenge could relate to its prioritization of international instruments on conventional weapons. Kenya's sustained engagement and recent leadership in the UN PoA process, including holding the Chair position at its Seventh Biennial Meeting of States held in July 2022, demonstrates its interest and commitment to issues concerning the illicit proliferation of SALW, but may have eclipsed the ATT from its focus.



#### CHALLENGES AND PROSPECTS FOR ATT RATIFICATION

In recent years, Kenya has shown increasing interest in engaging with the Treaty. Through funding from the VTF, in 2021 the Kenya National Focal Point on Small Arms and Light Weapons conducted ATT sensitization meetings across the country to comply with the constitutional requirement for public participation. In addition, the government attended the informal preparatory meetings leading to the Conference of States Parties (CSP7) in Geneva and participated as observers during CSP7. In 2022, the government also attended CSP8 preparatory meetings in Geneva.

These are clear signs of the government's interest in joining the ATT. The fact that Kenya recently received funding from the VTF to support preparations to join the Treaty points to its positive working relationship with ATT institutions and to goodwill on both sides. However, with a presidential election scheduled for the second half of 2022, there is no guarantee that government interest will remain. Political commitment will be key to sustaining and furthering momentum toward ATT accession.

<sup>71</sup> In particular, Articles 10, 11 and 14 of the Nairobi Protocol align with articles 7, 8, 10 and 15 of the ATT. See Arms Trade Treaty, Articles 7, 8, 10 and 15 (adopted 2 April 2013, entered into force 24 December 2014))\_UNTS\_(ATT Art 7, 8, 10 and 15). https://thearmstradetreaty.org/treaty-text.html; and The Nairobi Protocol for the Prevention, Control, and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, Articles 10, 11 and 14. (adopted 21 April 2004, entered into force 5 May 2005). https://bit.ly/3PZxxrJ.

<sup>72</sup> International Conference on the Great Lakes Region website: https://icglr.org/.

<sup>73</sup> Ibio

<sup>74</sup> Arms Trade Treaty, Principles (adopted 2 April 2013, entered into force 24 December 2014))\_UNTS\_(ATT Principles). https://thearmstradetreaty.org/treaty-text.html

<sup>75</sup> ATT Secretariat (2021). 'Arms Trade Treaty Voluntary Trust Fund. Final report. Kenya National Focal Point on Small Arms and Light Weapons.' 15 November 2021. https://thearmstradetreaty.org/hyper-images/file/FINAL%20REPORT%20ATT\_merged/FINAL%20REPORT%20ATT\_merged.pdf.

### **CASE STUDY 3: MALAYSIA**

#### **BACKGROUND**

Considering its strategic position on one of the world's busiest sea lanes, the international regulation of conventional arms transfers is highly relevant to Malaysia's security interests. With these interests in mind, Malaysia has engaged positively with the Arms Trade Treaty process since its beginnings.

During the ATT negotiations in 2012, a Malaysian diplomat served as facilitator of a subject area of key concern for the ASEAN countries – transit and trans-shipment – later to be covered by Article 9 of the ATT.<sup>76</sup> In a statement made to the plenary of the first UN Conference on the Arms Trade Treaty in July 2012, Malaysia highlighted that the Treaty should 'regulate the trade of conventional arms and prevent the diversion of legal arms to illegal markets'.77 Malaysia also publicly supported the '7+1 arrangement', which called for the inclusion of the seven categories of major weapons along with small arms and light weapons into the scope of the ATT.78 In its plenary statement to the Final UN Conference on the Arms Trade Treaty in March 2013, Malaysia further stressed the importance of transit and trans-shipment, recognizing it as an issue of national importance.79 But, despite its consistent support of the Treaty culminating in its signature in September 2013, Malaysia has yet to ratify the ATT.

## **CURRENT ARMS CONTROL POLICIES**

Malaysia's legislative framework is already largely aligned with the objectives and requirements of the ATT. There are three key pieces of legislation in this regard: the Arms Act of 1960,80 the Firearms Act of 1971,81 and the Strategic Trade Act of 2010 (STA)82. While the Arms Act and the Firearms Act are largely focused on controlling domestic transfers, the STA is 'aimed at establishing controls to curb the proliferation and trafficking of weapons of mass destruction (WMD)-related



materials and associated delivery systems [sic]<sup>183</sup> in direct response to the UN Security Council Resolution 1540 on the non-proliferation of weapons of mass destruction. In addition to WMD-related materials, the STA provides controls for the export, brokering, transit and trans-shipment of a broader set of strategic goods, including arms and related materiel, and covers both individuals and companies acting as exporters, traders, manufacturers or brokers. Its definitions are largely consistent with those provided in the ATT, including definitions of 'export', 'transit', 'trans-ship' and 'brokers'. The STA includes a comprehensive national control list that meets the requirements set out in Article 5.4 of the ATT and is consistent with the scope of the ATT (Articles 2, 3 and 4).<sup>84</sup>

The Ministry of International Trade and Industry (MITI) has primary responsibility for the implementation of the STA. However, matters relating to the ATT are still under the

76 Woolcott, P. (2014). 'The Arms Trade Treaty'. https://legal.un.org/avl/pdf/ha/att/att\_e.pdf, p. 4.

- 77 Malaysia Permanent Mission to the United Nations (2012). 'Statement by Ambassador Hussein Haniff, Permanent Representative of Malaysia, to the United Nations High Level Segment of the United Nations Conference on the Arms Trade Treaty.' New York. 5 July 2012. https://reachingcriticalwill.org/images/documents/Disarmament-fora/att/negotiating-conference/statements/5July\_Malaysia.pdf, p. 2.
- 79 Malaysia Permanent Mission to the United Nations (2013). 'Statement by Mr. Saiful Azam Abdullah, Deputy
  Permanent Representative, Permanent Mission of Malaysia to the United Nations on Agenda Item 11, General
  Exchange of Views, at the Final United Nations Conference on The Arms Trade Treaty'. New York. 18 March 2013.
  https://reachingcriticalwill.org/images/documents/Disarmament-fora/att/negotiating-conference-ii/statements/18March\_Malaysia.pdf, p. 1.
- 80 Parliament of Malaysia. 1960 [Revised 1978]. 'Act 206, Arms Act 1960. Incorporating all amendments up to 1 January 2006'. The Commissioner of Law Revision of Malaysia. 2006. https://www.moha.gov.my/images/borang/KK/arms\_act\_1960\_until\_2006.pdf.
- 81 Parliament of Malaysia. 1971. 'Firearms (Increased Penalties) Act 1971. Incorporating all amendments up to 1 January 2006'. The Commissioner of Law Revision of Malaysia. 2006. https://www.icj.org/wp-content/uploads/2013/02/Malaysia-Firearms-Increased-Penalties-Act-1971-eng.pdf.
- 82 Parliament of Malaysia. 2010. 'Act 708, Strategic Trade Act 2010. As at 1 May 2015'. https://www.mcmc.gov.my/skmmgovmy/media/General/pdf/Act-708-28\_4\_2.pdf.
- 83 Kareem, M. S. A. (2016). 'Implementation and Enforcement of Strategic Trade Controls in Malaysia'. Strategic Trade Review, Volume 2, Issue 2, p. 104.
- 84 Malaysia's national control list can be found at Ministry of International Trade and Industry. 'Strategic Items under the STA 2010'. https://www.miti.gov.my/miti/resources/STA%20Folder/PDF%20file/Strategic\_Items\_Under\_The\_STA\_2010.pdf?mid=298.

purview of the Ministry of Foreign Affairs, which ensures the engagement of relevant national authorities such as MITI, the Royal Malaysian Customs Department, and the Royal Malaysia Police. In statements delivered at each of the Conference of States Parties, Malaysia has noted its commitment to ratifying the ATT and its steps to bring its legislation and control system into line with the requirements of the ATT.<sup>85</sup>

#### **OBSTACLES TO RATIFICATION**

The ATT is not a high priority on Malaysia's political agenda at this time – in large part due to the belief that existing systems are fit for its present purpose and generally compliant with the ATT's requirements. In fact, Malaysia has stated in the past 'that before taking the final step of ratification, it might be useful for Malaysia to see how the ATT's implementation commences in other states and how its participation base and impact develop.'86

Regional dynamics of ASEAN countries, as well as the country's relationship with other regional powers such as the People's Republic of China, Japan, the Philippines and the Republic of Korea are also challenges for Malaysia in ratifying the ATT. With the accession of the People's Republic of China in 2020, and the ratification of the Philippines in 2022, the regional security calculus may have changed such that membership to the ATT is no longer considered a provocative move in Southeast Asia. Given that one of the likely main obstacles to Malaysia's ATT ratification is its reluctance to step outside of long-held regional positions, the presence of two new regional States Parties, in particular the Philippines (see Text Box 1), could help to positively influence Malaysia's ratification prospects.

#### CHALLENGES AND PROSPECTS FOR ATT RATIFICATION

In 2019, Malaysia again shared with ATT States Parties that it is working toward ratification of the Treaty and, as such, is strengthening existing national mechanisms and exploring other initiatives to support its compliance with the Treaty's provisions.<sup>87</sup> One such mechanism is the STA, which as noted above, covers a number of relevant elements related to the ATT. More recently, Malaysian officials have also identified the need to find 'a lead agency to implement the ATT and the integration of import controls in the current Malaysian strategic trade legislation framework.'88

In partnership with the Malaysian government, a number of actors have provided cooperation and technical assistance activities in recent years to facilitate Malaysia's ATT ratification. Included among these are technical support from the European Union's ATT Outreach Project, the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, the United Nations Institute for Disarmament, Interpol, the Parliamentary Forum on Small Arms and Light Weapons, the International Committee of the Red Cross, and trusted civil society partners such as Control Arms, Non-Violence International Southeast Asia, and the Geneva Centre for Security Policy. The EU project is focused on building a wholeof-government approach and brings together 'national ATT stakeholders from the Attorney General's Chamber, Customs Department, Malaysian Maritime Enforcement Agency, Malaysian National Security Council, Ministry of Defense, Ministry of Foreign Affairs, Ministry of Home Affairs, Ministry of International Trade and Industry, and Royal Malaysia Police'.89

Other projects supporting Malaysia's engagement with the ATT, including those led by civil society partners, highlight the Treaty's benefits (such as its relationship with other international processes such as the Sustainable Development Goals). Still others suggest ways in which Malaysia and other states can build a broad base of support for ratification among government officials, parliamentarians and community leaders.

<sup>85</sup> ATT Secretariat (2018). 'Statement by Malaysia at the General Debate of the Fourth Conference of States Parties (CSP4) to the Arms Trade Treaty (ATT)'. Tokyo, Japan. 20 August 2018. https://bit.ly/3JyBr8m; ATT Secretariat (2020). 'Statement by Malaysia at the General Debate of the Sixth Conference of States Parties (CSP6) to the Arms Trade Treaty (ATT).' Geneva, Switzerland, 17-21 August 2020. https://bit.ly/3yDzCCr.

<sup>86</sup> Kytömäki, E. (2017). 'Arms Trade Treaty signatory States – Gaps and Possibilities for Treaty Universalization'. SaferGlobe. https://www.saferglobe.fi/wp-content/uploads/2017/09/att\_universalization\_web.pdf, p. 15.

<sup>87</sup> Permanent Mission of Malaysia to the United Nations. (2019). 'Statement by representative of Malaysia to the United Nations at the Thematic Debate on Conventional Weapons. First Committee of the 74th Session of the United Nations General Assembly'. New York. 24 October 2019. https://www.kln.gov.my/web/usa\_un-new-york/news-from-mission/-/blogs/statement-by-representative-of-malaysia-to-the-united-natio-2.

<sup>88</sup> SIPRI Mapping ATT-Relevant Cooperation and Assistance Activities (2021). 'EU ATT – Fourth Roadmap (online) activity for Malaysia'. 1–2 June 2021. https://att-assistance.org/activity/eu-att-op-ii-fourth-roadmap-online-activity-malaysia.

<sup>89</sup> SIPRI Mapping ATT-Relevant Cooperation and Assistance Activities (2016). 'Workshop on the Arms Trade Treaty and the South-East Asia Region – Law and Implementation Mechanisms Training'. Non-Violence International Southeast Asia, Royal Thai Police. SIPRI's Mapping ATT-Relevant Cooperation and Assistance Activities database. https://att-assistance.org/activity/nisea-royal-thai-police-workshop-arms-trade-treaty-and-south-east-asia-region-law-and

#### UNIVERSALIZATION: NO END IN ITSELF

# COMPLIANCE AS THE KEY TO EFFECTIVE ATT UNIVERSALIZATION

The case studies above set out challenges, obstacles and prospects for ATT accession or ratification in three distinct contexts. To make strides toward ATT ratification or accession in these specific contexts requires a clear understanding of the general objectives of universalization. As noted above, universalization can be defined as work undertaken to expand the number of States Parties, or to ensure that States Parties can fulfil their obligations under the Treaty – or both. There exists a tension between these two approaches. One is focusing purely on increasing the number of States Parties (quantity) and the other targets efforts toward strengthening implementation and adherence to the ATT (quality). Striking the right balance between these universalization approaches can have substantial impact on the overall success of Treaty implementation.

There is no evidence to suggest that merely increasing the number of States Parties will make adherence to the ATT stronger. Instead, a singular focus on ratifications and accessions without strengthening national systems could serve to undermine the Treaty's object and purpose. The key to the Treaty's strength is building and implementing both a legal and political framework with sustained support on both national and regional levels. Without such a foundation, ongoing compliance with Treaty provisions cannot be assured. As the case studies in this chapter reflect, one method to ensure universalization efforts support Treaty compliance is to prepare for and build this legal and political framework before joining the Treaty.

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THERE IS NO EVIDENCE TO SUGGEST THAT MERELY INCREASING THE NUMBER OF STATES PARTIES WILL MAKE ADHERENCE TO THE ATT STRONGER. INSTEAD, A SINGULAR FOCUS ON RATIFICATIONS AND ACCESSIONS WITHOUT STRENGTHENING NATIONAL SYSTEMS COULD SERVE TO UNDERMINE THE TREATY'S OBJECT AND PURPOSE.

For some states, joining the ATT will require the creation of a national arms control system that has never existed. For others, joining the ATT will require a fundamental shift from, for example, an arms-export risk-assessment mechanism that privileges profit and economic gain to one that prioritizes human rights and international humanitarian law. For states to fully commit to this type of policy shift without a formal accountability mechanism within the ATT structure to rely on, a strong record of compliance by a majority of States Parties is critical. States Parties must lead by example if universalization is to be achieved. Continued failure to comply - and inconsistent compliance - perpetuates the view that the ATT is merely a mechanism to support unilateral arms transfer decisions made by exporting countries. It is views like these that can undermine ATT universalization and implementation efforts.

### GAUGING ATT COMPLIANCE

Compliance is critical to both the ATT's universalization and its overall impact on the conventional arms trade. While measuring the effects of universalization and compliance upon one another is an inherently complex task, some metrics can help us to gain insight into how this dynamic plays out.

One such metric used to gauge compliance with the ATT is States Parties' adherence to reporting obligations. Initial reports, for example, offer good insights about national systems that can be of great significance to implementation. Research by the Arms Trade Treaty-Baseline Assessment Project shows that initial reports provide benefits as they: indicate how States Parties interpret and implement the Treaty's obligations; provide an opportunity for reporting States Parties to assess their national control systems, identify gaps, and make adjustments as needed; help to identify good practices and offer insights into common definitions and patterns in control measures; and identify assistance needs in advancing implementation and States Parties that might be in a position to provide it. Initial reports contain key information that can help to determine the extent to which the Treaty is meeting its potential.90 However, the recent increase in the submission of confidential initial reports, including by large exporters such as the People's Republic of China, limits the utility of the required reporting mechanism, thereby weakening the ability to assess compliance. Without visibility with regard to compliance, states are less likely to join the Treaty or to consistent comply with its provisions.

Similarly, as set out in this ATT Monitor Report, the steady decrease in annual reporting rates combined with an increase in confidential reporting raise concerns about effective implementation of the Treaty (See Chapter 2.1). There are also increasing concerns about the paucity and

comprehensiveness of data included in annual reports. Taken cumulatively, these practices can weaken the ability of the Treaty to achieve its transparency objective and undermine other States Parties' efforts to fulfil the transparency objective through their open and progressive behaviours.

Another key metric for gauging compliance is whether or not countries are meeting their obligations around risk-assessment criteria. Analysis by the ATT Monitor in the case of the conflict in Yemen demonstrates some positive behaviour in this regard: the number of States Parties that exported weapons to Saudi Arabia fell in recent years from 13 to 7. Some States Parties have also implemented bans on exporting arms to Saudi Arabia – notably Belgium, Germany, the Netherlands, Norway, Switzerland and Italy.91 Yet, ATT Monitor research also shows that significant arms transfers by States Parties continue to happen in critical crisis contexts such as the ones in Myanmar and Yemen where evidence of international humanitarian law and human rights violations are extensive, which is a clear indication that risk assessment protocols are not always followed.92



WHILE MEASURING THE EFFECTS OF UNIVERSALIZATION AND COMPLIANCE UPON ONE ANOTHER IS AN INHERENTLY COMPLEX TASK, SOME METRICS CAN HELP US TO GAIN INSIGHT INTO HOW THIS DYNAMIC PLAYS OUT.



<sup>91</sup> Control Arms Secretariat (2021). Ibid., pp. 17-18.

#### CONCLUSION AND RECOMMENDATIONS

As the rate of universalization slows, there are still many challenges to achieving a universal and effective ATT. This chapter reviews the main trends in universalization and offers insights that may provide some explanation for the gap between signature and ratification of the Treaty. The case studies also show that even those countries that with strong early commitments to the ATT face political, strategic and administrative challenges to ratification and accession. International assistance and support from other ATT stakeholders can help, but more is needed.

This chapter also reflects on the connection between increasing the number of States Parties to the ATT and its effective implementation. As argued, Treaty universalization does not guarantee the quality of its implementation. Universalization could even serve to undermine the Treaty's value if it is sought at all costs, regardless of the true commitments and ability of States Parties to effectively implement Treaty provisions. Rather, a more balanced approach is needed – one that encourages ATT universalization while emphasizing the importance of implementation and the need for support mechanisms to assist States Parties with compliance. This approach also entails holding existing States Parties, including major arms exporters in the Global North, to account when they breach their Treaty obligations.

Treaty universalization should be driven by the imperative of furthering the effective implementation of the ATT around the world. Below are recommendations to continue promoting universalization and effective implementation of the ATT, while improving inclusiveness and compliance.

Recommendations for States Parties:

- Lead by example: States Parties share a major responsibility in ensuring that the Treaty is implemented in line with its object and purpose. One way to improve compliance is to share effective implementation practices, such as risk assessments, publicly in ATT working groups and CSP meetings and by submitting comprehensive and detailed reports.
- Support South-South cooperation: One way to tackle perceptions of Global North bias is to develop and support meaningful South-South technical support systems. This could take the form of providing additional

- funding to the VTF and ensuring that a percentage of funds is earmarked for South-South cooperation initiatives. The example of Chile and Colombia's joint application for VTF sponsorship is a good example of such cooperation and could provide a blueprint for other initiatives.
- Capture best practice for universalization: Thus far, there has been little focus on how States Parties have worked to overcome obstacles to ratification and accession at the national level, making it difficult to capture the creativity and ingenuity that has led to meaningful innovation in tackling persistent problems such as transnational organized crime, arms trafficking and illegal brokering. States Parties should use forums such as the WGTU to share their experiences and support the Presidency in keeping discussions on universalization at the top of the CSP agenda.

Recommendations for the ATT Secretariat, the Conference of States Parties and the WGTU:

- Consider more frequent opportunities to hold official meetings outside of Geneva: The CSP rules of procedure establish that 'the venue for each ordinary session shall be decided by the Conference at its preceding ordinary session, taking into consideration the importance of promoting the universalization of the Treaty!93 So far, only two CSPs have been held outside of Geneva: in Cancún, Mexico in 2015 and in Tokyo, Japan in 2019. With universalization rates slowing each year, the CSP should consider moving its meetings around the world with a specific focus on the Global South. A rotation of meeting locations that is more inclusive of developing states and regions should be prioritized, following the examples of the CSPs to the Anti-Personnel Landmines Convention and the Convention on Cluster Munitions. The next CSP Presidency should consider moving the upcoming CSP9 cycle to a different location to get this process started.
- Strengthen synergies with regional initiatives: UNODA's
  regional centers and regional organizations like the
  African Union, CARICOM and the EU are engaged in many
  of the ATT universalization outreach efforts conducted to
  date. By empowering these organizations to dig deeper
  into substantive issues of direct relevance to countries
  in their regions, the ATT can strengthen its links to a
  wide variety of national and regional contexts, thereby
  helping to enhance its relevance at the regional level.

To that end, the ATT Secretariat project supported by the EU is a positive first step toward ensuring that technical capacity is strengthened on the ground in different regions. More focus on regional organizations, including a potential expansion of their role in the ATT process, would be welcome.

 Strengthen partnerships between States Parties and civil society and research organizations: As shown in the case studies, civil society and research organizations are fundamental stakeholders in promoting universalization of the Treaty. Providing these organizations with more opportunities to share their experiences and expertise will ensure that the realities, constraints and opportunities relating to universalization are better understood. Recommendations for Signatories and non-signatories:

Capitalize on available resources: Signatories and non-signatories alike should make use of the multiplicity of resources developed since the ATT came into force that can help to align their national control processes with ATT requirements. Mechanisms such as the VTF, the EU ATT Outreach Project and the wide range of materials developed by the ATT Secretariat, the Working Groups, States Parties and civil society organizations can all be used to enhance alignment with the ATT so as to facilitate the accession or ratification process.





# CHAPTER 2: ARMS EXPORTS AND IMPORTS – ASSESSING 2020 ANNUAL REPORTS

#### 2.1 - ANNUAL REPORTS ANALYSIS

Transparency in arms transfers is an essential component of the Arms Trade Treaty (ATT) and fundamental to achieving its object and purpose. Timely, comprehensive and meaningfully transparent reporting facilitates confidence building, responsibility and cooperation by allowing States Parties and civil society to be certain that Treaty commitments have been respected. Information contained in States Parties' annual reports can also help to inform licensing decisions and can be used to uncover where diversion may have taken place.

Article 13.3 of the ATT includes an obligation for all States Parties to submit an annual report on their authorized or actual arms exports and imports by 31 May each year. The submission of annual reports allows States Parties and all others interested in the ATT to be confident that Treaty commitments have been fulfilled.

The analysis of 2020 annual reports presented in this chapter examines compliance with Article 13.3 reporting obligations and assesses reporting that contributes to the transparency aims and objectives of the Treaty as well as to a higher standard of transparency. Overall, the analysis of 2020 annual reports illustrates that progress on effective and transparent reporting remains disappointing. While a group of States Parties have shown themselves to be committed to public reporting, the lack of effective reporting by many others is a matter of concern as reporting is vital to the implementation of the Treaty. In particular, the increasing use of confidential reporting threatens to undermine transparency in the global arms trade as well as States Parties' commitments to the object and purpose of the Treaty.

#### **KEY FINDINGS**

- The declining compliance with ATT reporting obligations identified by the ATT Monitor over 2015–19 continued for 2020. The proportion of States Parties submitting annual reports declined from 82 per cent for 2015 to 57 per cent for 2020 while the increase in confidential reporting continued apace, with 30 per cent of 2020 reports kept confidential, compared to 21 per cent of 2019 reports.
- There was an increase in the number of reports submitted on time. Forty-six States Parties submitted their reports timely, compared to 34 in 2019.
- Sixty-seven per cent of publicly available 2020 reports contained descriptions of some or all transfers and 57 per cent of reports contained comments for some or all transfers.
- More States Parties are reporting disaggregated data.
   The percentage of annual reports that disaggregated all weapon types by importer or exporter rose from 67 per cent of 2015 reports to 82 per cent of 2020 reports.
   However, disaggregation by weapons categories and subcategories has fluctuated over time.
- Only 27 per cent of 2020 reports made public were sufficiently detailed and comprehensive to provide a meaningful level of transparency.
- Only 16 States Parties complied with Article 13.3
  reporting obligations, provided information in annual
  reports that goes beyond the minimum information
  needed to contribute to the aims and objectives of the
  ATT in Article 1, and provided information that supports
  a higher standard of transparency.

# COMPLIANCE WITH ATT ARTICLE 13.3 REPORTING OBLIGATIONS

Article 13.3 of the ATT requires States Parties to submit an annual report on their arms exports and imports by 31 May. The ATT Monitor considers an annual report to be compliant with these requirements if it:

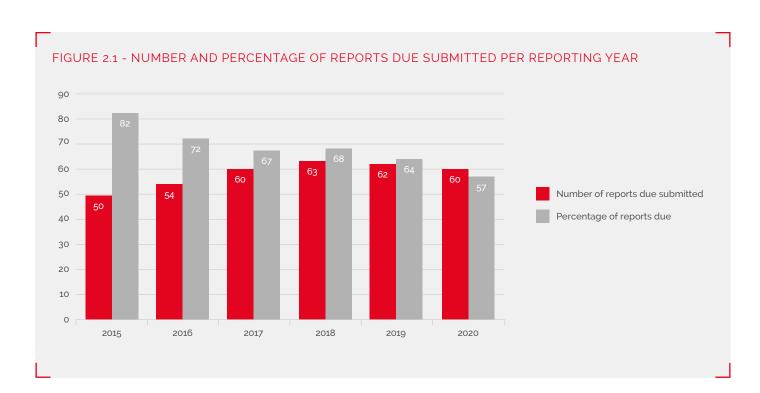
- Is submitted to the ATT Secretariat.
- Is submitted on time (within one week of the 31 May deadline).<sup>2</sup>
- Includes both exports and imports of conventional arms covered under Article 2.1 and/or relevant 'nil' reports indicating that no arms were transferred.

In total, 105 States Parties were required to submit an annual report on their imports and exports in 2020. Only 60 reports³ were submitted by the ATT Monitor's cut-off date compared to 62 for 2019. This was a decline in the reporting rate from 64 per cent to 57 per cent, due partly to the fact that five out of the eight countries who were due to submit their first annual report in 2021, did not do so.⁴

42

#### SUBMITTING REPORTS TO THE ATT SECRETARIAT

The submission of annual reports for 2020 continued a long-term trend of decreasing transparency. At the most basic level of transparency, the proportion of States Parties that submitted an annual report has declined steadily – from 82 per cent for 2015 to 57 per cent for 2020 (Figure 2.1). <sup>5</sup>



<sup>2</sup> To ensure it has adequate time for in-depth analysis of the reports, the ATT Secretariat includes for consideration reports submitted by States Parties up to seven days after the Treaty deadline, creating a cut-off date of 7 June.

<sup>3</sup> Albania, Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Mauritius, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of North Macedonia, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, State of Palestine, Sweden, Switzerland and United Kingdom.

<sup>4</sup> Of the eight, Botswana, Guinea-Bissau, Lebanon, Mozambique and Suriname did not submit reports. Only Canada, Maldives and Palau did.

<sup>5</sup> The proportions are not the same as published in previous editions of the ATT Monitor, as this year's figure includes reports that were submitted late, sometimes years after the deadline.

As outlined in previous editions of the ATT Monitor Report, the main reason for the decline in reporting is that more recent States Parties have been much less likely to submit a report than those countries that ratified or acceded to the Treaty soon after it was negotiated.<sup>6</sup>

ATT Monitor analysis shows that:

- Forty-four States Parties that were required to submit a 2020 report did not do so.<sup>7</sup>
- Eight States Parties were required to submit a report for the first time for 2020. Of these, three submitted <sup>8</sup> and five did not submit <sup>9</sup>
- Two States Parties improved their reporting and submitted a report for 2020 after not submitting a report for 2019, even though they had been required to.<sup>10</sup>
- Seven States Parties did not submit a report for 2020 even though they did submit a report for 2019.<sup>11</sup>

A group of 56 States Parties have submitted every annual report that was due, 12 another group of 30 have not submitted any reports at all, 13 and a further group of 19 have submitted reports unevenly. 14

#### SUBMITTING REPORTS ON TIME

Forty-six States Parties (44 per cent) submitted their 2020 annual report on time<sup>15</sup>. A further 14 submitted their reports between the Treaty deadline and the ATT Monitor's cut-off date.<sup>16</sup> The proportion of annual reports submitted on time has declined unevenly from 51 per cent for 2015 to 44 per cent for 2020. There was a marked decline in late reporting compared to 2019 reports, of which 28 (29 per cent) were submitted late. This may reflect the 'pandemic effect' on reporting that likely affected States Parties previously.<sup>17</sup>

# REPORTING BOTH EXPORTS AND IMPORTS OF CONVENTIONAL ARMS COVERED UNDER ARTICLE 2.1

Most publicly available 2020 annual reports contained transfer information on both imports and exports. However, Austria and the United Kingdom did not provide information on imports.

# FULL COMPLIANCE WITH ARTICLE 13.3 REPORTING OBLIGATIONS

Only 46 States Parties (44 per cent) fulfilled their reporting obligations for transfers that took place in 2020.

- 6 Control Arms Secretariat (2018). 'ATT Monitor 2018'. New York. 20 August 2018. https://attmonitor.org/en/the-2018-report/, pp. 31-32.
- 7 Bahamas, Belize, Botswana, Brazil, Burkina Faso, Cabo Verde, Central African Republic, Chad, Costa Rica, Côte d'Ivoire, Dominica, Dominican Republic, Ghana, Grenada, Guatemala, Guinea, Guinea Bissau, Guyana, Honduras, Iceland, Lebanon, Lesotho, Liberia, Madagascar, Mali, Mauritania, Mozambique, Niger, Paraguay, Republic of Moldova, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Seychelles, South Africa, Suriname, Togo, Trinidad and Tobago, Tuvalu, Uruguay and Zambia.
- 8 Canada, Maldives and Palau.
- 9 Botswana, Guinea Bissau, Lebanon, Mozambique and Suriname.
- 10 Barbados and Cameroon
- 11 Burkina Faso, Costa Rica, Dominican Republic, Paraguay, Republic of Moldova, Senegal and Uruguay.
- 12 Albania, Antigua and Barbuda, Argentina, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Mauritius, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of North Macedonia, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, State of Palestine, Sweden, Switzerland and United Kingdom.
- 13 Bahamas, Belize, Botswana, Brazil, Cabo Verde, Central African Republic, Chad, Côte d'Ivoire, Dominica, Ghana, Grenada, Guatemala, Guinea, Guinea Bissau, Guyana, Iceland, Lebanon, Lesotho, Mauritania, Mozambique, Niger, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Seychelles, Suriname, Togo, Trinidad and Tobago and Zambia.
- 14 Barbados, Burkina Faso, Cameroon, Costa Rica, Dominican Republic, El Salvador, Honduras, Liberia, Madagascar, Mali, Malta, Nigeria, Paraguay, Republic of Moldova, Samoa, Senegal, South Africa, Tuvalu and Uruguay.
- 15 Albania, Antigua and Barbuda, Argentina, Barbados, Belgium, Benin, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Ireland, Italy, Jamaica, Japan, 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.
- 16 States Parties that submitted late reports were Australia, Austria, Bulgaria, Cameroon, Chile, Cyprus, Hungary, Kazakhstan, Luxembourg, Malta, Monaco, Norway, Panama and United Kingdom. As the ATT Monitor sets a cut-off date of 1 February 2022 by which all reports need to be downloaded for analysis, any 2020 annual reports submitted after that date were not taken into account, including Madagascar and South Africa.
- 17 Control Arms Secretariat (2021). 'ATT Monitor 2021'. New York. 30 August 2021. https://attmonitor.org/en/the-2021-report/

# FULFILLING THE TRANSPARENCY AIMS AND OBJECTIVES OF THE TREATY

Article 1 of the ATT establishes the object and purpose of the Treaty, which includes 'Promoting cooperation, transparency, and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties'. Reporting is the primary tool at the disposal of States Parties for contributing to the transparency aims and objectives of Article 1. Without reporting, it is impossible for States Parties to have confidence that others are fulfilling their Treaty obligations. Transparency is thus an essential aspect of promoting international cooperation and responsible arms transfers.

The ATT Monitor considers that, to be meaningfully transparent and to contribute to the aims and objectives of the ATT, an annual report should at minimum:<sup>19</sup>

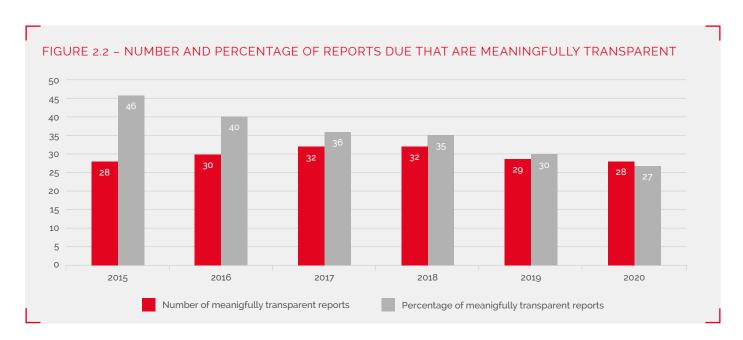
- Be submitted and made publicly available on the ATT Secretariat website.
- 2. Provide information that is disaggregated by weapon type.

- Provide information that is disaggregated by importer/exporter.
- Indicate whether transfer data concerns authorizations or actual transfers (or both).<sup>20</sup>
- 5. Provide the number of units or financial value (or both) for each weapon type.

States Parties that submit 'nil' reports indicating that they did not import or export any arms also contribute to the transparency aims and objectives of the Treaty. Therefore, the ATT Monitor also considers an annual report to be meaningfully transparent if the State Party has clearly submitted a 'nil' report on exports or imports.

# IDENTIFYING MEANINGFULLY TRANSPARENT ANNUAL REPORTS

Only 28 States Parties (27 per cent) met the above criteria and submitted 2020 reports that were meaningfully transparent.<sup>21</sup> The percentage of meaningfully transparent reports has declined every year since reporting began, from 46 per cent for 2015 to 27 per cent for 2020 (see Figure 2.2).



<sup>18</sup> Arms Trade Treaty, Article 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

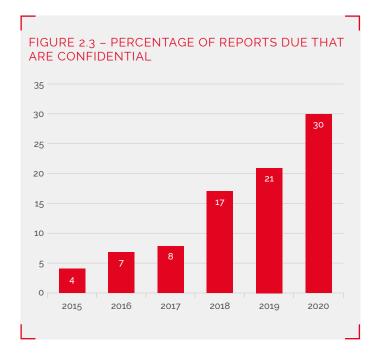
<sup>19</sup> These criteria were earlier presented in: Control Arms Secretariat (2021). 'ATT Monitor 2021'.

<sup>20</sup> An authorized export or import is one that has been approved by national authorities, while an actual export or import concerns the physical movement of weapons or a change in ownership. Authorizations are generally granted before the actual export takes place, sometimes years in advance. For more information, see WGTR (2019). 'Reporting Authorized or Actual Exports and Imports of Conventional Arms under the ATT: Questions & Answers'. ATT/CSP5.WGTR/2019/CHAIR/533/Conf.Rep.Rev1. https://bit.ly/3rHiE2k, pp. 11-12.

<sup>21</sup> Argentina, Canada, Chile, Croatia, Czech Republic, Estonia, France, Italy, Japan, Liechtenstein, Luxembourg, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Palau, Peru, Poland, Republic of Korea, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Sweden and Switzerland.

The decline in reporting noted in the previous section partly explains the decline in meaningfully transparent reporting but submitted reports have also become less transparent. An increasing proportion of States Parties have requested the ATT Secretariat not to publish their report on its website (See Figure 2.3).

Article 13 of the Treaty does not state that reports can be made confidential. Instead, it states that 'Reports shall be made available and distributed to States Parties by the Secretariat'<sup>22</sup> without clarifying to whom.<sup>23</sup> Only two reports (4 per cent) were confidential for 2015, the first year of reporting, compared to 18 (30 per cent) for 2020.



Making annual reports confidential has gone from a highly exceptional practice to a common one.

- Four States Parties (Benin, Bulgaria, El Salvador and Panama) submitted a confidential report for 2020 after having allowed their 2019 report to be published.
- Eleven States Parties submitted confidential reports for 2020 as they had for 2019.<sup>24</sup>
- Nine States Parties have only ever submitted confidential reports.<sup>25</sup>

It is important that an annual report indicates whether the report records (a) transfers that actually took place or (b) authorizations for future transfers. Not all authorized exports or imports ultimately take place (orders may be cancelled or reduced) and, if they do, the articles may cross national borders a year or more after the authorization. Often there are discrepancies between reports produced by exporting and importing States Parties. Knowing what the reported data refers to with regard to actual or authorized transfers is an important element for explaining these.<sup>26</sup>

- One State Party (Bosnia and Herzegovina) did not state in its report whether any of the data referred to authorizations or actual transfers.
- Five States Parties did not indicate in some parts of their report whether the data referred to an authorization or an actual transfer but did so in others. Two of them (Australia and Portugal) provided an indication for exports but not for imports.
- One State Party (Hungary) did not provide an indication for imports of armoured combat vehicles and some categories of small arms.
- Three States Parties (Finland, Germany and Norway) did not provide an indication for one category (respectively imports of 'other' small arms, of revolvers and self-loading pistols, and of rifles and carbines).

<sup>22</sup> Arms Trade Treaty, Article 13 (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

<sup>23</sup> Further discussion can be found in Marsh, N. and Karim A. (2015). 'Article 13 Reporting'. In da Silva, C. and Wood, B. (eds) 'Weapons and International Law: The Arms Trade Treaty: Brussels: Larcier, pp. 213-231; Casey-Maslin, S. et al. (2016). 'The Arms Trade Treaty: A Commentary'. Oxford: Oxford University Press, pp. 386-387.

<sup>24</sup> Albania, Antigua and Barbuda, Cyprus, Georgia, Greece, Kazakhstan, Lithuania, Malta, Mauritius, Republic of North Macedonia and State of Palestine. The Maldives also submitted confidential reports for 2019 and 2020 but is not counted here as it was not required to submit a report for 2019.

<sup>25</sup> Antigua and Barbuda, Barbados, Cameroon, Cyprus, Greece, Kazakhstan, Maldives, Nigeria and State of Palestine. These States Parties have either submitted confidential reports from the start, submitted a 2020 confidential report after having not previously submitted required reports, or in previous years either submitted a confidential report or did not submit a required report at all.

<sup>26</sup> Control Arms Secretariat (2017). 'ATT Monitor 2017'. New York. 11 September 2017. https://attmonitor.org/wp-content/uploads/2020/07/EN-ATT\_Monitor-Report-2017\_ONLINE-1.pdf, pp.45-51.

The ATT reporting template includes columns for States Parties to record the number of weapons imported or exported, or their financial value.<sup>27</sup> Failure to do so clearly prevents the reader from understanding the magnitude of a transfer. For example, Belgium left blank the entry for units or financial value for its small arms imports, which it described as being 'Benelli riot Guns' from Italy to be used 'by Belgian Defence forces'.

Three States Parties (Australia, Hungary, and Sweden) indicated that the number of units had been withheld and they did not provide a financial value and number for a small number of transfers, presumably in accordance with the provision in Article 13.3 that 'reports may exclude commercially sensitive or national security information'. Nevertheless, whilst Hungary and Sweden specified this by checking the appropriate area of the reporting template, Australia did

not, yet it described as 'withheld' the numbers of Harpoon and Sidewinder missiles it imported from the United States (it provided unit numbers for all other transfers). Sweden described as 'classified' the numbers it exported of RBS 70 missile systems (MANPADS), Carl Gustaf recoilless rifles, and of NLAW and AT4 portable anti-tank missile launchers and rocket systems. Hungary described as 'classified' the number of Carl Gustaf recoilless rifles it imported from Sweden<sup>28</sup> and of assault rifles it imported from the Czech Republic, with both transfers described as being for its defence forces. Hungary provided unit numbers for all other transfers. Since the Treaty allows States Parties to withhold some information for national security and/or commercial sensitivity reasons, Australia, Hungary and Sweden are assessed to have crossed the threshold for meaningfully transparent reporting, as they clearly indicated where such information was withheld.29



<sup>27</sup> The Arms Trade Treaty Secretariat (2021). 'Reporting Template'. 16 July 2021. https://www.thearmstradetreaty.org/hyper-images/file/Annual\_Reporting\_Template\_2021\_English.pdf?templateId=1513274.

<sup>28</sup> Hungary specified that the variant in question was the Carl Gustaf M4 recoilless rifle.

<sup>29</sup> Australia and Hungary did though fail to meet the threshold for other reasons.

#### TEXTBOX 2.1: AGGREGATION IN ARMS TRANSFERS

One of the most significant ways in which publicly available reports do not meet the minimum criteria for meaningful transparency is through the aggregation of data. When data is aggregated excessively, the quantity, type or destination/ origin of the weapons is obscured, and it becomes impossible to know what weapons were transferred to whom. In addition, aggregation makes it difficult or impossible to determine whether a State Party has abided by its Treaty commitments. Data aggregation was identified in nine of the publicly available 2020 reports (21 per cent).30 This is lower than for 2019 reports when aggregation was found in 13. This reduction between 2019 and 2020 is partly due to Italy having disaggregated all its data in its 2020 annual reports (of the others, the Dominican Republic and El Salvador did not submit a 2020 report while Monaco submitted a 'nil' report). Finland and Sweden included in their reports supplementary tables that aggregated data using different classification systems than the one used in the ATT reporting template. These tables provided additional transparency as Finland and Sweden also completed the relevant sections in the reporting template.

As is shown below, all of the aggregation in 2020 reports concerned transfers of small arms and light weapons.

One method used to aggregate data in the 2020 reports was to combine different weapons categories, which results in an obfuscation of the actual number of weapons transferred. For example, Austria reported the export to the United Kingdom of 106,084 items of 'Small Arms (aggregated) as well as Light Weapons (aggregated).' Australia reported the export of 'Aggregated Small Arms and Light Weapons', and Belgium reported the export of EUR 2,953,979 worth of 'Small Arms (aggregated)'.

A second method used to aggregate data was to combine exporters and importers. For example, Denmark reported the import of 6,961 rifles and carbines from 'Multiple exporting states', leaving the reader with no indication as to where they came from. In other cases, the exporters or importers may be mentioned individually while the volume of the category of arms transferred is combined, which prevents proper allocation of the number of arms to or from each destination. For example, Ireland reported the import of 185 revolvers and self-loading pistols from 'Germany,

Italy, Slovakia, United States, United Kingdom'; Jamaica reported the import of 8,331 revolvers and self-loading pistols from 'Canada, Czech Republic, Panama and United States'; and Latvia reported the import of EUR 896,718 worth of rifles and carbines from 'Austria, Belgium, Germany, Estonia, Lithuania, United States, Switzerland and United Kingdom'.

The picture, when it comes to disaggregation, is mixed over the 2015-20 period. The proportion of reports that disaggregated all weapon types by importer or exporter rose from 66 per cent of 2015 reports to 82 per cent of 2020 reports. However, the proportion of reports in which all transfers were disaggregated by weapon type and sub-category has fluctuated without an overall upward or downward trend.

TABLE 2.1 - PER CENT OF PUBLICLY AVAILABLE REPORTS (EXCLUDING 'NIL' AND EARLY SUBMISSIONS) THAT DISAGGREGATE DATA

	2015	2016	2017	2018	2019	2020
Disaggregated by importer or exporter	66	69	67	76	77	82
Disaggregated by weapon type	87	81	87	86	87	90

Every instance of data aggregation identified by the ATT Monitor in 2020 reports concerned transfers involving small arms and light weapons (SALW). Aggregation was identified in 218 transfers, representing 9 per cent of all reported transfers for 2020. Of these, 178 were exports (11.9 per cent of all exports reported for 2020) and 39 were imports (4.2 per cent of all imports). Overall, 46.8 per cent of aggregated transfers were in the 'Small Arms and Light Weapons (aggregated)' category, 36.7 per cent in the 'Small Arms (aggregated)' category and 4.6 per cent in the 'Light Weapons (aggregated)' category. The remaining instances of aggregation, representing 11.9 per cent of all aggregated transfers, occurred within weapon sub-categories, as illustrated by the examples above. These sub-categories were all small arms and include 'Revolvers and self-loading pistols', 'Rifles & carbines', 'Others (in small arms)' and 'Assault Rifles'.

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

Only 25 States Parties (24 per cent) required to submit a report for 2020 produced one that was on time, was publicly available and was meaningfully transparent.<sup>31</sup>

#### A HIGHER STANDARD OF TRANSPARENCY

The previous sections describe the minimum standard for compliance with the Treaty and the threshold for meaningfully transparent annual reports that support and contribute to its aims and objectives. However, States Parties are encouraged to provide more information that contributes to an even higher standard of transparency. This is supported by several of the Treaty's provisions. Article 5.3, for instance, encourages States Parties to apply the Treaty provisions, including on reporting, to the broadest range of conventional arms.<sup>32</sup> Here, States Parties could include information on a wider range of items in their reports than those set out in the eight weapons categories defined in Article 2.33 Reports could include information on, for example, ammunition, munitions and parts (including exports or imports of complete weapons that have been disassembled and are transferred as parts).34 The 'FAQ-type guidance document on annual reporting obligations' endorsed by the ATT Conference of States Parties<sup>35</sup> encourages States Parties to provide as much additional information as possible, even in the absence of a requirement to do so.

The ATT Monitor considers an annual report to include information that contributes to a higher standard of transparency if States Parties do at least one of the following:

- Include descriptions of reported transfers that provide details on the make, model and/or calibre of transferred conventional arms.
- Include comments on reported transfers that provide details on the nature of the transfer, including end-use/ end-user information.
- Include '0', 'nil', '/' or any other indication that no transfers were made in relevant weapons categories and subcategories.
- Clearly indicate whether commercially sensitive or national security information was withheld or not, and, if it was, what information was withheld.
- Include information reported in voluntary national categories that includes arms categories covered by Article 2.1 but not explicitly highlighted in the reporting templates (shotguns, etc.).<sup>36</sup>
- Include information reported in voluntary national categories that includes arms categories not covered by Article 2.1 (ammunition, parts and components, gaspowered firearms, etc.).
- Include any other kind of additional information, including national reports and detailed tables.
- Include national definitions of reported categories of conventional arms.



STATES PARTIES ARE ENCOURAGED TO PROVIDE MORE INFORMATION THAT CONTRIBUTES TO AN EVEN HIGHER STANDARD OF TRANSPARENCY. THIS IS SUPPORTED BY SEVERAL OF THE TREATY'S PROVISIONS.

- 31 Three of the 28 reports that were assessed as being meaningfully transparent, however, also submitted their annual reports late (Chile, Luxembourg and Monaco).
- 32 Arms Trade Treaty, Article 5.3 (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.
- 33 WGTR (2019). Ibid, p. 13.
- 34 Ibid.
- 35 Ibid.
- 36 Though Article 5.3 states that 'Each State Party is encouraged to apply the provisions of this Treaty to the broadest range of conventional arms', the ATT reporting template does not include some weapons that are covered by the Treaty (for example, shotguns are not mentioned explicitly). The template has sub-categories for 'other' small arms and/or light weapons, and a section for 'Voluntary National Categories' of weapons, both of which allow a State Party to report on a wider range of arms exports or imports. States Parties can also use their own national reporting format.

#### **DESCRIPTIONS AND COMMENTS**

The ATT reporting template used by the great majority of States Parties provides space for the reporting of broad categories of weapons (for example 'Battle Tanks' or 'Warships'). It also includes a column in which States Parties can add a more detailed description that provides much more information on exactly what was supplied. Eight States Parties included descriptions for all the transfers they reported,<sup>37</sup> and a further 20 included descriptions for some transfers.<sup>38</sup> Thus, 67 per cent of publicly available 2020 reports contained descriptions of some or all transfers. Seventeen States Parties have a consistent record of including descriptions of at least some of their transfers in every report that they were required to submit.<sup>39</sup>

The ATT reporting template also includes a column for States Parties to provide comments on the context of a transfer. For example, in its 2020 report, Hungary stated that imports of 200 portable anti-tank guns described as being 'RPG-75 launching tubes' that were 'for deactivation, collections & exhibitions'. Five 2020 annual reports included a comment on every transfer,40 and a further 19 included comments on some transfers.41 Thus, 57 per cent of reports contained comments for some or all transfers. Nine States Parties have a consistent record of having included comments on at least some of their transfers in every report they were required to submit.42

#### **BLANK SPACES**

Definitively stating that there were no transfers of a particular type of weapon provides more transparency than leaving a blank space in sections of a report. Article 13.3 of the Treaty allows a State Party to 'exclude commercially sensitive or national security information' from its reports.<sup>43</sup> Thus, if parts of a report are left blank it is impossible to tell whether there were no transfers or whether information has been withheld. Fourteen 2020 reports indicated that no transfers of specific weapon types had been reported by using symbols like '0', '/' or '-'.<sup>44</sup> Nine States have made such definitive statements in every report they were required to submit.<sup>45</sup>

#### WITHHOLDING INFORMATION

The ATT reporting template includes an option to tick a box to indicate whether or not information has been withheld for commercial or national security reasons. Thirty-two States Parties checked "yes" or "no" to indicate whether or not information was withheld in their 2020 reports (76 per cent of all publicly available reports). Fight States Parties provided no indication. Twenty-three States Parties indicated whether or not information was withheld in every report they were required to submit.

<sup>37</sup> Chile, Finland, France, Mexico, Montenegro, Peru, Republic of Korea and Slovenia.

<sup>38</sup> Argentina, Australia, Belgium, Bosnia and Herzegovina, Canada, Croatia, Denmark, Estonia, Hungary, Ireland, Japan, Latvia, Liechtenstein, Netherlands, Poland, Romania, Serbia, Slovakia, Sweden and United Kingdom.

<sup>39</sup> Bosnia and Herzegovina, Canada, Chile, Denmark, France, Hungary, Liechtenstein, Mexico, Netherlands, Peru, Poland, Romania, Serbia, Slovakia, Slovenia, Sweden and United Kingdom.

<sup>40</sup> Chile, Hungary, Liechtenstein, Mexico and Peru.

<sup>41</sup> Argentina, Australia, Belgium, Bosnia and Herzegovina, Canada, Czech Republic, Denmark, Estonia, France,

Germany, Ireland, Montenegro, Netherlands, Norway, Romania, Slovakia, Slovenia, Switzerland and United Kingdom.

<sup>42</sup> Canada, Germany, Hungary, Ireland, Liechtenstein, Romania, Slovenia, Switzerland and United Kingdom.

<sup>43</sup> Arms Trade Treaty, Article 13.3 (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

<sup>44</sup> Bosnia and Herzegovina, Denmark, Estonia, France, Ireland, Italy, Japan, Montenegro, New Zealand, Republic of Korea, Romania, Slovakia, Slovenia and Sweden.

<sup>45</sup> Estonia, France, Ireland, Japan, New Zealand, Republic of Korea, Slovakia, Slovenia and Sweden.

<sup>46</sup> Argentina, Belgium, Bosnia and Herzegovina, Canada, Chile, Croatia, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Ireland, Italy, Jamaica, Japan, Latvia, Liechtenstein, Luxembourg, Mexico, Montenegro, New Zealand, Norway, Peru, Portugal, Republic of Korea, Romania, Serbia, Slovakia, Slovenia, Sweden and Switzerland.

<sup>47</sup> Australia, Austria, France, Netherlands, Palau, Poland, Spain and United Kingdom.

<sup>48</sup> Belgium, Bosnia and Herzegovina, Canada, Chile, Croatia, Czech Republic, Denmark, Finland, Germany, Hungary, Italy, Jamaica, Japan, Latvia, Liechtenstein, New Zealand, Norway, Peru, Portugal, Republic of Korea, Romania, Serbia and Sweden.



# VOLUNTARY NATIONAL CATEGORIES AND ADDITIONAL INFORMATION

Some States Parties include in their annual reports information covering a wider range of conventional arms than specified in the ATT reporting template. This information is provided under the 'other' sub-categories for both small arms and light weapons, in a section for 'Voluntary National Categories' of weapons, or in additional supplementary tables of data.

- Eleven States Parties included data on arms that are covered within the scope of Article 3 of the Treaty but are not explicitly specified in the reporting template.<sup>49</sup> For example, Jamaica, Mexico and New Zealand reported transfers of shotguns and Finland and Montenegro reported transfers of grenade launchers.
- Seven States Parties reported upon a wider range of military equipment.<sup>50</sup> For example, Norway provided information on its transfers of ammunition.
- Four States Parties (Australia, Finland, Japan and Sweden)
  provided supplementary tables containing additional data
  that employed a different weapons classification system
  than the one in the reporting template.
- Two States Parties (Poland and Serbia) reported transfers of weapons described as being 'other', but provided no additional information on what they were.

States Parties have the opportunity in the reporting template to provide details on weapons categories used in reporting that differ from those used in the template. New Zealand and Sweden utilized this section of the reporting template for their 2020 report.

#### MOST TRANSPARENT REPORTS

No State Party submitting a 2020 annual report used all the transparency mechanisms outlined in this chapter. 16 States Parties complied with Article 13.3 reporting obligations, provided information that goes beyond the minimum information needed to contribute to the aims and objectives of the ATT in Article 1, and provided information that supports a higher standard of transparency. 51 Of these, three States Parties (Mexico, Montenegro and Peru) provided the most information that supports a higher standard of transparency. All three fully disaggregated the data for each transfer by weapon type, importer and exporter, number of units and actual or authorized transfers. Mexico and Peru included comments for all transfers, while Montenegro included comments on most.

The three reports provided descriptions for all listed transfers. In addition, Montenegro indicated when no transfer had taken place for a particular weapon category.

#### CONCLUSION

The analysis of the 2020 annual reports shows that more can be done to improve transparency in the global arms trade. Positively there is a group of 25 States Parties that complied with Article 13.3 reporting requirements and fulfilled the transparency aims and objectives of the Treaty by submitting a public report and providing information that is disaggregated by weapon type and by importer/ exporter; indicating whether transfers were authorized or actual (or both) and providing the number of units or financial value (or both) for each weapon type. In addition, as this chapter shows, there is a group of States Parties that have consistently included descriptions and comments for some or all their arms transfers, contributing in this way to a higher standard of transparency.

However, there is also a declining proportion of States Parties that have not submitted an annual report at all or that chose to make them confidential. Forty-four States Parties that were required to submit a 2020 report did not do so and 18 others opted to make their annual reports private. This is a concerning picture as annual reports are the most important means by which States Parties can build confidence that their arms-trade practices are consistent with all the obligations contained in the ATT. In order for annual reports to fulfil this role, their data must be comprehensive, detailed and publicly available.

Previous editions of the ATT Monitor have identified three possible barriers to States Parties submitting comprehensive and publicly available annual reports that support the object and purpose of the Treaty: capacity, national systems and political will.<sup>52</sup> Priorities for international cooperation and assistance should be to encourage States Parties to meet their reporting obligations as well as to help those that lack capacity to build national systems needed to collect data on their arms transfers.

<sup>49</sup> Finland, Jamaica, Japan, Mexico, Montenegro, New Zealand, Peru, Poland, Serbia, Slovakia and Sweden.

<sup>50</sup> Denmark, Finland, Ireland, Japan, Mexico, Norway and Sweden.

<sup>51</sup> Estonia, France, Italy, Liechtenstein, Mexico, Montenegro, New Zealand, Peru, Republic of Korea, Romania, Serbia, Slovakia, Slovenia and Sweden. Though it fulfils the criteria, Poland is not included as it provided information on some transfers (under the category 'others' in small arms and light weapons) without specifying exactly what weapons were included in the stated transfers.

<sup>52</sup> Control Arms Secretariat (2021). Ibid, p. 73.



# 2.2 - COUNTRY PROFILES

This section examines the annual reports submitted by States Parties to the ATT Secretariat covering their exports and imports of conventional arms in 2020. It presents analysis of the reporting and transfer practices of each reporting State Party in the form of country profiles. By disaggregating its analysis by country, the ATT Monitor intends to provide easily comparable and nationally relevant findings to help inform future practice.

One hundred and five States Parties were due to submit an annual report for 2020 to the ATT Secretariat within one week of 31 May 2021. As of 1 February 2022, 60 had done so, of which 42 made theirs publicly available. These reports form the basis of the analysis presented here.

Annual reports are one of the key tools for transparency at the disposal of States Parties. They help to build confidence between countries, and enable States Parties to demonstrate that their arms trade policies are consistent with their obligations in the ATT. In order for annual reports to fulfil this pivotal role, it is necessary that States Parties complete them in a comprehensive, accurate and public manner.

The ATT Monitor continuously builds on the findings of assessments of each round of annual reporting. The analysis here seeks to supplement and build on the baseline analysis completed by the ATT Monitor in previous reports, which includes an assessment of reporting, examples of good national practices, and interpretive and practical challenges that are common among States Parties.



EACH PROFILE TAKES STOCK OF STATES PARTIES' COMPLIANCE WITH ARTICLE 13.3 REPORTING OBLIGATIONS FOR EACH YEAR A REPORT WAS DUE AND INDICATES WHETHER REPORTS WERE MADE PUBLICLY AVAILABLE.

#### **METHODOLOGY**

All annual reports were downloaded for analysis by 1 February 2022. Reports received by the ATT Secretariat after this date or later amended by a State Party have not been taken into consideration. The ATT Monitor establishes 1 February as the cut-off date for annual reports to be included in its report each year to ensure adequate time for in-depth analysis.

Each profile takes stock of States Parties' compliance with Article 13.3 reporting obligations for each year a report was due and indicates whether reports were made publicly available.

Where applicable, States Parties' reports for 2020 were compared to those for 2019 so as to consider the extent to which national reporting changed following last year's round of annual reporting under the ATT and to assess if the common challenges identified had changed. Reporting practices were assessed for each State Party according to key criteria identified in previous ATT Monitor reports. These criteria are:

- Submitting a report as per each State Party's legal obligation under Article 13.3
- Compliance with the Article 13.3 on-time reporting obligation (within one week of the 31 May 2021 reporting deadline)
- Making a report publicly available (including withholding data for reasons of commercial sensitivity or national security and indicating where or what information was withheld)
- Providing data on both imports and exports, or by submitting 'nil' reports
- Providing data that is clearly disaggregated by weapon type, importer and/or exporter, and number of items and/or financial value, and that specifies whether transfers are actual or authorized.<sup>2</sup>
- Providing information that goes beyond the minimum requirements specified in Article 13.3 (for example, reporting on exports/imports of ammunition, national categories, etc.)

<sup>1</sup> States Parties are granted by the ATT Secretariat a seven-day grace period beyond the deadline set out in Article 13 to submit their annual reports, creating a de facto deadline of 7 June each year.

<sup>2</sup> In order to be classified here as having provided clear, disaggregated data for each reported export and import, a State Party must clarify if it was reporting an authorized or actual import or export (or both), provide a number or value for each item and clearly name the final exporting/importing country.

Overall, each State Party is considered based on the extent to which its annual report contributes to or undermines the objective of increased transparency in the global arms trade. The analysis is not intended to highlight technical errors or as a 'name and shame' exercise, but to present comparable information that is country-specific in order to inform policymakers and civil society in each State Party, and to help support and build knowledge and capacity among officials responsible for completing ATT annual reports.

The ATT Monitor considers reports to be on time if they are received by the ATT Secretariat within one week of the 31 May reporting deadline.<sup>3</sup> Dates of submission provided by States Parties in their annual reports and the dates on which they were received by the ATT Secretariat were sometimes different. The reason for the gaps between the stated and actual dates of submission is unclear. In such instances, the ATT Monitor uses the ATT Secretariat's date of receipt of annual reports as its basis for making determinations concerning on-time reporting.

The ATT Secretariat and the ATT Working Group on Transparency and Reporting work diligently each year to make improvements to the ways in which States Parties submit annual reports, including through the recent amendments to reporting templates and the introduction of the online reporting tool in 2018. The analysis notes how States Parties chose to submit their reports as well as any discrepancies between information provided using the ATT online tool and the ATT reporting template (in the case that States Parties submitted using both methods). It should also be noted that, under the ATT, States Parties can submit the same report they provide to the UN Register of Conventional Arms (UNROCA) as their ATT annual report. However, there are key differences between these reports. For example, the UNROCA template does not allow countries to specify whether

they are withholding data for commercial or national security-related reasons, whereas the ATT online tool and reporting template do. Therefore, in the ensuing analysis the ATT Monitor considers this confidentiality criterion as 'Unspecified' for countries that submit UNROCA reports.

Where States Parties included values of transfers in their reports, transfer summaries include a monetary value of their imports or exports. All values have been converted to US dollars using the OECD data annual conversion rate for each currency for the 2020 calendar year, unless otherwise indicated. In some cases, the type of currency used by States Parties to report values was not specified. Each case is noted in relevant profiles.

In some instances, States Parties used country codes to indicate final exporting and importing countries. The ATT Monitor determined which countries such codes referenced using online sources, such as the United Nations country code list, though it did not verify with each State Party whether or not such determinations are accurate.

In addition to assessing reporting practices, each country profile includes key baseline data relating to the exports and imports described by States Parties in their annual reports. This data includes:

- Total number of export/import partners and their Treaty status (as of 1 February 2022)<sup>4</sup>
- The number and categories of major conventional weapon items reported, if available<sup>5</sup>
- The number and sub-categories of small arms and light weapons (SALW) reported<sup>6</sup>
- The principal trade relationships reported by the State Party<sup>7</sup>

- 3 A complete list of States Parties that submitted timely 2020 annual reports can be found in the ATT Monitor's preliminary analysis in the ATT Monitor Report 2021. See Control Arms Secretariat (2021). 'ATT Monitor Report 2021'. New York. 30 August 2021, https://attmonitor.org/wp-content/uploads/2021/08/EN\_ATT\_Monitor-Report-2021\_Online.pdf, p. 189.
- 4 Where applicable, analysis includes the names of non-ATT members and non-UN members to make clear trade relationships that extend beyond the ATT.
- 5 Categories of major conventional weapons include: battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, and missiles and missile launchers.
- 6 Sub-categories of small arms include: revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles, light machine guns and others. Sub-categories of light weapons include: heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-tank guns, recoilless rifles, portable anti-tank missile launchers and rocket systems, mortars of calibres less than 75mm and others.
- 7 Principal trade relationships are determined by totalling either the number or value of transferred items reported by each State Party, depending on which is used in each report. Where States Parties provided both a number and value for transferred items, the ATT Monitor makes clear which was used in determining principle trade relationships.

Each profile also takes stock of States Parties' reporting practice over the last five years by indicating whether an ATT annual report was submitted ( ) or not submitted ( ) for reporting years in which reports were due (only years in which reports were due to be submitted are listed in each profile). Annual reports submitted before a State Party's first report was due are noted as well (\*). Each profile also indicates whether reports were made publicly available ( ) or kept private ( ) for each year a report was submitted.

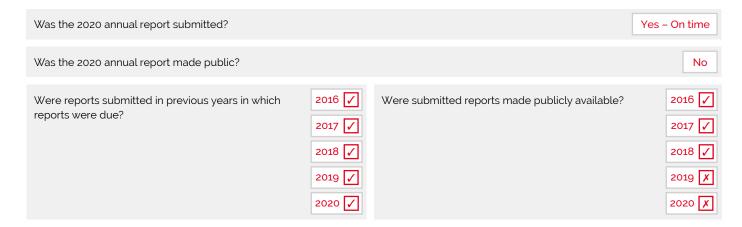
This section looks solely at transfer data as reported by each State Party in its ATT annual report. It does not compare the data with other relevant reporting mechanisms or findings by independent experts, media sources, national reports to parliamentary authorities, or think tanks such as the Arms Transfers Database of the Stockholm International Peace Research Institute.8 Integrating information from such external sources would likely paint a different picture of the global arms trade, particularly with respect to the volume of transfers between countries. In order for the analysis conducted by the ATT Monitor and others to be as accurate as possible, it is critical that States Parties submit clear and comprehensive annual reports and that they consider the fulfilment of their reporting obligations as an opportunity to support the ATT's goal of greater transparency in the global arms trade. States Parties or other ATT stakeholders are encouraged to reach out to the ATT Monitor to help clarify any information presented in the profiles below.



...IT IS CRITICAL THAT STATES PARTIES SUBMIT CLEAR AND COMPREHENSIVE ANNUAL REPORTS AND THAT THEY CONSIDER THE FULFILMENT OF THEIR REPORTING OBLIGATIONS AS AN OPPORTUNITY TO SUPPORT THE ATT'S GOAL OF GREATER TRANSPARENCY IN THE GLOBAL ARMS TRADE.

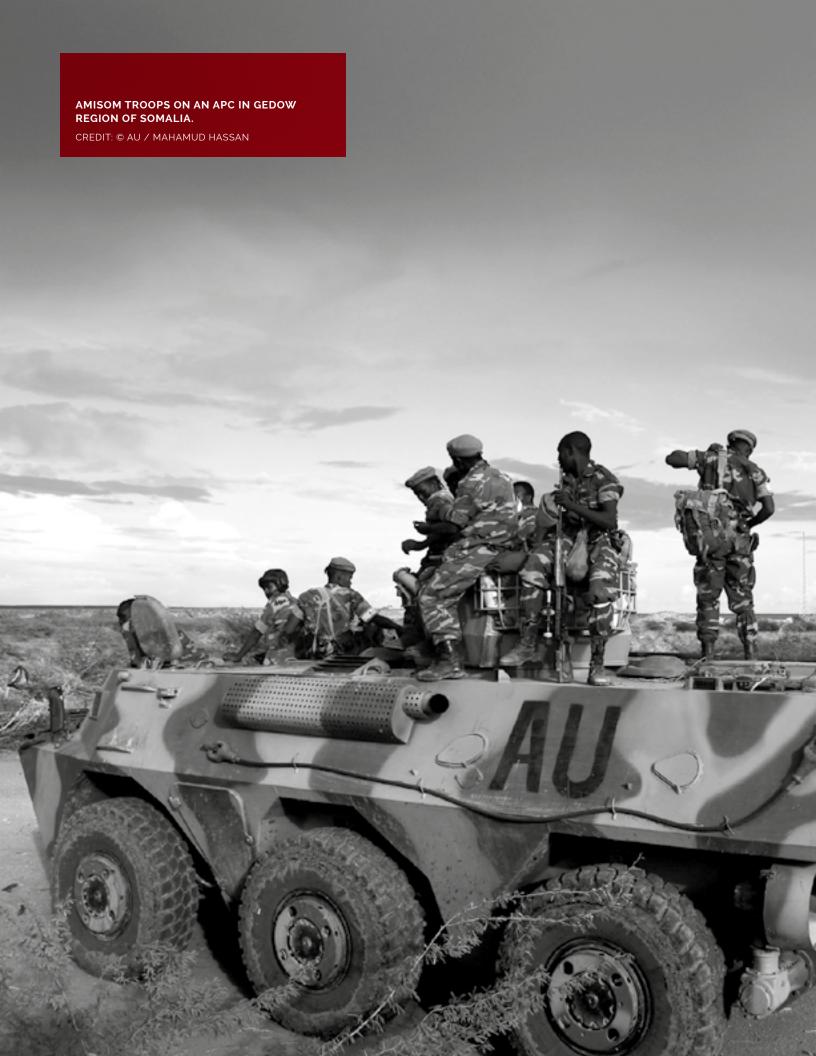


# **ALBANIA**



# **ANTIGUA AND BARBUDA**





# **ARGENTINA**

Was the 2020 annual report submitted?			Yes – On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	Yes
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



# **REPORTING PRACTICE SUMMARY - 2020**

Argentina's reporting changed slightly in its 2020 annual report. It started using the online reporting template as opposed to the standard reporting template it used for its 2019 report.

Argentina continued to report **Actual Numbers** of small arms exports. It did not report major conventional weapons or light weapons exports.

Argentina reported **Actual Numbers** of major conventional weapons imports unlike in its 2019 report, which did not specify whether transfers were actual or authorized. It also reported **Actual Numbers** of all SALW imports.



#### **GOOD PRACTICES**

Argentina provided descriptions of all of its small arms exports, and provided descriptions and comments on the nature of all of its major conventional weapons imports and for some of its small arms imports.

Argentina provided disaggregated numbers for its small arms exports and imports, both by weapon type and by importing and exporting state, unlike in its 2019 report.



# **ROOM FOR IMPROVEMENT**

Argentina did not provide descriptions of imports reported under the rifles and carbines and small arms 'others' sub-categories.

Argentina excluded some data for 'commercial sensitivity/ national security-related' reasons but did not specify where or how much information was withheld.

Argentina could provide comments describing the nature of more of its reported imports.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Argentina reported exports to five countries. Of these, four were ATT States Parties and one was a Signatory.
- Argentina did not report exports of major conventional weapons.
- Argentina reported the export of 30,740 small arms items, all of which were described as semi-automatic pistols.
- In terms of numbers, the main importers of small arms from Argentina were the United States (94.4 per cent), Brazil (1.9 per cent) and Chile (1.6 per cent).



# TRANSFER SUMMARY - 2020: IMPORT DATA

- Argentina reported imports from 13 countries. Of these, ten were ATT States Parties and three were Signatories.
- Argentina reported the import of two major conventional weapons items: one manned attack helicopter from Italy and one warship from France.
- Argentina reported the import of 9,076 SALW items, covering six sub-categories. Of these, the majority were revolvers and self-loading pistols (56.2 per cent), rifles and carbines (27.4 per cent) and 'others' (small arms) (11.6 per cent).
- In terms of numbers, the main exporters of small arms to Argentina were Brazil (27.3 per cent), the United States (22.9 per cent) and Austria (21.1 per cent).

# **AUSTRALIA**

Was the 2020 annual report submitted?			Yes - Mi	ssed deadline
Was the 2020 annual report made public?				Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	Unspecified -	Not indicated
What type of report was submitted?			ATT repor	rting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publ	icly available?	2016



#### **REPORTING PRACTICE SUMMARY - 2020**

Australia's reporting changed in its 2020 annual report. It utilized the ATT reporting template and did not submit an UNROCA report as it did for its 2019 report.

Australia continued to report **Authorized Numbers** and **Values** of major conventional weapons and SALW exports. Unlike in its 2019 report, it also reported values of major conventional weapons exports.

Australia reported **Numbers** of major conventional weapons and small arms imports, though it did not specify whether they were actual or authorized.

Australia continued to provide aggregated numbers of SALW exports, as it did in its 2019 report. It did provide disaggregated information on small arms imports, after not doing so in its 2019 report. Information was disaggregated by exporting state and number of items.



# **GOOD PRACTICES**

Australia provided descriptions and comments for all imports of major conventional weapons and provided descriptions for all imports of SALW.

Australia provided the number of authorizations (permits granted) as well as the number of items included in its exports of SALW. It supplied this in a table added to the reporting template.

Australia specified in some places where information was withheld for 'commercial sensitivity/national security-related' reasons.



#### **ROOM FOR IMPROVEMENT**

Australia continued to provide aggregated numbers and values of exports of SALW, making it impossible to determine weapons sub-categories.

Australia could provide more descriptions and comments on the nature of exports of conventional arms and SALW.

Australia indicated that some information was withheld for specific transfers, but failed to tick the box indicating this was the case on the front page of its report.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Australia reported exports to 23 countries and territories. Of these, ten were States Parties, four were Signatories and five were non-members (India, Indonesia, Pakistan, Papua New Guinea and Sri Lanka).9
- Australia reported the export of 84 major conventional weapons items, worth AU\$659m (US\$454m),<sup>10</sup> covering four categories. In terms of value, the majority of these were armoured combat vehicles (88.7 per cent), manned combat aircraft (7.8 per cent) and missiles and missile launchers (missiles etc.) (3.4 per cent).
- In terms of value, the main importers of major conventional weapons from Australia were New Zealand (87.9 per cent), the United States (7.7 per cent) and Chile (3.3 per cent).
- Australia reported the export of 1,764 SALW items from 149 authorizations granted, with a total value of AU\$4.5m (US\$3.1m). Australia did not disaggregate data by weapons sub-category and only provided a total value for these exports.
- In terms of numbers, the main importers of small arms from Australia were New Zealand (22.4 per cent), Canada (18.8 per cent) and People's Republic of China (15.3 per cent).



#### TRANSFER SUMMARY - 2020: IMPORT DATA

- Australia reported imports from four countries. Of these, three were ATT States Parties and one was a Signatory.
- Australia reported the import of 148 major conventional weapons items, covering four categories.<sup>11</sup> Of these, the majority were large-calibre artillery systems (85.1 per cent), manned combat aircraft (8.1 per cent) and armoured combat vehicles (6.8 per cent).
- In terms of numbers, the main exporters of major conventional weapons to Australia were the United States (93.2 per cent) and Germany (6.8 per cent).
- Australia reported the import of 1,620 SALW items, covering five sub-categories. Of these, the majority were revolvers and self-loading pistols (71.1 per cent), rifles and carbines (25.3 per cent) and portable anti-tank guns (2.7 per cent).
- In terms of numbers, the main exporters of SALW to Australia were Germany (71.1 per cent), the United States (26.1 per cent) and Sweden (2.7 per cent).

<sup>9</sup> Australia also reported arms exports to four non-UN members (Christmas Islands, New Caledonia, Norfolk Island and Taiwan).

<sup>10</sup> Currency conversion via OECD Data, reflecting 2020 annual conversion rate. https://data.oecd.org/conversion/exchange-rates.htm.

<sup>11</sup> Australia also reported imports of missiles, etc., from the United States, but withheld the number of items; therefore, the actual number is likely higher.

# **AUSTRIA**

Was the 2020 annual report submitted?			Yes - Mis	ssed deadline
Was the 2020 annual report made public?				Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	Unspecified -	Not indicated
What type of report was submitted?			ATT repor	ting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publ	icly available?	2016



# **REPORTING PRACTICE SUMMARY - 2020**

Austria's reporting changed in its 2020 annual report.

Austria reported **Actual Numbers** of SALW exports, but it did not report values as it did in its 2019 report. It did not report any exports of major conventional weapons.

Austria did not report imports in its 2020 report.



# **GOOD PRACTICES**

Austria reported the number of its exports of SALW in its 2020 report.



# **ROOM FOR IMPROVEMENT**

Austria did not include the front page of the ATT reporting template with its 2020 report. It is therefore unclear why it has not reported on imports or if any information has been withheld for 'commercial sensitivity/national security-related' reasons.

Austria aggregated all transfers by importing state in its 2020 report, making it impossible to determine weapon sub-categories.

Austria did not include values for any of its exports in 2020 as it did in its 2019 report.



# TRANSFER SUMMARY - 2020: EXPORT DATA

- Austria reported exports to 86 countries and territories.
   Of these, 53 were ATT States Parties, 11 were Signatories and 16 were non-members (Bolivia, Brunei, Ecuador, India, Indonesia, Jordan, Kenya, Kuwait, Kyrgyzstan, Oman, Qatar, Russia, Saudi Arabia, Timor-Leste, Tunisia and Uganda).<sup>12</sup>
- Austria did not report exports of major conventional weapons.
- Austria reported the export of 4,630,633 SALW items.
   Austria aggregated data such that it is impossible to determine the relevant sub-categories of SALW exports.
- In terms of numbers, the main importers of SALW from Austria were the United States (79 per cent), Brazil, (7.2 per cent) and South Africa (2.9 per cent).



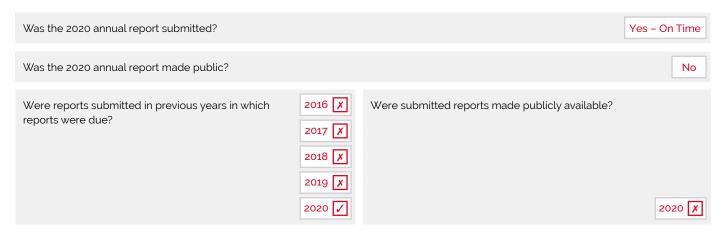
# TRANSFER SUMMARY - 2020: IMPORT DATA

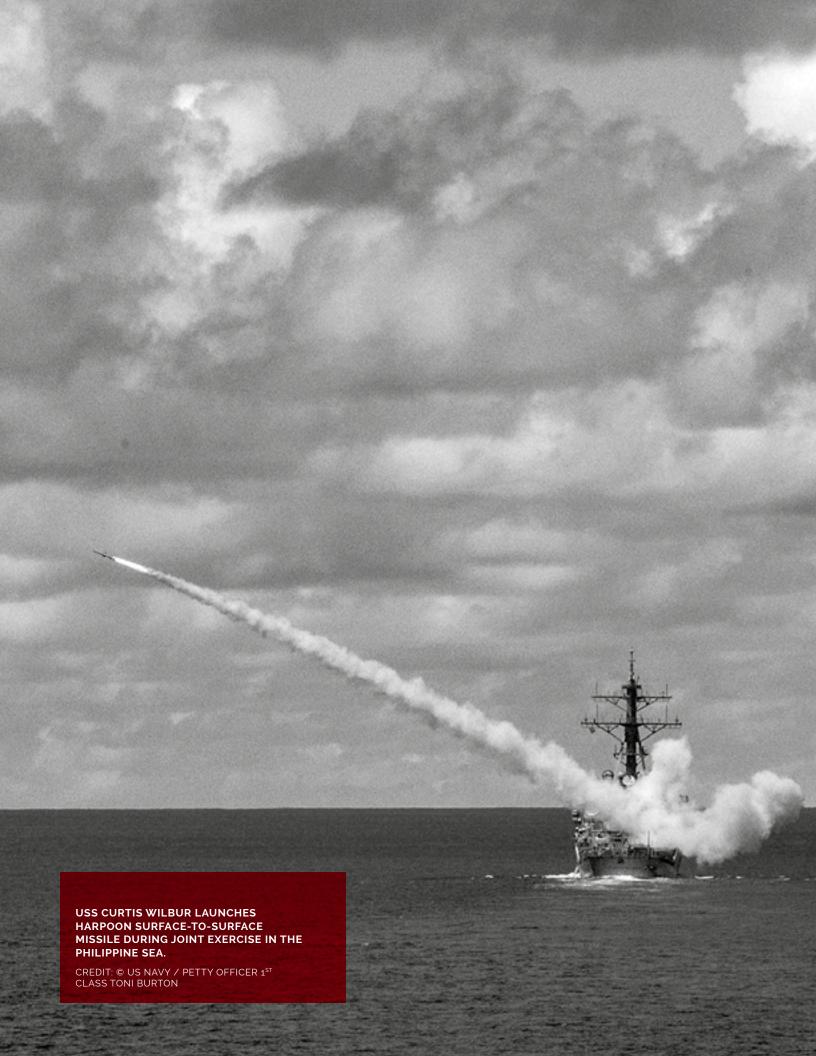
Austria did not report imports in its 2020 annual report.

# **BAHAMAS**



# **BARBADOS**





# **BELGIUM**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT on	line reporting tool
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available	2016



# **REPORTING PRACTICE SUMMARY - 2020**

Belgium's reporting changed slightly in its 2020 annual report. It used the standard reporting template as opposed to the online reporting template it used for its 2019 report.

Belgium reported **Authorized Numbers** of exports of major conventional weapons, after not reporting any such exports in its 2019 report. It reported **Authorized Values** of small arms exports, aggregated by importing countries. It continued not to report exports of light weapons.

Belgium did not report any imports of major conventional weapons. It reported **Authorized Values** of small arms imports aggregated by the exporting country, except for one instance where it reported an **Actual** transfer from Italy without a value. It continued to report **Actual Numbers** of light weapons imports.

ATT MONITOR 2022 2.2 – COUNTRY PROFILES 67



# **GOOD PRACTICES**

Belgium reported exports of major conventional weapons disaggregated by weapon sub-category and importer.



# **ROOM FOR IMPROVEMENT**

Belgium reported aggregated values of small arms exports and imports, making it impossible to determine the value of the relevant sub-categories of small arms reported.



# TRANSFER SUMMARY - 2020: EXPORT DATA

- Belgium reported exports to 54 countries and territories. Of these, 36 were ATT States Parties, seven were Signatories and ten were non-members (Algeria, Bhutan, Brunei, India, Indonesia, Kuwait, Morocco, Oman, Qatar and Tunisia).<sup>13</sup>
- Belgium reported the export of 50 major conventional weapons items, covering two categories. These were missiles (98 per cent) and battle tanks (2 per cent).
- In terms of numbers, the main importers of major conventional weapons from Belgium were Italy (94 per cent), Indonesia (4 per cent) and the United Kingdom (2 per cent).
- Belgium reported aggregated values of small arms exports with a total value of €189,4m (US\$216.2m).<sup>14</sup>
- In terms of value, the main importers of small arms items from Belgium were the United States (32.2 per cent), Portugal (13.8 per cent) and the United Kingdom (13.4 per cent).



# TRANSFER SUMMARY - 2020: IMPORT DATA

- Belgium reported imports from 26 countries. Of these, 21 were ATT States Parties, three were Signatories and two were non-members (India and Russia).
- Belgium did not report imports of major conventional weapons.
- Belgium reported imports of small arms items aggregated by exporting state with a total value of €31.3m (US\$35.7m).<sup>15</sup>
- Belgium reported the import of 1,602 light weapons items, all of which were from Norway, described as light anti-tank rocket launchers.
- In terms of value, the main exporters of small arms to Belgium were the United States (31.8 per cent), Japan (27 per cent) and Germany (12.1 per cent).

<sup>13</sup> Belgium also reported arms exports to one non-UN member (Taiwan).

<sup>14</sup> Currency conversion via OECD Data, reflecting 2020 annual conversion rate. https://data.oecd.org/conversion/exchange-rates.htm.

# **BELIZE**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

2016 X

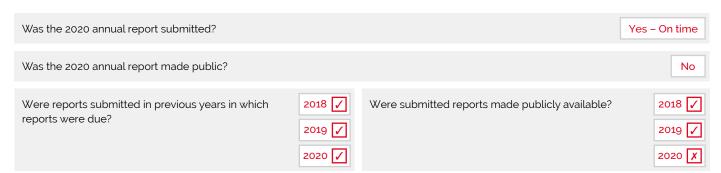
2017 X

2018 X

2019 X

2019 X

# **BENIN**





# **BOSNIA AND HERZEGOVINA**

Was the 2020 annual report submitted?			Yes – On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



# **REPORTING PRACTICE SUMMARY - 2020**

Bosnia and Herzegovina's reporting changed slightly in its 2020 annual report.

Bosnia and Herzegovina continued to provide **Numbers** and **Values** for exports and imports of major conventional weapons and SALW items. It continued not to specify whether transfers were authorized or actual.

Bosnia and Herzegovina indicated that it did not exclude any data for 'commercial sensitivity/national security-related' reasons, after indicating in its 2019 report that some information had been withheld.

Bosnia and Herzegovina provided its own definitions of the term 'export' indicating it covers 'transfers of goods, technologies and services of strategic importance outside of the customs territory of Bosnia and Herzegovina'. ATT MONITOR 2022 2.2 - COUNTRY PROFILES 71



#### **GOOD PRACTICES**

Bosnia and Herzegovina provided both numbers and values of all reported exports and imports.

Bosnia and Herzegovina provided disaggregated information on SALW imports and exports, both in terms of numbers and values of items.

Bosnia and Herzegovina provided descriptions of all items exported and imported, except for one export. Comments on the nature of its transfers were provided in certain instances.



# ROOM FOR IMPROVEMENT

Bosnia and Herzegovina did not specify whether it reported authorized or actual exports or imports, though this may be inferred to some degree by the definitions of the terms 'exports' and 'imports' it provided.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Bosnia and Herzegovina reported exports to 11 countries. Of these, seven were ATT States Parties, two were Signatories and two were non-members (Egypt and Uganda).
- Bosnia and Herzegovina reported the export of 36 major conventional weapons items with a total value of €1.6m (US\$1.8m),<sup>16</sup> all of which were large-calibre artillery systems. Of these, 35 were exported to Slovakia and one to the United Arab Emirates.
- Bosnia and Herzegovina reported the export of 4,119 SALW items, covering five sub-categories, with a total value of €2.2m (US\$2.5m).<sup>17</sup> In terms of value, the majority of these were recoilless rifles (36.6 per cent), rifles and carbines (31.1 per cent) and hand-held under-barrel and mounted grenade launchers (16.2 per cent).
- In terms of value, the main importers of SALW from Bosnia and Herzegovina were Uganda (36.6 per cent), Austria (30.1 per cent) and Slovakia (24.7 per cent).



# TRANSFER SUMMARY - 2020: IMPORT DATA

- Bosnia and Herzegovina reported imports from 14 countries. Of these, 13 were ATT States Parties and one was a Signatory.
- Bosnia and Herzegovina did not report any imports of major conventional weapons.
- Bosnia and Herzegovina reported the import of 3,450 SALW items, covering six sub-categories. These reported imports were worth €1.6m (US\$1.8m).<sup>18</sup> In terms of value, the majority were revolvers and self-loading pistols (87.3 per cent), rifles and carbines (5.4 per cent) and assault rifles (2.4 per cent).
- In terms of value, the main exporters of SALW to Bosnia and Herzegovina were Slovakia (42.5 per cent), the Czech Republic (19.3 per cent) and Croatia (6.6 per cent).

<sup>16</sup> Currency conversion via OECD Data, reflecting 2020 annual conversion rate. https://data.oecd.org/conversion/exchange-rates.htm.

<sup>17</sup> Ibid.

# **BOTSWANA**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

Were submitted reports made publicly available?

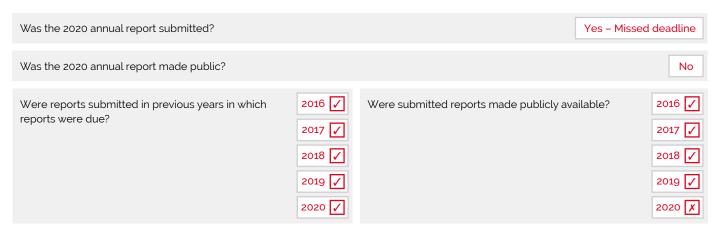
# **BRAZIL**

Was the 2020 annual report submitted?

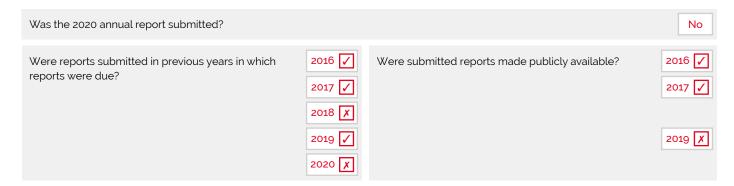
Were reports submitted in previous years in which reports were due?

Vere submitted reports made publicly available?

# **BULGARIA**



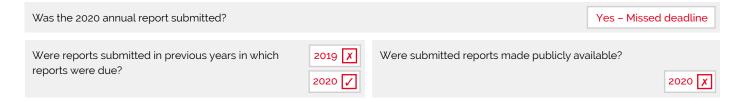
## **BURKINA FASO**



## **CABO VERDE**

Was the 2020 annual report submitted?			No
Were reports submitted in previous years in which reports were due?	2017 X 2018 X 2019 X 2020 X	Were submitted reports made publicly available?	

# **CAMEROON**



## **CANADA**

Was the 2020 annual report submitted?		Yes – On time
Was the 2020 annual report made public?		Yes
Was data withheld for 'commercial sensitivity/national secu	rity-related' reasons?	No
What type of report was submitted?		National reporting template
Were reports submitted in previous years in which reports were due?	Were submitted reports made publicly	v available?



### **REPORTING PRACTICE SUMMARY - 2020**

This was Canada's first ATT annual report.

Canada reported **Actual Numbers** of exports and imports of major conventional weapons and SALW.

Canada reported clear, disaggregated data for each reported import and export.

Canada provided descriptions or comments on the nature of all of its SALW exports and imports as well as for some of its imports and exports of major conventional weapons.



## **ROOM FOR IMPROVEMENT**

Canada could provide comments or descriptions on the nature of all its export and imports of major conventional weapons.

75

Canada could indicate clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.

Canada did not specify whether reported exports of combat aircraft were manned or unmanned, per UN Registry Definitions of Categories as outlined in Article 2 of the ATT.<sup>19</sup>



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Canada reported exports to seven countries. Of these, three were ATT States Parties, three were Signatories and one was a non-member (Saudi Arabia).
- Canada reported the export of 141 major conventional weapons items, covering four categories. Of these, the majority were armoured combat vehicles (65.3 per cent), missiles and missile launchers (missiles etc.) (31.2 per cent) and large-calibre artillery systems (2.8 per cent).
- In terms of numbers, the main importers of major conventional weapons from Canada were Saudi Arabia (58.9 per cent), the United States (38.3 per cent) and France (2.1 per cent).
- Canada reported the export of 556 SALW items, covering three sub-categories: assault rifles (64.9 per cent), rifles and carbines (21.9 per cent) and heavy machine guns (13.1 per cent).
- In terms of numbers, the main importers of SALW from Canada were the Netherlands (64.9 per cent), the United Arab Emirates (19.6 per cent) and Saudi Arabia (13.1 per cent).

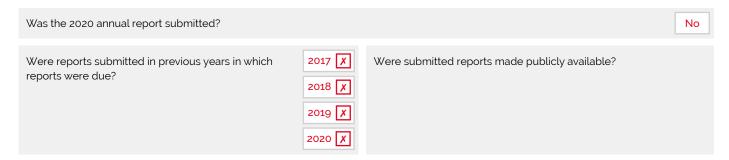


- Canada reported imports from seven countries in 2020. Of these, six were ATT States Parties and one was a Signatory.
- Canada reported the import of 26 major conventional weapons items: eight combat aircraft from Australia, 12 large-calibre artillery systems from Belgium and six armoured combat vehicles from the United States.
- Canada reported the import of 11,396 SALW items, covering seven sub-categories. Of these, the majority were 'others' (light weapons) (47.7 per cent),<sup>20</sup> revolvers and self-loading pistols (47.1 per cent) and hand-held under-barrel and mounted grenade launchers (1.8 per cent).
- In terms of numbers, the main exporters of SALW to Canada were the United States (83.4 per cent), Austria (14.6 per cent) and Belgium (1.8 per cent).

<sup>19</sup> For example, the UN Registry definitions of weapons categories include combat aircraft that are: (a) manned fixed-wing or variable-geometry wing aircraft, designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons or other weapons of destruction, including versions of these aircraft which perform specialized electronic warfare, suppression of air defence or reconnaissance missions; or (b) unmanned fixed-wing or variable-geometry wing aircraft, designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons or other weapons of destruction. For more information, see ATT Working Group on Transparency and Reporting (2019). 'Reporting Authorized or Actual Exports and Imports of Conventional Arms under the ATT'. ATT/CSP5.WGTR/2019/CHAIR/533/Conf. Rep.Rev1. https://bit.ly/3rHiE2k, p. 25.

<sup>20</sup> Of the 5,436 items listed as 'others' under light weapons, 5,102 are described as 'tasers for police or military end-use' and 334 are described as 'firearms for police end-use that are designed for riot control and that discharge 37mm non-lethal rounds'.

# **CENTRAL AFRICAN REPUBLIC**



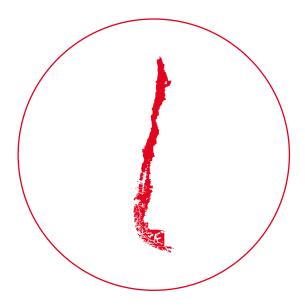
# **CHAD**

Was the 2020 annual report submitted?		Yes – Missed deadline	
Were reports submitted in previous years in which reports were due?	2016 X 2017 X 2018 X 2019 X 2020 X	Were submitted reports made publicly available?	



## **CHILE**

Was the 2020 annual report submitted?			Yes – Missed deadline
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relate	ed' reasons?	Yes
What type of report was submitted?			ATT online reporting tool
Were reports submitted in previous years in which reports were due?	2018 🖍 2019 🗸 2020 🗸	Were submitted reports made publicly a	2018 / 2019 / 2020 /



### **REPORTING PRACTICE SUMMARY - 2020**

Chile's reporting changed slightly in its 2020 annual report.

Chile submitted a 'nil' report on exports, indicating it did not export any major conventional weapons or SALW items as it did in its 2019 report.

Chile reported **Actual Numbers** of imports of major conventional weapons. It did not report imports of any SALW items as it did in its 2019 report.

 $<sup>^{\</sup>star}$  Report submitted before it was due



Chile provided descriptions for all its reported imports.

Chile submitted a 'nil' report on exports, indicating clearly it had no transfers to report in 2020.



## ROOM FOR IMPROVEMENT

Chile excluded some data for 'commercial sensitivity/ national security-related' reasons but did not specify where or how much information was withheld.



## TRANSFER SUMMARY - 2020: EXPORT DATA

• Chile submitted a 'nil' report for exports.



## TRANSFER SUMMARY - 2020: IMPORT DATA

- Chile reported imports from one ATT State Party.
- Chile reported the import of two major conventional weapons items: two warships from Australia.

## **COSTA RICA**

Was the 2020 annual report submitted?			No
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016

# **CÔTE D'IVOIRE**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

2016 X

2017 X

2018 X

2019 X

2020 X

## **CROATIA**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



## **REPORTING PRACTICE SUMMARY - 2020**

Croatia's reporting remained the same in its 2020 annual report.

Croatia continued to report **Actual Numbers** of SALW exports and small arms imports. It continued not to report any exports or imports of major conventional weapons, or imports of light weapons.



Croatia provided disaggregated numbers for its small arms exports and imports, both by weapon sub-category and by importing and exporting state.



## **ROOM FOR IMPROVEMENT**

Croatia could provide comments on the nature of its exports and imports of SALW.

Croatia could provide comments and additional descriptions on the nature of its exports and imports.



## TRANSFER SUMMARY - 2020: EXPORT DATA

- Croatia reported exports to 28 countries and territories.
   Of these, 18 were ATT States Parties, four were Signatories and five were non-members (Azerbaijan, Indonesia, Jordan, Saudi Arabia and Vietnam).<sup>21</sup>
- Croatia did not report exports of major conventional weapons.
- Croatia reported the export of 372,838 SALW items, covering six sub-categories. Of these, the majority were revolvers and self-loading pistols (98.6 per cent) and assault rifles (1.2 per cent).
- In terms of numbers, the main importers of SALW from Croatia were the United States (88.1 per cent), Jordan (7 per cent) and Togo (1.2 per cent).



## TRANSFER SUMMARY - 2020: IMPORT DATA

- Croatia reported imports from ten countries. Of these, nine were ATT States Parties and one was a Signatory.
- Croatia did not report imports of major conventional weapons.
- Croatia reported the import of 2,378 small arms items covering three sub-categories: rifles and carbines (68.5 per cent), light machine guns (25.7 per cent) and revolvers and self-loading pistols (5.8 per cent).
- In terms of numbers, the main exporters of small arms to Croatia were Poland (25.7 per cent), Belgium (16.4 per cent) and the Czech Republic (15.9 per cent).

### **CYPRUS**

Was the 2020 annual report submitted?

Was the 2020 annual report made public?

Were reports submitted in previous years in which reports were due?

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Were submitted reports made publicly available?
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# **CZECH REPUBLIC**

Was the 2020 annual report submitted?			Yes – On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT c	nline reporting tool
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Czech Republic's reporting remained the same in its 2020 annual report.

Czech Republic reported **Actual Numbers** of major conventional weapons and SALW exports and imports.



Czech Republic provided clear, disaggregated information on its reported exports and imports.

Czech Republic provided comments describing the nature of some major conventional weapons exports.



### **ROOM FOR IMPROVEMENT**

Czech Republic could provide more comments and descriptions on the nature of all of its exports and imports of SALW and major conventional weapons.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- Czech Republic reported exports to 64 countries. Of these, 40 were ATT States Parties, ten were Signatories and 14 were non-members (Algeria, Azerbaijan, Bhutan, Bolivia, Egypt, India, Indonesia, Jordan, Kenya, Oman, Pakistan, Saudi Arabia, Sri Lanka and Uganda).
- Czech Republic reported the export of 143 major conventional weapons items, covering three categories: armoured combat vehicles (88.1 per cent), battle tanks (7.7 per cent) and large-calibre artillery systems (4.2 per cent).
- In terms of numbers, the main importers of major conventional weapons items from the Czech Republic were Uganda (28 per cent), Ukraine (25.9 per cent) and Slovakia (21 per cent).
- Czech Republic reported the export of 59,462 SALW items, covering ten sub-categories. Of these, the majority were sub-machine guns (30.5 per cent), revolvers and self-loading pistols (29.9 per cent) and assault rifles (23.2 per cent).
- In terms of numbers, the main importers of SALW items from the Czech Republic were Slovakia (17 per cent), the United States (13.5 per cent) and Hungary (10.7 per cent).



- Czech Republic reported imports from ten countries. Of these, four were ATT States Parties, four were Signatories and two were non-members (Belarus and Ethiopia).
- Czech Republic reported the import of 26 major conventional weapons items, all of which were armoured combat vehicles from the United Arab Emirates.
- Czech Republic reported the import of 8,745 SALW items.
   Of these, the majority were rifles and carbines (91.6 per cent), assault rifles (4 per cent) and sub-machine guns
   (3.5 per cent).
- In terms of numbers, the main exporters of SALW to the Czech Republic were Ethiopia (93.6 per cent), Israel (3.5 per cent) and Switzerland (2.1 per cent).

## **DENMARK**

Was the 2020 annual report submitted?			Yes – On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Denmark's reporting changed slightly in its 2020 annual report.

Denmark continued to report **Authorized Numbers** of SALW exports. It did not report exports of major conventional weapons.

Denmark reported **Actual Numbers** of major conventional weapons imports, after reporting a combination of actual and authorized numbers of items in its 2019 report. As in its 2019 report, it reported a mix of **Authorized** and **Actual Numbers** of small arms imports and **Authorized Numbers** of light weapons imports.



Denmark provided descriptions of some items, including all imports of major conventional weapons and some SALW imports.

Denmark indicated clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



### ROOM FOR IMPROVEMENT

Denmark continued not to provide information on final importing states for its reported exports of small arms.

Denmark continued to aggregate countries supplying its small arms imports, reporting the exporting states collectively as 'Multiple exporting states', making it impossible in some cases to determine from where small arms items were imported.



## TRANSFER SUMMARY - 2020: EXPORT DATA

- Denmark did not provide information on final importing states for its exports in most cases.
- Denmark did not report exports of major conventional weapons.
- Denmark reported the export of 3,114 SALW items covering four sub-categories. Of these, the majority were rifles and carbines (68.6 per cent), 'others' (small arms) (19.3 per cent) and revolvers and self-loading pistols (9.1 per cent).
- Denmark named the final importing states for SALW exports in only two cases: 20 items to Somalia and four items to the United States, under 'others' (light weapons).<sup>22</sup>



- Denmark did not provide information on exporting states in many cases.
- Denmark reported the import of 74 major conventional weapons items: 61 armoured combat vehicles from Switzerland (82.4 per cent) and 13 large-calibre artillery systems from Austria and Switzerland (aggregated) (17.6 per cent).
- Denmark reported the import of 12,139 SALW items, covering five sub-categories. Of these, the majority were rifles and carbines (57.3 per cent), 'others' (small arms) (29.1 per cent) and revolvers and self-loading pistols (13 per cent).
- In terms of numbers, the majority of Denmark's imports (86.4 per cent) were from 'Multiple exporting states'.
   Denmark did not provide a further breakdown of exporters included in these instances.

## **DOMINICA**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

2016 X

2017 X

2018 X

2019 X

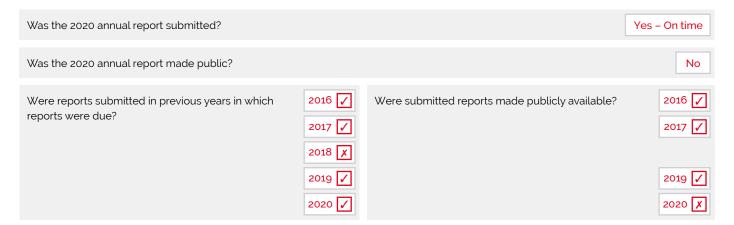
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# **DOMINICAN REPUBLIC**

Were reports submitted in previous years in which reports were due?

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## **EL SALVADOR**





### **ESTONIA**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relate	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Estonia's reporting changed in its 2020 annual report.

Estonia continued not to report exports of major conventional weapons. It reported mainly **Authorized Numbers** of SALW exports, although it reported **Actual Numbers** in one instance, unlike in its 2019 report when all reported exports were authorized.

Estonia reported **Actual Numbers** of major conventional weapons imports, after reporting authorized numbers in its 2019 report. It reported mostly **Authorized Numbers** of SALW imports, apart from two cases where it reported **Actual Numbers**. This differed from its 2019 report where it reported only authorized numbers of SALW imports.



Estonia indicated clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.

Estonia provided descriptions for all of its reported imports and for one export.



#### **ROOM FOR IMPROVEMENT**

In some instances, Estonia continued to report numbers of small arms exports and imports aggregated by weapons sub-category, making it impossible to identify the quantities of small arms that were exported to or imported from each country.

Estonia could provide descriptions and comments on the nature of all its reported exports and imports.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- Estonia reported exports to ten countries. Of these, eight were ATT States Parties, one was a Signatory and one was a non-member (India).
- Estonia did not report any exports of major conventional weapons.
- Estonia reported the export of 2,817 SALW items, covering three sub-categories: revolvers and self-loading pistols (95.4 per cent), rifles and carbines (3.6 per cent) and 'others' (SALW) (1 per cent).
- In terms of numbers, the main importing states were Ukraine (85.2 per cent) and Lithuania (4.6 per cent).



- Estonia reported imports from 19 countries. Of these, 16 were ATT States Parties and three were Signatories.
- Estonia reported imports of six major conventional weapons items, all of which were large-calibre artillery systems from the Republic of Korea.
- Estonia reported imports of 8,664 SALW items, covering six sub-categories. Of these, the majority were assault rifles (76.4 per cent), revolvers and self-loading pistols (12.9 per cent) and rifles and carbines (7.1 per cent).
- In terms of numbers, the main exporters of SALW to Estonia were the United States (76.5 per cent), Germany (5.8 per cent) and Austria (5.2 per cent).

### **FINLAND**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	Yes
What type of report was submitted?		ATT onl	ine reporting tool
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Finland's reporting changed in its 2020 annual report.

Finland reported **Actual Numbers** of major conventional weapons items as opposed to 2019 when it did not specify whether transfers were actual or authorized. It continued to report **Actual Numbers** of small arms exports. It did not report any exports of light weapons as it did in its 2019 annual report. Finland also reported **Actual Values** of additional exports under voluntary national categories, including ammunition, after not doing so in its 2019 report.

Finland reported **Actual Numbers** of all small arms imports, except for one that was not specified. As in its 2019 report, it did not report any imports of major conventional weapons or light weapons.



Finland provided more disaggregated information on small arms exporting countries than it did in its 2019 report.

Finland provided descriptions of all major conventional weapons and SALW exports, and it provided descriptions for the majority of small arms imports.

Finland reported additional information on exports under national categories, including ammunition, while also providing values for these transfers.



## **ROOM FOR IMPROVEMENT**

Finland excluded some data for 'commercial sensitivity/ national security-related' reasons but did not specify where or how much information was withheld.

Finland could provide comments describing the nature of its reported imports and exports.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- Finland reported exports to 57 countries and territories. Of these, 43 were ATT States Parties, six were Signatories and seven were non-members (Algeria, India, Iraq, Jordan, Oman, Saudi Arabia and Somalia).<sup>23</sup>
- Finland reported the export of four major conventional weapons items: two armoured combat vehicles to Japan, one to Sweden and one to the United Kingdom.
- Finland reported the export of 425 small arms items, all of which were rifles and carbines. It also reported the export of €79.7m (US\$91m) worth of items under voluntary national categories.<sup>24</sup>
- In terms of numbers, the main importers of small arms from Finland were Germany (15.3 per cent), Australia (9.4 per cent) and Denmark (8 per cent).



- Finland reported imports from four ATT States Parties.<sup>25</sup>
- Finland did not report any imports of major conventional weapons.
- Finland reported the import of 6g small arms items covering three sub-categories: revolvers and self-loading pistols (85.5 per cent), 'others' (small arms) (8.7 per cent) and rifles and carbines (5.8 per cent).
- In terms of numbers, the main exporter of small arms to Finland was Austria (82.6 per cent).

<sup>23</sup> Finland also reported arms exports to one non-UN member (Taiwan).

<sup>24</sup> Currency conversion via OECD Data, reflecting 2020 annual conversion rate. https://data.oecd.org/conversion/exchange-rates.htm.

<sup>25</sup> Finland also reported a transfer with no exporting state, where the United States was listed as the state of origin (but not as the exporter). It is unclear if this was a mistake or not.

## **FRANCE**

Was the 2020 annual report submitted?			Ye	es – On time
Was the 2020 annual report made public?				Yes
Was data withheld for 'commercial sensitivity/national	al security-relate	ed' reasons?	Unspecified - No	ot indicated
What type of report was submitted?			National reportin	ng template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publi	cly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

France's reporting remained the same in its 2020 annual report.

France reported **Actual Numbers** of exports of major conventional weapons and SALW.

France reported **Actual Numbers** of imports of SALW. As in its 2019 report, it did not report imports of major conventional weapons.



France provided clear, disaggregated data for every reported export and import.

France provided descriptions of items for all reported exports and imports. These descriptions named the sub-category of weapons and, in some cases, provided additional details such as calibres. It also provided some comments describing the nature of its transfers.

France indicated clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



### **ROOM FOR IMPROVEMENT**

France did not specify whether reported exports of combat aircraft and attack helicopters were manned or unmanned, per UN Registry Definitions of Categories as outlined in Article 2 of the ATT.<sup>26</sup>

France did not specify whether any information was withheld for 'commercial sensitivity/national security-related' reasons.

France could provide more comments describing the nature for more of its reported transfers.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- France reported exports to 21 countries. Of these, 12 were ATT States Parties, three were Signatories and six were non-members (India, Kuwait, Morocco, Qatar, Saudi Arabia and Uzbekistan).
- France reported the export of 801 major conventional weapons items, covering six categories. Of these, the majority were armoured combat vehicles (52.2 per cent), missiles etc. (33.2 per cent) and MANPADS (6.9 per cent).
- In terms of numbers, the main importers of major conventional weapons from France were Saudi Arabia (35.2 per cent), India (25.8 per cent) and Qatar (14.9 per cent).
- France reported the export of 757 SALW items covering six sub-categories. Of these, the majority were revolvers and self-loading pistols (78.6 per cent), assault rifles (13.6 per cent) and heavy machine guns (5 per cent).
- In terms of numbers, the main importers of SALW from France were Mali (66.1 per cent), Madagascar (9.4 per cent) and the United States (7.9 per cent).



- France reported imports from five countries. Of these, four were ATT States Parties and one was a Signatory.
- France did not report imports of major conventional weapons.
- France reported the import of 17,224 SALW items, covering five sub-categories. Of these, the majority were assault rifles (69.7 per cent), sub-machine guns (12.8 per cent) and handheld under-barrel and mounted grenade launchers (7.3 per cent).
- In terms of numbers, the main exporters of SALW to France were Germany (76.9 per cent), Belgium (12.8 per cent) and Austria (9.7 per cent).

<sup>26</sup> For example, the UN Registry definitions of weapons categories include combat aircraft that are: (a) manned fixed-wing or variable-geometry wing aircraft, designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons or other weapons of destruction, including versions of these aircraft which perform specialized electronic warfare, suppression of air defence or reconnaissance missions; or (b) unmanned fixed-wing or variable-geometry wing aircraft, designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons or other weapons of destruction. For more information, see ATT Working Group on Transparency and Reporting (2019). 'Reporting Authorized or Actual Exports and Imports of Conventional Arms under the ATT. ATT/CSP5.WGTR/2019/CHAIR/533/Conf. Rep.Rev1. https://bitly/3rHiE2k, p. 25.

ATT MONITOR 2022 2.2 - COUNTRY PROFILES 94

# **GEORGIA**

Was the 2020 annual report submitted?

Was the 2020 annual report made public?

No

Were reports submitted in previous years in which reports were due?

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## **GERMANY**

Was the 2020 annual report submitted?			Yes – On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Germany's reporting remained the same in its 2020 annual report.

Germany continued to report **Actual Numbers** of major conventional weapons exports and reported **Authorized Numbers** of SALW exports.

As in its 2019 report, Germany did not report imports of major conventional weapons. It continued to report **Authorized Numbers** of SALW imports, apart from three instances: one where an import was reported as an actual transfer and two where it did not specify whether transfers were actual or authorized.



Germany provided clear, disaggregated data for each reported export and import.

Germany provided comments describing the nature of some of its SALW imports.



### **ROOM FOR IMPROVEMENT**

Germany did not specify whether transfers were actual or authorized for some of its imports.

Germany could provide descriptions and comments describing the nature of all reported exports and imports.

Germany could indicate clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- Germany reported exports to 37 countries and territories.
   Of these, 29 were ATT States Parties, three were
   Signatories and four were non-members (Egypt, Jordan, Kuwait and Qatar).<sup>27</sup>
- Germany reported the export of 145 major conventional weapons items, covering six categories. Of these, the majority were missiles and missile launchers (missiles etc.) (55.2 per cent), armoured combat vehicles (35.9 per cent) and manned attack helicopters (2.8 per cent).
- In terms of numbers, the main importers of major conventional weapons from Germany were the Republic of Korea (55.2 per cent), Australia (15.2 per cent) and Lithuania (12.4 per cent).
- Germany reported the export of 28,720 SALW items, covering seven sub-categories. Of these, the majority were light machine guns (44 per cent), recoilless rifles (22.4 per cent) and assault rifles (19.7 per cent).
- In terms of numbers, the main importers of SALW from Germany were the United Kingdom (36.5 per cent), Singapore (17.2 per cent) and Spain (8.7 per cent).



- Germany reported imports from 14 countries. Of these, 11 were ATT States Parties and three were Signatories.
- Germany did not report the import of any major conventional weapons.
- Germany reported the import of 968 SALW items covering nine sub-categories. Of these, the majority were assault rifles (29.7 per cent), revolvers and self-loading pistols (21.7 per cent) and hand-held under-barrel and mounted grenade launchers (12.8 per cent).
- In terms of numbers, the main exporters of SALW to Germany were Austria (56.7 per cent), Israel (11.6 per cent) and the United States (11.1 per cent).

### **GHANA**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

2017 
Were submitted reports made publicly available?

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## **GREECE**

Was the 2020 annual report submitted? Yes - Missed deadline Was the 2020 annual report made public? No 2016 🖊\* 2016 🗸 Were reports submitted in previous years in which Were submitted reports made publicly available? reports were due? 2017 🗸 2017 X 2018 🗸 2018 X 2019 🗸 2019 X 2020 **X** 2020 X

### **GRENADA**

Were reports submitted in previous years in which reports were due?

2016 X

2017 X

2018 X

2019 X

2020 X

<sup>\*</sup> Report submitted before it was due

## **GUATEMALA**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

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Were submitted reports made publicly available?

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### **GUINEA**

Were reports submitted in previous years in which reports were due?

2016 X

Were submitted reports made publicly available?

2017 X

2018 X

2019 X

2020 X

## **GUINEA BISSAU**

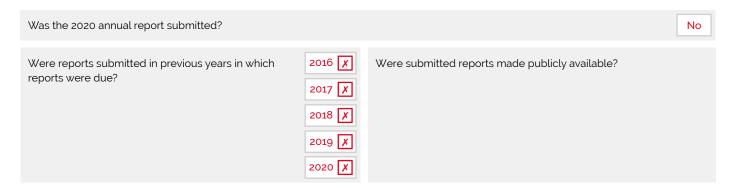
Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

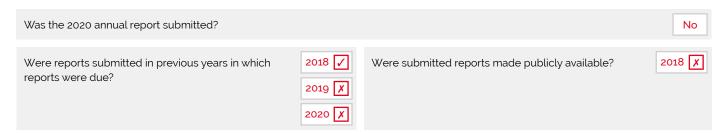
No

Were submitted reports made publicly available?

## **GUYANA**



# **HONDURAS**





ATT MONITOR 2022 2.2 - COUNTRY PROFILES 102

## **HUNGARY**

Was the 2020 annual report submitted?			Yes – Missed deadline
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	Yes
What type of report was submitted?			ATT online reporting tool
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly a	2016 \( \sqrt{2017} \) 2018 \( \sqrt{2019} \) 2020 \( \sqrt{2020} \)



### **REPORTING PRACTICE SUMMARY - 2020**

Hungary's reporting changed slightly in its 2020 annual report.

Hungary reported **Actual Numbers** of SALW exports. It did not report exports of major conventional weapons as it did in its 2019 report.

Hungary continued to report mainly **Actual Numbers** for imports of major conventional weapons and for the majority of its SALW imports, although it did not specify whether transfers were authorized or actual for some imports.

Hungary specified that it does not define the terms 'exports' and 'imports' as physical transfers of items across the border, transfers of control or transfers of title but notes instead that it 'doesn't have a single criterion for this, it depends on the transfer and the destination (transfer of control, delivery verification date, leaving Hungary's territory, etc.).'



Hungary provided clear, disaggregated data for each reported import and export.

Hungary provided descriptions and comments describing the nature and of nearly all reported exports and imports.

Hungary specified where information was withheld for 'commercial sensitivity/national security-related' reasons and for which weapon sub-categories (assault rifles and recoilless rifles)



## ROOM FOR IMPROVEMENT

Hungary did not specify whether transfers were actual or authorized for all of its imports.

Hungary could indicate clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



## TRANSFER SUMMARY - 2020: EXPORT DATA

- Hungary reported exports to 13 countries. Of these, nine were ATT States Parties, two were Signatories and two were non-members (Oman and Uganda).
- Hungary did not report exports of major conventional weapons.
- Hungary reported the export of 1,076 SALW items, covering three sub-categories: revolvers and self-loading pistols (50 per cent), heavy machine guns (27.9 per cent) and rifles and carbines (22.1 per cent).
- In terms of numbers, the main importers of SALW from Hungary were the United States (49.1 per cent), Uganda (27.9 per cent) and Romania (10.2 per cent).
- Hungary was not the state of origin for many of its reported exports.



### TRANSFER SUMMARY - 2020: IMPORT DATA

- Hungary reported imports from 15 countries. Of these, 13 were ATT States Parties and two were Signatories.
- Hungary reported the import of 30 major conventional weapons items covering three categories: armoured combat vehicles (56.7 per cent), battle tanks (33.3 per cent) and manned attack helicopters (10 per cent).
- In terms of numbers, the main exporters of major conventional weapons to Hungary were Germany (43.3 per cent), Turkey (33.3 per cent) and the United States (20 per cent).
- Hungary reported the import of at least 3,854 SALW items, covering seven sub-categories. Of these, the majority were rifles and carbines (65.7 per cent), revolvers and self-loading pistols (21.3 per cent) and heavy machine guns (7.8 per cent). Hungary withheld the number of assault rifles from the Czech Republic and of recoilless rifles from Sweden.
- In terms of numbers, the main exporters of SALW to Hungary were Germany (19.6 per cent), the Czech Republic (17.7 per cent) and the United States (14.3 per cent).

### **ICELAND**

Was the 2020 annual report submitted?

No

Were reports submitted in previous years in which reports were due?

2016 **X** 

2017 **X** 

2018 🗶

2019 🗶

2020 **X** 

Were submitted reports made publicly available?

ATT MONITOR 2022 2.2 - COUNTRY PROFILES 104

## **IRELAND**

Was the 2020 annual report submitted?			Yes – Missed deadline
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?			ATT reporting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly a	2016 \(  \) 2017 \(  \) 2018 \(  \) 2019 \(  \) 2020 \(  \)



### **REPORTING PRACTICE SUMMARY - 2020**

Ireland's reporting changed in its 2020 annual report.

Ireland continued not to report exports of major conventional weapons or light weapons. It reported a mix of **Authorized** and **Actual Numbers** and some **Values** of exports of small arms as opposed to 2019 when it did not specify whether transfers were actual or authorized.

Ireland continued not to report imports of major conventional weapons or light weapons. It reported **Actual Numbers** of imports of small arms as opposed to 2019 when it did not specify whether transfers were actual or authorized.

Ireland indicated that it did not exclude some data for 'commercial sensitivity/national security-related' reasons, after indicating that some information had been withheld in its 2019 report.



Ireland specified whether all transfers were actual or authorized, after not doing so in its 2019 report.

Ireland provided comments and/or descriptions for most of its reported transfers.

Ireland reported some values of small arms exports in addition to the number of items transferred.



#### **ROOM FOR IMPROVEMENT**

Ireland continued to aggregate the final importing/exporting countries in some of its small arms exports and imports subcategories, making it impossible to determine how many items were exported to or imported from specific countries.



## TRANSFER SUMMARY - 2020: EXPORT DATA

- Ireland reported exports to eight countries. Of these, six were ATT States Parties and two were Signatories.
- Ireland did not report exports of major conventional weapons.
- Ireland reported the export of 507 small arms items, covering three sub-categories: 'others' (small arms)
   (51.7 per cent) – which were all described as shotguns or airguns, rifles and carbines (43.2 per cent) and revolvers and self-loading pistols (5.1 per cent).
- In some cases, Ireland aggregated information for importing countries for these sub-categories so it is unclear to where these items were exported.



- Ireland reported imports from 13 countries. Of these, 11 were ATT States Parties and two were Signatories.
- Ireland did not report imports of major conventional weapons.
- Ireland reported the import of 4,622 small arms items, covering three sub-categories. Of these, the majority were 'others' (small arms) (94.7 per cent) – the majority of which were described as shotguns, and revolvers and selfloading pistols (4.6 per cent).
- Ireland aggregated information for exporting countries for these sub-categories so it is unclear from where these items were imported.

### **ITALY**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	ıl security-relat	ed' reasons?	No
What type of report was submitted?		ATT or	line reporting tool
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available	2016 \(  \) 2017 \(  \) 2018 \(  \) 2019 \(  \) 2020 \(  \)



### **REPORTING PRACTICE SUMMARY - 2020**

Italy's reporting practice changed in its 2020 annual report.

Italy reported **Authorized Numbers** of major conventional weapons and SALW exports.

Italy reported **Authorized Numbers** of major conventional weapons and SALW imports, after it did not report major conventional weapons imports in 2019.

Italy reported all exports and imports in the ATT reporting template as opposed to the Annex it used to report SALW transfers in its 2019 report.

Italy indicated that it did not exclude data for 'commercial sensitivity/national security-related' reasons, after indicating in its 2019 report that some information had been withheld.

Italy specified that its definitions of the terms 'exports' and 'imports' cover export and import licenses authorized in 2020.  $^{28}$ 



Italy provided clear, disaggregated data for each reported import and export, including export destination and import source countries, after not doing so in previous reports.



### ROOM FOR IMPROVEMENT

Italy could provide descriptions and comments describing the nature of all reported exports and imports.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- Italy reported exports to 41 countries. Of these, 22 were ATT States Parties, nine were Signatories and ten were nonmembers (Bolivia, Egypt, Indonesia, Morocco, Oman, Qatar, Saudi Arabia, Tunisia, Turkmenistan and Vietnam).
- Italy reported the export of 7,838 major conventional weapons items, covering seven categories, the majority of which were armoured combat vehicles (98.9 per cent).
- In terms of numbers, the main importer of major conventional weapons items from Italy was the United States (97.8 per cent).
- Italy reported the export of 140,046 SALW items, covering six sub-categories. Of these, the majority were revolvers and self-loading pistols (58.1 per cent), sub-machine guns (34 per cent) and rifles and carbines (5.4 per cent).
- In terms of numbers, the main importers of SALW from Italy were Austria (34.7 per cent), Romania (17.9 per cent) and Morocco (13.6 per cent).



- Italy reported imports from six countries. Of these, two were ATT States Parties, three were Signatories and one was a non-member (Jordan).
- Italy reported the import of 106 major conventional weapons items: 100 manned attack helicopters from the United States, three unmanned combat aircraft from Jordan and three large-calibre artillery systems from Canada.
- Italy reported the import of 5,661 SALW items, covering four sub-categories. Of these, the majority were sub-machine guns (79.5 per cent), rifles and carbines (11.4 per cent) and heavy machine guns (9 per cent).
- In terms of numbers, the top exporters of SALW to Italy were the United States (97.2 per cent) and Switzerland (2.5 per cent).

# **JAMAICA**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Jamaica's reporting remained the same in its 2020 annual report.

Jamaica reported **Authorized Numbers** of small arms exports and imports. It continued not to report exports or imports of major conventional weapons or light weapons.



Jamaica indicated that exports and imports reported in the small arms 'others' sub-categories were shotguns.



### **ROOM FOR IMPROVEMENT**

Jamaica aggregated numbers of exports and imports of small arms items by weapons sub-categories, making it impossible to determine how many items of each weapon were exported or imported by each reported state.

Jamaica could provide comments and descriptions on the nature of all its reported transfers.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- Jamaica reported exports to two countries: one ATT State Party and one Signatory.
- Jamaica did not report any exports of major conventional weapons.
- Jamaica reported the export of 21 small arms items, covering three sub-categories: revolvers and selfloading pistols (52.4 per cent), 'others' (small arms) (42.9 per cent), which were described as shotguns, and rifles and carbines (4.8 per cent).
- Jamaica aggregated the numbers of items for each subcategory of small arms, listing multiple importing states in most cases.



- Jamaica reported imports from five countries. Of these, four were ATT States Parties and one was a Signatory.
- Jamaica did not report any imports of major conventional weapons.
- Jamaica reported the import of 12,498 small arms items, covering four sub-categories. Of these, the majority were revolvers and self-loading pistols (66.7 per cent), rifles and carbines (25.9 per cent) and 'others' (small arms) (7.4 per cent), which were described as shotguns.
- Jamaica aggregated the numbers of items for each subcategory of small arms, listing multiple exporting states in most cases.

### **JAPAN**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	l security-relat	ed' reasons?	No
What type of report was submitted?		ATT onlin	e reporting tool <sup>29</sup>
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Japan's reporting remained the same in its 2020 annual report.

Japan continued to report **Actual Numbers** and **Values** of small arms exports, and it did not report exports of major conventional weapons or light weapons.

Japan continued to report **Actual Numbers** of major conventional weapons imports, and **Actual Numbers** and **Values** of SALW imports.

Japan continued to provide information on SALW exports and imports organized according to the Harmonized Commodity Description and Coding System (HS Code) of the World Customs Organization.



Japan provided clear, disaggregated data for all of its reported exports and imports.

Japan provided descriptions for all of its reported exports and imports.

Japan included both numbers and values of its SALW exports and imports.



### **ROOM FOR IMPROVEMENT**

Japan's use of HS Codes for reporting its small arms exports and imports meant that the data provided did not correspond directly to the categorization within the ATT reporting template, making it difficult to comparatively analyse its transfer data.

Japan could provide more comments describing the nature of its reported transfers.



# TRANSFER SUMMARY - 2020: EXPORT DATA

- Japan reported exports to ten countries. Of these, eight were ATT States Parties, one was a Signatory and one was a non-member (Tunisia).
- Japan did not report any exports of major conventional weapons.
- Japan reported the export of 108,656 small arms items with a total value of ¥4.8bn (US\$45.7m).<sup>30</sup>
- In terms of value, the main importers of small arms from Japan were the United States (67 per cent), Belgium (26.1 per cent) and Australia (3.2 per cent).



# TRANSFER SUMMARY - 2020: IMPORT DATA

- Japan reported imports from 14 countries in 2020. Of these,
   12 were ATT States Parties and two were Signatories.
- Japan reported the import of six major conventional weapons items: four manned combat aircraft from the United States and two armoured combat vehicles from Finland.
- Japan reported the import of 3.334 SALW items with a total value of ¥2.9bn (US\$26.8m).<sup>31</sup>
- In terms of value, the main exporters of small arms to Japan were Sweden (50.5 per cent), the United States (22.5 per cent) and Italy (9.6 per cent).

### **KAZAKHSTAN**

Was the 2020 annual report submitted?

Was the 2020 annual report made public?

Were reports submitted in previous years in which reports were due?

Yes - Missed deadline

No

Vere submitted reports made publicly available?

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### **LATVIA**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Latvia's reporting changed slightly in its 2020 annual report.

Latvia again did not report exports of major conventional weapons or light weapons. It reported **Actual Numbers** and **Values** of small arms exports.

Latvia continued to report **Actual Numbers** of major conventional weapons and SALW imports. It only reported **Values** of some SALW imports.



### **GOOD PRACTICES**

Latvia provided both the number and value for most of its SALW exports and imports.



### **ROOM FOR IMPROVEMENT**

Latvia aggregated numbers and values of imports of some small arms items by weapons sub-categories, making it impossible to determine how many or what value of each weapon were transferred to each importing state or from each exporting state.

Latvia could provide comments describing the nature of its reported exports and imports.



# TRANSFER SUMMARY - 2020: EXPORT DATA

- Latvia reported exports to two countries: one ATT State Party and one non-member (Kyrgyzstan).
- Latvia did not report exports of major conventional weapons.
- Latvia reported exports of 138 small arms items: rifles and carbines (89.1 per cent) and revolvers and self-loading pistols (10.9 per cent), with a total value of €261,134 (US\$298,098).<sup>32</sup>
- Latvia was not the state of origin for its reported small arms exports.



- Latvia reported imports from nine countries. Of these, eight were ATT States Parties and one was a Signatory.
- Latvia reported the import of 31 major conventional weapons items, all of which were armoured combat vehicles from the United Kingdom.
- Latvia reported the import of 2,302 SALW items with a total value of €952,464 (US\$1.1m) for small arms,<sup>33</sup> covering four sub-categories. Values were not included for reported imports of light weapons. In terms of numbers, the majority of these were revolvers and self-loading pistols (59.2 per cent), rifles and carbines (35.8 per cent) and heavy machine guns (3.9 per cent).
- Latvia aggregated information for exporting countries for some of these sub-categories so it is unclear from where these items were imported.

### **LEBANON**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

Were submitted reports made publicly available?

# **LESOTHO**

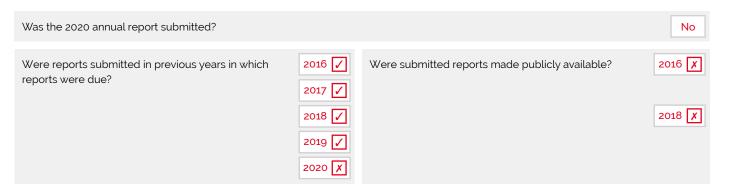
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Were reports submitted in previous years in which reports were due?

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Were submitted reports made publicly available?

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### **LIBERIA**





### **LIECHTENSTEIN**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Liechtenstein's reporting changed slightly in its 2020 annual report.

Liechtenstein reported **Actual Numbers** of small arms exports. It continued not to report exports of major conventional weapons or light weapons.

Liechtenstein reported mainly **Authorized Numbers** of small arms imports, aside from one case where it reported **Actual Numbers**.<sup>34</sup> It did not report exports or imports of major conventional weapons or light weapons.



Liechtenstein provided clear, disaggregated data for all its small arms imports and exports.

Liechtenstein provided comments describing the nature of its transfers. It also noted that small arms exports and imports were non-commercial.



### **ROOM FOR IMPROVEMENT**

Liechtenstein could provide descriptions for all of its reported transfers as it did in its 2019 report.

Liechtenstein could indicate clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



# TRANSFER SUMMARY - 2020: EXPORT DATA

- Liechtenstein reported exports to one ATT State Party.
- Liechtenstein did not report exports of major conventional weapons.
- Liechtenstein reported exports of three small arms items, all of which were rifles and carbines to Austria.



### TRANSFER SUMMARY - 2020: IMPORT DATA

- Liechtenstein reported imports from two ATT States Parties.
- Liechtenstein did not report imports of major conventional weapons.
- Liechtenstein reported imports of 11 small arms items, covering three sub-categories. Of these, the majority were rifles and carbines (54.5 per cent) and revolvers and selfloading pistols (36.6 per cent).
- The exporters of small arms to Liechtenstein were Austria (54.5 per cent) and Germany (45.5 per cent).

#### **LITHUANIA**

Was the 2020 annual report submitted? Yes - On time Was the 2020 annual report submitted? No Were reports submitted in previous years in which 2016 🗸 Were submitted reports made publicly available? 2016 🗸 reports were due? 2017 🗸 2017 2018 🗸 2018 X 2019 X 2019 🗸 2020 🗸 2020 X

# **LUXEMBOURG**

Was the 2020 annual report submitted?			Yes – Missed deadline
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?			ATT reporting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly a	2016 \( 2017 \sqrt{2018 \sqrt{2019 \sqrt{2020 \sq



### **REPORTING PRACTICE SUMMARY - 2020**

Luxembourg's reporting changed slightly in its 2020 annual report.

Luxembourg continued to report **Actual Numbers** of small arms exports and did not report any exports of major conventional weapons or light weapons.

Luxembourg reported **Actual Numbers** of SALW imports, after it did not report light weapons imports in its 2019 report. It continued not to report imports of major conventional weapons.



Luxembourg provided clear, disaggregated data for the majority of its small arms imports and exports, after not doing so in its 2019 report.



### **ROOM FOR IMPROVEMENT**

Luxembourg could provide descriptions and comments describing the nature of its exports and imports.

Luxembourg could indicate clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



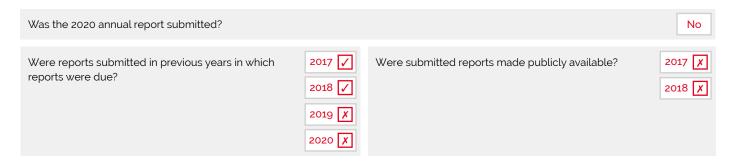
### TRANSFER SUMMARY - 2020: EXPORT DATA

- Luxembourg reported exports to one ATT Signatory.
- Luxembourg did not report exports of major conventional weapons.
- Luxembourg reported the export of 23 small arms items to Turkey: 22 revolvers and self-loading pistols and one item under rifles and carbines.
- Luxembourg was not the state of origin for its reported small arms exports.



- Luxembourg reported imports from three ATT States Parties.
- Luxembourg did not report imports of major conventional weapons.
- Luxembourg reported the import of 546 SALW items, covering five sub-categories. Of these, the majority were sub-machine guns (47.8 per cent), revolvers and selfloading pistols (47.6 per cent) and assault rifles (2.8 per cent).
- In terms of numbers, the exporters of SALW to Luxembourg were Germany (89.7 per cent), Austria (9.2 per cent) and Belgium (1.1 per cent).

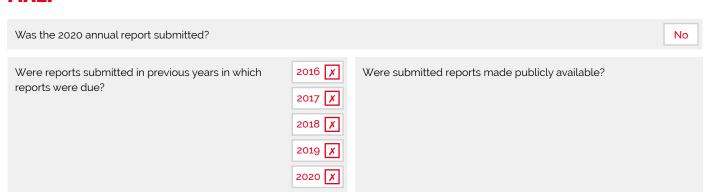
# **MADAGASCAR**



### **MALDIVES**



### **MALI**



<sup>\*</sup> Report submitted before it was due

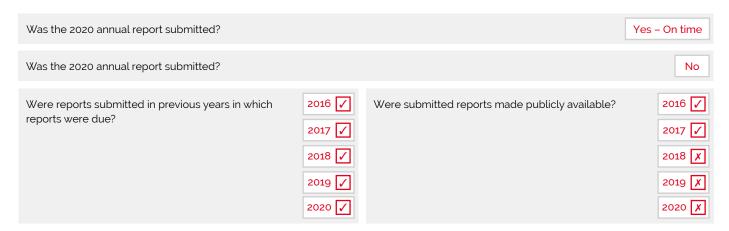
### **MALTA**

Was the 2020 annual report submitted?			1issed deadline
Was the 2020 annual report submitted?			No
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016 🗸
	2019 🗸		2019 X 2020 X

# **MAURITANIA**

Was the 2020 annual report submitted?			No
Were reports submitted in previous years in which reports were due?	2016 X 2017 X 2018 X 2019 X 2020 X	Were submitted reports made publicly available?	

# **MAURITIUS**



# **MEXICO**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	Yes
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Mexico's reporting remained the same in its 2020 annual report.

Mexico reported **Actual Numbers** of small arms exports. It did not report exports of major conventional weapons or light weapons.

Mexico reported **Actual Numbers** of major conventional weapons and SALW imports.



Mexico provided clear, disaggregated information on its reported exports and imports.

Mexico provided descriptions and comments describing the nature of each reported export and import.



### **ROOM FOR IMPROVEMENT**

Mexico excluded some data for 'commercial sensitivity/ national security-related' reasons but did not specify where or how much information was withheld.

Mexico could indicate clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- Mexico reported exports to one ATT State Party.
- Mexico did not report exports of major conventional weapons.
- Mexico reported the export of 100 small arms items, all of which were rifles and carbines to Costa Rica.



- Mexico reported imports from 11 countries. Of these, eight were ATT States Parties and three were Signatories.
- Mexico reported the import of 1,080 major conventional weapons items, all of which were missiles and missile launchers (MANPADS) from the United States.
- Mexico reported the import of 82,775 SALW items, covering five sub-categories. Of these, the majority were revolvers and self-loading pistols (83.5 per cent), rifles and carbines (12.3 per cent) and 'others' (small arms) (3.9 per cent), described mostly as shotguns.
- In terms of numbers, the main exporters of SALW to Mexico were the United States (80 per cent), Italy (10.8 per cent) and Israel (4.9 per cent).

# **MONACO**

Was the 2020 annual report submitted?			Yes - M	issed deadline
Was the 2020 annual report made public?				Yes
Was data withheld for 'commercial sensitivity/national	l security-relate	ed' reasons?	Unspecified -	- Not indicated
What type of report was submitted?			ATT repo	orting template
Were reports submitted in previous years in which reports were due?	2017	Were submitted reports made public	cly available?	2017



### **REPORTING PRACTICE SUMMARY - 2020**

Monaco's reporting changed in its 2020 annual report.

Monaco submitted 'nil' reports for both exports and imports. It reported imports of small arms in its 2019 annual report.



### **GOOD PRACTICES**

Monaco submitted 'nil' reports for both exports and imports, indicating clearly it had no transfers to report in 2020.



### ROOM FOR IMPROVEMENT

Monaco did not indicate, by ticking the relevant box on the front page of its report, whether it had excluded some data for 'commercial sensitivity/national security-related' reasons.



# TRANSFER SUMMARY - 2020: EXPORT DATA

• Monaco submitted a 'nil' report for exports in its 2020 annual report.



# TRANSFER SUMMARY - 2020: IMPORT DATA

 Monaco submitted a 'nil' report for imports in its 2020 annual report.



### **MONTENEGRO**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	Yes
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Montenegro's reporting changed in its 2020 annual report.

Montenegro reported both **Actual** and **Authorized Numbers** of SALW exports, but it did not report Values as it did in its 2019 report. It did not report exports of major conventional weapons.

Montenegro reported both Actual and Authorized Numbers of SALW imports, but it did not report Values as it did in its 2019 report. It also reported Actual and Authorized Numbers of imports of major conventional weapons after having not done so in its 2019 report.

Montenegro indicated that it excluded some data for 'commercial sensitivity/national security-related' reasons, after indicating in its 2019 report that no information had been withheld.



Montenegro provided clear, disaggregated information on its reported exports and imports.

Montenegro provided detailed descriptions of all of its reported exports and imports as well as comments describing the nature of its reported exports and some of its imports.

Montenegro indicated clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



#### **ROOM FOR IMPROVEMENT**

Montenegro excluded some data for 'commercial sensitivity/national security-related' reasons but did not specify where or how much information was withheld.

Montenegro did not report the financial values of its transfers, after doing so in its 2019 report.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Montenegro reported exports to nine countries. Of these, seven were ATT States Parties, one was a Signatory and one was a non-member (Democratic Republic of Congo).
- Montenegro did not report any exports of major conventional weapons.
- Montenegro reported the export of 12,195 SALW items, covering six sub-categories. Of these, the majority were revolvers and self-loading pistols (77.9 per cent), rifles and carbines (9.4 per cent) and assault rifles (8.2 per cent).
- In terms of numbers, the main importers of SALW from Montenegro were Poland (32.8 per cent), Bulgaria (24.6 per cent) and the United States (16.7 per cent).
- Montenegro was not the state of origin for some of its reported SALW exports.



#### TRANSFER SUMMARY - 2020: IMPORT DATA

- Montenegro reported imports from 12 countries. Of these, nine were ATT States Parties and three were Signatories.
- Montenegro reported the import of 20 major conventional weapons items, all of which were armoured combat vehicles from the United States.
- Montenegro reported the import of 5,430 SALW items, covering five sub-categories. Of these, the majority were revolvers and self-loading pistols (55.7 per cent), rifles and carbines (42.7 per cent) and sub-machine guns (1.2 per cent).
- In terms of numbers, the main exporters of SALW to Montenegro were the Czech Republic (53.1 per cent), Italy (12.4 per cent) and Bosnia and Herzegovina (9.2 per cent).

#### **MOZAMBIQUE**

Was the 2020 annual report submitted?

No

Were reports submitted in previous years in which reports were due?

2020 🗶

Were submitted reports made publicly available?

# **NETHERLANDS**

Was the 2020 annual report submitted?			Yes - Mi	ssed deadline
Was the 2020 annual report made public?				Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	Unspecified -	Not indicated
What type of report was submitted?				UNROCA
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made public	cly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Netherlands' reporting changed in its 2020 annual report. It submitted its UNROCA report and did not utilize the ATT reporting template as it did in its 2019 report.

Netherlands continued to report **Actual Numbers** of major conventional weapons and small arms exports. It did not report exports of light weapons.

Netherlands continued to report **Actual Numbers** of major conventional weapons and SALW imports.



Netherlands provided clear, disaggregated information for each reported export and import.

Netherlands provided descriptions for all exports and imports of major conventional weapons as well as for many SALW imports.



### ROOM FOR IMPROVEMENT

Netherlands could provide descriptions and comments describing the nature of more of its reported small arms exports.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- Netherlands reported exports to 28 countries. Of these, 26 were ATT States Parties and two were Signatories.
- Netherlands reported the export of 29 major conventional weapons items. These were missiles and missile launchers (missiles etc.) (86.2 per cent), armoured combat vehicles (6.9 per cent) and warships (6.9 per cent).
- In terms of numbers, the main importers of major conventional weapons from the Netherlands were Malaysia (34.5 per cent), Norway (34.5 per cent) and Germany (20.7 per cent).
- Netherlands reported the export of 9,242 small arms items, covering four sub-categories. Of these, the majority were sub-machine guns (44.7 per cent), light machine guns (24.1 per cent) and revolvers and self-loading pistols (17.7 per cent).
- In terms of numbers, the main importers of small arms from the Netherlands were the United States (63.8 per cent), the United Kingdom (15.5 per cent) and Belgium (6.8 per cent).



- Netherlands reported imports from 25 countries. Of these, 22 were ATT States Parties and three were Signatories.
- Netherlands reported the import of five major conventional weapons items, all of which were manned combat aircraft from Italy.
- Netherlands reported the import of 22,959 SALW items, covering eight sub-categories. Of these, the majority were sub-machine guns (53.8 per cent), rifles and carbines (14.8 per cent) and light machine guns (12.6 per cent).
- In terms of numbers, the main exporters of SALW to the Netherlands were Poland (53.7 per cent), Germany (12.4 per cent) and the Czech Republic (9.1 per cent).

### **NEW ZEALAND**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

New Zealand's reporting remained the same in its 2020 report.

New Zealand continued to report **Authorized Numbers** of small arms exports and exports of shotguns under voluntary national categories. It did not report exports of major conventional weapons or light weapons.

New Zealand continued to report **Authorized Numbers** of SALW imports and imports of shotguns under voluntary national categories. It did not report imports of major conventional weapons.



New Zealand provided clear, disaggregated data for each reported export and import.

New Zealand reported exports and imports under voluntary national categories, and provided extensive information in Annex 2 to clarify specific national definitions of Category VIII weapons (SALW) and of its voluntary national categories.

New Zealand indicated clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



#### ROOM FOR IMPROVEMENT

New Zealand could provide descriptions and comments describing the nature of its exports and imports.



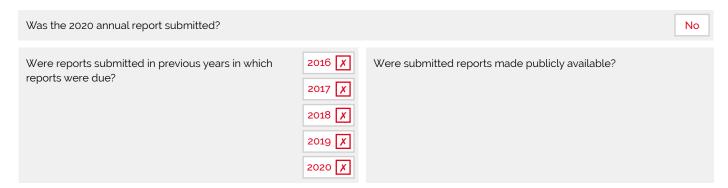
### TRANSFER SUMMARY - 2020: EXPORT DATA

- New Zealand reported exports to 21 countries and territories. Of these, 12 were ATT States Parties, one was a Signatory and six were non-members (Fiji, Indonesia, Oman, Pakistan, Papua New Guinea and Tonga).<sup>35</sup>
- New Zealand did not report exports of major conventional weapons.
- New Zealand reported the export of 2,894 small arms, covering three sub-categories: rifles and carbines (57.4 per cent), revolvers and self-loading pistols (29.7 per cent) and shotguns, reported under voluntary national categories (13 per cent).
- In terms of numbers, the main importers of small arms from New Zealand were Australia (45.1 per cent), People's Republic of China (25.4 per cent) and New Caledonia (12.8 per cent).

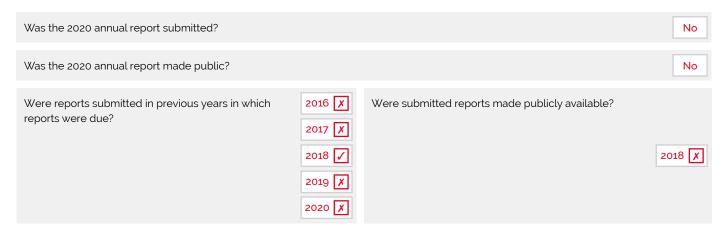


- New Zealand reported imports from 32 countries and territories. Of these, 23 were ATT States Parties, five were Signatories and two were non-members (Indonesia and Russia).<sup>36</sup>
- New Zealand did not report imports of major conventional weapons.
- New Zealand reported the import of 35,537 SALW items, covering six sub-categories. Of these, the majority were rifles and carbines (73.5 per cent), shotguns, reported under voluntary national categories (23.2 per cent) and revolvers and self-loading pistols (3.2 per cent).
- In terms of numbers, the main exporters of SALW to New Zealand were the United States (27.4 per cent), Japan (16.8 per cent) and Turkey (13.8 per cent).

### **NIGER**



### **NIGERIA**





### **NORWAY**

Was the 2020 annual report submitted?			Yes - Missed deadl	line
Was the 2020 annual report made public?			,	Yes
Was data withheld for 'commercial sensitivity/national	l security-relat	ed' reasons?	,	Yes
What type of report was submitted?			ATT online reporting t	tool
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly a	2016 2017 2018 2019 2020	, \(  \)



### **REPORTING PRACTICE SUMMARY - 2020**

Norway's reporting changed in its 2020 annual report. It started using the online reporting tool as opposed to the standard reporting template it used for its 2019 report.

Norway did not report exports of major conventional weapons or light weapons as it did in its 2019 report. It reported **Actual Numbers** of small arms exports, after not specifying whether exports were actual or authorized in its 2019 report. It also reported exports under voluntary national categories after not doing so in its 2019 report.

Norway did not report imports of major conventional weapons as it did in its 2019 report. It did not specify whether small arms imports were actual or authorized after doing so in its 2019 report. It reported **Actual Numbers** of light weapons imports as it did in its 2019 report.



Norway provided clear, disaggregated data for most of its reported exports.

Norway provided comments describing the nature of some of its reported exports.

Norway reported exports under voluntary national categories, including ammunition.



### **ROOM FOR IMPROVEMENT**

Norway did not specify whether it reported actual or authorized imports of rifles and carbines.

Norway excluded some data for 'commercial sensitivity/ national security-related' reasons but did not specify where or how much information was withheld.

Norway could provide descriptions on the nature of its reported exports and imports.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- Norway reported exports to six ATT States Parties.<sup>37</sup>
- Norway did not report exports of major conventional weapons.
- Norway reported the export of 221 small arms items, covering two sub-categories: rifles and carbines (91.9 per cent) and revolvers and self-loading pistols (8.1 per cent).
- In terms of numbers, the main importers of small arms from Norway were Germany (60.6 per cent), Sweden (20.4 per cent) and Denmark (10 per cent).
- Under voluntary national categories, Norway also provided data on ammunition exports, worth NOK561,683,000 (US\$59.7m).<sup>38</sup> It did not provide disaggregated data on importers of ammunition.



- Norway reported imports from one ATT State Party.
- Norway did not report any imports of major conventional weapons.
- Norway reported imports of 25 small arms items, all of which were rifles and carbines from Canada.

<sup>37</sup> Norway also reported exports to 'various' countries under national categories, but it did not disaggregate these transfers by importing state or number of items.

<sup>38</sup> Currency conversion via OECD Data, reflecting 2020 annual conversion rate. https://data.oecd.org/conversion/exchange-rates.htm.

# **PALAU**

Was the 2020 annual report submitted?	Yes - On time
Was the 2020 annual report made public?	Yes
Was data withheld for 'commercial sensitivity/national security-re	ated' reasons?
What type of report was submitted?	ATT reporting template
Were reports submitted in previous years in which reports were due?	Were submitted reports made publicly available?



### **REPORTING PRACTICE SUMMARY - 2020**

This is Palau's first ATT annual report.

Palau submitted 'nil' reports for both exports and imports.





Palau submitted 'nil' reports for both exports and imports, indicating clearly it had no transfers to report in 2020.



### TRANSFER SUMMARY - 2020: EXPORT DATA

• Palau submitted a 'nil' report for exports.

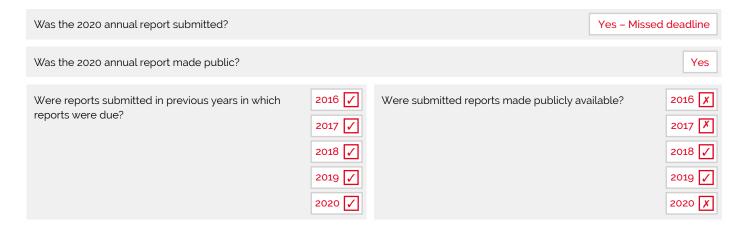


# TRANSFER SUMMARY - 2020: IMPORT DATA

• Palau submitted a 'nil' report for imports.



### **PANAMA**



# **PARAGUAY**

Was the 2020 annual report submitted?			No
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016 X 2018 ✓ 2019 ✓



### **PERU**





#### **REPORTING PRACTICE SUMMARY - 2020**

Peru's reporting changed in its 2020 annual report.

Peru continued to submit a 'nil' report for exports.

Peru reported **Authorized Numbers** and **Values** of major conventional weapons imports and, in one case, reported both **Authorized** and **Actual Numbers**. It reported both **Authorized** and **Actual Numbers** and **Values** of small arms imports. Peru did not report any imports of light weapons as it did in its 2019 report.



Peru provided clear, disaggregated data for all reported imports.

Peru provided numbers and values for all SALW and major conventional weapons imports.

Peru provided descriptions and comments describing the nature and end-use of all reported imports, which are consistent and detailed.



# ROOM FOR IMPROVEMENT



#### TRANSFER SUMMARY - 2020: EXPORT DATA

Peru submitted a 'nil' report for exports.



- Peru reported imports from 15 countries. Of these, 12 were ATT States Parties and three were Signatories.
- Peru reported the import of 2,313 major conventional weapons items, with a total value of US\$2.1m, all of which were missiles and missile launchers (missiles etc.).
- In terms of value, the exporters of major conventional weapons items to Peru were Bosnia and Herzegovina (76.7 per cent) and Bulgaria (23.3 per cent).
- Peru reported the import of 7,491 small arms items, covering four sub-categories, with a total value of US\$3.7m. In terms of value, the majority were 'others' (small arms) (77.3 per cent), revolvers and self-loading pistols (19.8 per cent) and light machine guns (2.2 per cent).
- In terms of value, the main exporters to Peru were Spain (34.8 per cent), Austria (22.8 per cent) and the United States (12.8 per cent).

### **POLAND**

Was the 2020 annual report submitted?			[	Yes - On time
Was the 2020 annual report made public?				Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	Unspecified	- Not indicated
What type of report was submitted?			ATT repo	orting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made public	cly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Poland's reporting remained the same in its 2020 annual report.

Poland reported **Actual Numbers** of major conventional weapons and SALW exports.

Poland reported **Actual Numbers** of major conventional weapons and small arms imports. As in its 2019 report, it did not report imports of light weapons.



Poland provided clear, disaggregated information on its reported exports and imports.

Poland provided descriptions of items for all exports of major conventional weapons.



### **ROOM FOR IMPROVEMENT**

Poland did not specify if any 'commercial sensitivity/national security-related' data had been withheld from the report.

Poland could provide descriptions and comments describing the nature of its SALW exports and all imports.



### TRANSFER SUMMARY - 2020: EXPORT DATA

- Poland reported exports to 24 countries. Of these, 15 were ATT States Parties, four were Signatories and five were nonmembers (Algeria, Kuwait, Oman, Uganda and Vietnam).
- Poland reported exports of 136 major conventional weapons items, covering four categories. Of these, the majority were missiles and missile launchers (MANPADS) (58.8 per cent), armoured combat vehicles (16.9 per cent) and large-calibre artillery systems (16.2 per cent).
- In terms of numbers, the main importers of major conventional weapons from Poland were Lithuania (58.8 per cent), the Czech Republic (16.2 per cent) and Ukraine (11.8 per cent).
- Poland reported the export of 34,448 SALW items, covering nine sub-categories. Of these, the majority were submachine guns (34.2 per cent), rifles and carbines (32.5 per cent) and revolvers and self-loading pistols (29.2 per cent).
- In terms of numbers, the main importers of SALW from Poland were the United States (49.8 per cent), the Netherlands (25.5 per cent) and Austria (9.8 per cent).



- Poland reported imports from seven countries. Of these, six were ATT States Parties and one was a Signatory.
- Poland reported imports of 97 major conventional weapons items, all of which were missiles and missile launchers (missiles etc.) from the United States.
- Poland reported the import of 1,249 small arms items, covering five sub-categories. Of these, the majority were sub-machine guns (48.4 per cent), assault rifles (33.6 per cent) and revolvers and self-loading pistols (10.8 per cent).
- In terms of numbers, the main exporters of small arms to Poland were Germany (83.8 per cent), Austria (10.8 per cent) and the Czech Republic (2.6 per cent).

### **PORTUGAL**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



### **REPORTING PRACTICE SUMMARY - 2020**

Portugal's reporting changed in its 2020 annual report.

Portugal continued to report **Authorized Numbers** of small arms exports. As in its 2019 report, it did not report exports of major conventional weapons and light weapons.

Portugal did not specify whether imports of major conventional weapons and SALW were authorized or actual. In its 2019 report, it had reported actual numbers and values of major conventional weapons imports and authorized numbers of most of its small arms imports. It had also reported actual numbers and values for the rest of its SALW imports.



Portugal provided clear, disaggregated data on all reported exports and imports.



#### ROOM FOR IMPROVEMENT

Portugal did not specify whether it was reporting authorized or actual imports.

Portugal could provide descriptions and comments describing the nature of its reported transfers.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Portugal reported exports to 33 countries. Of these, 28 were ATT States Parties, three were Signatories and two were non-members (Kuwait and Tunisia).
- Portugal did not report any exports of major conventional weapons.
- Portugal reported the export of 73,910 small arms items, covering two sub-categories. The majority of these were rifles and carbines (99.6 per cent).
- In terms of numbers, the main importers of small arms items from Portugal were the United States (47.1 per cent), Belgium (42.5 per cent) and Spain (2.5 per cent).



#### TRANSFER SUMMARY - 2020: IMPORT DATA

- Portugal reported imports from 22 countries. Of these, 19 were ATT States Parties and three were Signatories.
- Portugal reported the import of 45 major conventional weapons items: 44 missiles and missile launchers (missiles etc.) from France and one manned combat aircraft from Italy.
- Portugal reported the import of 10,993 SALW, covering six sub-categories. Of these, the majority were assault rifles (43.5 per cent), rifles and carbines (32 per cent) and revolvers and self-loading pistols (13.5 per cent).
- In terms of numbers, the main exporters of SALW items to Portugal were Belgium (59.9 per cent), Italy (10.1 per cent) and Germany (9.4 per cent).

#### **REPUBLIC OF KOREA**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relate	ed' reasons?	Yes
What type of report was submitted?			ATT reporting template
Were reports submitted in previous years in which reports were due?	2018	Were submitted reports made publicly avai	2018 \( \sqrt{2019} \) 2020 \( \sqrt{2020} \)



#### **REPORTING PRACTICE SUMMARY - 2020**

Republic of Korea's reporting changed in its 2020 annual report.

Republic of Korea continued to report **Authorized Numbers** of SALW exports, after not reporting light weapons exports in its 2019 report. It did not report major conventional weapons exports as it did in its 2019 report.

Republic of Korea continued to report **Authorized Numbers** of small arms imports. It did not report any imports of major conventional weapons and light weapons as it did in its 2019 report.

Republic of Korea provided its own definitions of the terms 'exports' and 'imports', indicating in both instances that its data is based on licenses granted (authorized) and not on actual transfers.



Republic of Korea provided clear, disaggregated information on its reported exports and imports.

Republic of Korea provided descriptions of all of its reported transfers.

Republic of Korea indicated clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



#### **ROOM FOR IMPROVEMENT**

Republic of Korea excluded some data for 'commercial sensitivity/national security-related' reasons but did not specify where or how much information was withheld.

147



#### TRANSFER SUMMARY - 2020: EXPORT DATA

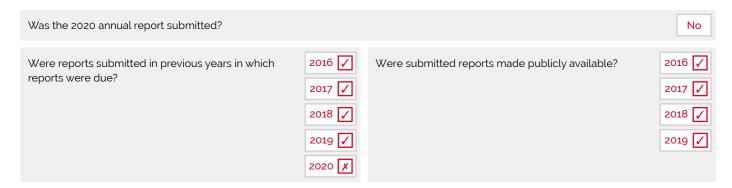
- Republic of Korea reported exports to three countries.
   Of these, two were ATT States parties and one was a non-member (Indonesia).
- Republic of Korea did not report exports of major conventional weapons.
- Republic of Korea reported the export of 358 SALW items, covering two sub-categories: rifles and carbines (88.8 per cent) and heavy machine guns (11.2 per cent).
- In terms of numbers, the importers of SALW from the Republic of Korea were Indonesia (88.8 per cent), Togo (8.9 per cent) and the Philippines (2.2 per cent).



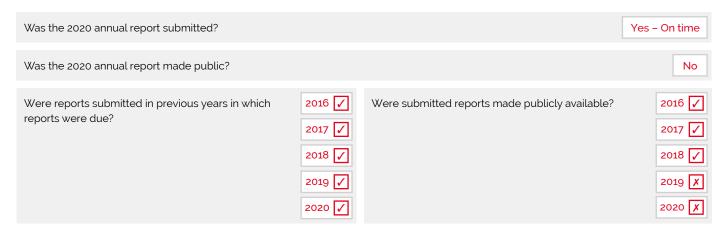
## TRANSFER SUMMARY - 2020: IMPORT DATA

- Republic of Korea reported imports from two countries: one ATT State Party and one Signatory.
- Republic of Korea did not report imports of major conventional weapons.
- Republic of Korea reported the import of 31 small arms items, all of which were rifles and carbines: 27 from Germany and four from the United States.

## **REPUBLIC OF MOLDOVA**



#### **REPUBLIC OF NORTH MACEDONIA**





## **ROMANIA**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT on	ine reporting tool
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



#### **REPORTING PRACTICE SUMMARY - 2020**

Romania's reporting changed slightly in its 2020 annual report.

Romania continued to report **Actual Numbers** of SALW exports. It did not report exports of major conventional weapons as in its 2019 report.

Romania continued to report **Actual Numbers** of major conventional weapons and SALW imports.



Romania provided clear, disaggregated data on all reported exports and imports.

Romania provided descriptions of the majority of its transfers and, in many cases, comments describing the nature of its exports and imports.

Romania indicated clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



#### **ROOM FOR IMPROVEMENT**

Romania could provide comments and descriptions on the nature of all its reported transfers.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

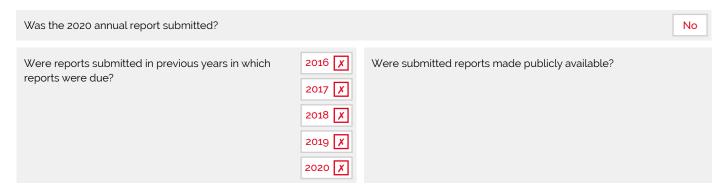
- Romania reported exports to nine countries. Of these, eight were ATT States Parties and one was a Signatory.
- Romania did not report any exports of major conventional weapons.
- Romania reported the export of 48,361 SALW items, covering six sub-categories. Of these, the majority were revolvers and self-loading pistols (52 per cent), rifles and carbines (36.6 per cent) and assault rifles (10.2 per cent).
- In terms of numbers, the main importing countries of SALW from Romania were the United States (87.8 per cent) and Bulgaria (10.2 per cent).



#### TRANSFER SUMMARY - 2020: IMPORT DATA

- Romania reported imports from 16 countries. Of these, 14 were ATT States Parties and two were Signatories.
- Romania reported the import of 20 major conventional weapons items: 17 armoured combat vehicles from Switzerland and three manned combat aircraft from Portugal.
- Romania reported the import of 32,701 SALW items, covering four sub-categories. Of these, the majority were revolvers and self-loading pistols (85.2 per cent) and rifles and carbines (14.4 per cent).
- In terms of numbers, the main exporters of SALW to Romania were Italy (78.8 per cent), the Czech Republic (6.9 per cent) and Germany (4.3 per cent).

## **SAINT KITTS AND NEVIS**



## **SAINT LUCIA**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

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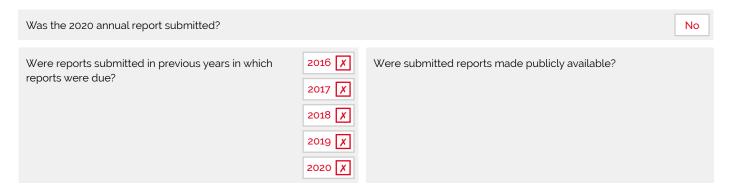
2017 X

2018 X

2019 X

2020 X

#### SAINT VINCENT AND THE GRENADINES



## **SAMOA**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

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## **SAN MARINO**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

2016 X

2017 X

2018 X

2019 X

2020 X

#### **SENEGAL**



## **SERBIA**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



#### **REPORTING PRACTICE SUMMARY - 2020**

Serbia's reporting remained the same in its 2020 annual report.

Serbia continued to report **Actual Numbers** of exports of major conventional weapons and SALW.

Serbia continued to report **Actual Numbers** of imports of major conventional weapons and SALW.



Serbia provided clear, disaggregated data for each reported export and import.



#### **ROOM FOR IMPROVEMENT**

Serbia could provide descriptions and comments describing the nature of its reported transfers.

Serbia could indicate clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Serbia reported exports to 33 countries and territories. Of these, 18 were ATT States Parties, five were Signatories and nine were non-members (Algeria, Armenia, Egypt, Indonesia, Jordan, Pakistan, Russia, Saudi Arabia and Uganda).<sup>39</sup>
- Serbia reported the export of 12,317 major conventional weapons items, covering three categories: large-calibre artillery systems (78.5 per cent), missiles and missile launchers (missiles etc.) (21.4 per cent) and armoured combat vehicles (0.1 per cent).
- In terms of numbers, the main importers of major conventional weapons from Serbia were the United Arab Emirates (77.9 per cent), Turkey (12.2 per cent) and Saudi Arabia (8.1 per cent).
- Serbia reported the export of 62,439 SALW items, covering seven sub-categories. Of these, the majority were rifles and carbines (62.2 per cent), revolvers and self-loading pistols (27.7 per cent) and mortars of calibre less than 75mm (6.5 per cent).
- In terms of numbers, the main importers of SALW from Serbia were the United States (57.9 per cent), Cameroon (14.4 per cent) and Burkina Faso (9.3 per cent).



#### TRANSFER SUMMARY - 2020: IMPORT DATA

- Serbia reported imports from 17 countries. Of these, 13 were ATT States Parties, two were Signatories and two were nonmembers (Marshall Islands and Russia).
- Serbia reported imports of 125 major conventional weapons items. Of these, the majority were missiles and missile launchers (missiles etc.) (49.6 per cent), large-calibre artillery systems (40 per cent) and armoured combat vehicles (7.2 per cent).
- In terms of numbers, the main exporters of major conventional weapons to Serbia were Russia (55.2 per cent), the Marshall Islands (40 per cent) and People's Republic of China (4 per cent).
- Serbia reported imports of 2,853 SALW items, covering five subcategories. Of these, the majority were rifles and carbines (35.2 per cent), revolvers and self-loading pistols (33.2 per cent) and portable anti-tank missile launchers and rocket systems (24.5 per cent).
- In terms of numbers, the main exporters of SALW to Serbia were Montenegro (24.6 per cent), the Czech Republic (22.7 per cent) and Slovakia (9.1 per cent).

#### **SEYCHELLES**

Was the 2020 annual report submitted?

No

Were reports submitted in previous years in which reports were due?

2017 🗶

2018 🗶

2019 🗶

2020 **X** 

Were submitted reports made publicly available?

## **SIERRA LEONE**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



#### **REPORTING PRACTICE SUMMARY - 2020**

Sierra Leone's reporting remained the same in its 2020 annual report.

Sierra Leone submitted 'nil' reports for both exports and imports.



Sierra Leone submitted 'nil' reports for both exports and imports, indicating clearly it had no transfers to report in its 2020 report.





#### TRANSFER SUMMARY - 2020: EXPORT DATA

• Sierra Leone submitted a 'nil' report for exports.



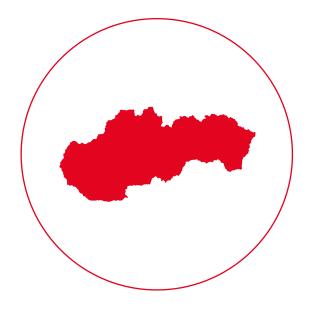
#### TRANSFER SUMMARY - 2020: IMPORT DATA

• Sierra Leone submitted a 'nil' report for imports.



## **SLOVAKIA**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



#### **REPORTING PRACTICE SUMMARY - 2020**

Slovakia's reporting remained the same in its 2020 annual report.

Slovakia reported **Actual Numbers** of major conventional weapons and SALW exports.

Slovakia reported **Actual Numbers** of major conventional weapons and SALW imports.



Slovakia provided clear, disaggregated data for each reported export and import.

Slovakia provided descriptions as well as some comments describing the nature of most of its major conventional weapons exports and imports as well as for some SALW exports and imports.

Slovakia indicated clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



#### **ROOM FOR IMPROVEMENT**

Slovakia could provide more descriptions and comments describing the nature of its SALW exports and imports.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Slovakia reported exports to 48 countries. Of these, 33 were ATT States Parties, nine were Signatories and six were non-members (Egypt, Indonesia, Kenya, Kyrgyzstan, Saudi Arabia and Sri Lanka).
- Slovakia reported the export of 2,663 major conventional weapons items, covering four categories. Of these, the majority were missiles and missile launchers (missiles etc.) (95.2 per cent), followed by large-calibre artillery systems (3.6 per cent) and armoured combat vehicles (1.1 per cent).
- In terms of numbers, the main importers of major conventional weapons from Slovakia were Israel (75.1 per cent), the Czech Republic (17.9 per cent) and Saudi Arabia (3 per cent).
- Slovakia reported the export of 90,415 SALW items, covering seven sub-categories. Of these, the top two were revolvers and self-loading pistols (97.4 per cent) and rifles and carbines (1.2 per cent).
- In terms of numbers, the main importers of SALW from Slovakia were Brazil (55.4 per cent), the United States (23.1 per cent) and the Czech Republic (3.6 per cent).



## TRANSFER SUMMARY - 2020: IMPORT DATA

- Slovakia reported imports from 16 countries. Of these, 13 were ATT States Parties and three were Signatories.
- Slovakia reported the import of 194 major conventional weapons items, covering five categories. The majority of these were armoured combat vehicles (94.9 per cent), followed by large-calibre artillery systems (2.6 per cent) and manned attack helicopters (1.5 per cent).
- In terms of numbers, the main exporters of major conventional weapons to Slovakia were Kazakhstan (77.3 per cent), the Czech Republic (18.6 per cent) and the United States (1.5 per cent).
- Slovakia reported the import of 22,853 SALW items, covering seven sub-categories. Of these, the majority were revolvers and self-loading pistols (63.5 per cent), rifles and carbines (35.2 per cent) and sub-machine guns (1.1 per cent).
- In terms of numbers, the main exporters of SALW to Slovakia were the Czech Republic (59.6 per cent), Germany (13 per cent) and Austria (9.2 per cent).

ATT MONITOR 2022 2.2 - COUNTRY PROFILES 160

## **SLOVENIA**

Was the 2020 annual report submitted?			Yes – On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		ATT re	porting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



#### **REPORTING PRACTICE SUMMARY - 2020**

Slovenia's reporting changed slightly in its 2020 annual report.

Slovenia continued to report **Actual Numbers** and **Values** of small arms exports. It did not report exports of light weapons as it did in its 2019 report, and it continued not to report exports of major conventional weapons.

Slovenia reported **Actual Numbers** and **Values** of SALW imports, after not reporting any imports of light weapons in its 2019 report. It did not report imports of major conventional weapons as it did in its 2019 report.



Slovenia provided clear, disaggregated data for each reported import and export as well as both numbers and values of each reported transfer.

Slovenia provided descriptions of all reported exports and imports as well as comments on some transfers.

Slovenia indicated clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



#### **ROOM FOR IMPROVEMENT**

Slovenia could provide more comments describing the nature of its small arms exports and SALW imports.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Slovenia reported exports to 15 countries and territories.
   Of these, 12 were ATT States Parties and two were
   Signatories.<sup>40</sup>
- Slovenia did not report exports of major conventional weapons.
- Slovenia reported the export of 9,903 small arms items, with a total value of €2.6m (US\$3m), covering two subcategories: revolvers and self-loading pistols (98.9 per cent) and rifles and carbines (1.1 per cent).
- In terms of value, the main importers of small arms from Slovenia were the United States (48.3 per cent), Brazil (27.6 per cent) and Poland (3.5 per cent).



#### TRANSFER SUMMARY - 2020: IMPORT DATA

- Slovenia reported imports from four countries in 2020, all of which were ATT States Parties.
- Slovenia did not report imports of major conventional weapons.
- Slovenia reported imports of 289 SALW items, with a total value of €249,452 (US\$284,762), covering six subcategories. In terms of value, the majority of these were assault rifles (45.2 per cent), rifles and carbines (42.1 per cent) and sub-machine guns (9.6 per cent).
- In terms of value, the main exporters of SALW to Slovenia were Germany (77.9 per cent), the Netherlands (12.5 per cent) and Austria (8.4 per cent).

ATT MONITOR 2022 3.2 - COUNTRY PROFILES 162

## **SOUTH AFRICA**

Was the 2020 annual report submitted?

Were reports submitted in previous years in which reports were due?

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ATT MONITOR 2022 2.2 - COUNTRY PROFILES 164

#### **SPAIN**

Was the 2020 annual report submitted?				Yes - On time
Was the 2020 annual report made public?				Yes
Was data withheld for 'commercial sensitivity/national	al security-relate	ed' reasons?	Unspecified	- Not indicated
What type of report was submitted?			ATT repo	orting template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made public	cly available?	2016



#### **REPORTING PRACTICE SUMMARY - 2020**

Spain's reporting changed in its 2020 annual report.

Spain continued to report **Actual Numbers** of major conventional weapons exports. It reported a mix of **Actual** and **Authorized Numbers** of SALW exports, after not reporting exports of light weapons in its 2019 report.

Spain reported **Actual Numbers** of major conventional weapons imports. It reported both **Actual** and **Authorized Numbers** of SALW imports in two instances and **Authorized Numbers** for other SALW imports. It did not report SALW imports in its 2019 report.



Spain provided clear, disaggregated data for all reported exports and imports.



#### **ROOM FOR IMPROVEMENT**

Spain did not indicate by ticking the relevant box whether it had excluded some data for 'commercial sensitivity/national security-related' reasons.

165

Spain could provide descriptions and comments describing the nature of its exports and imports.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Spain reported exports to seven countries. Of these, four were ATT States Parties and three were non-members (Cuba, Pakistan and Saudi Arabia).
- Spain reported the export of 23 major conventional weapons items, all of which were armoured combat vehicles to the United Kingdom.
- Spain reported the export of 2,864 SALW items, covering five sub-categories. Of these, the majority were handheld under-barrel and mounted grenade launchers (59.1 per cent), sub-machine guns (34.4 per cent) and mortars of calibre less than 75mm (6.4 per cent).
- In terms of numbers, the main importers of SALW from Spain were Estonia (52.4 per cent), Uruguay (35.4 per cent) and Pakistan (6.7 per cent).



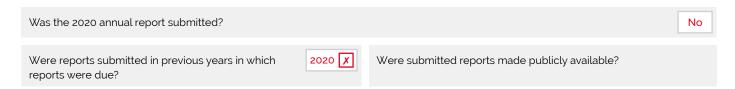
## TRANSFER SUMMARY - 2020: IMPORT DATA

- Spain reported imports from six countries. Of these, five were ATT States Parties and one was a Signatory.
- Spain reported imports of 50 major conventional weapons items, all of which were missiles and missile launchers (MANPADS) from the United Kingdom.
- Spain reported the import of 21 SALW items, covering six sub-categories. Of these, the majority were rifles and carbines (57.1 per cent), revolvers and self-loading pistols (19.1 per cent) and assault rifles (9.5 per cent).
- In terms of numbers, the main exporters of SALW to Spain were the United States (57.1 per cent), Belgium (19.1 per cent) and Switzerland (14.3 per cent).

#### **STATE OF PALESTINE**



#### **SURINAME**





ATT MONITOR 2022 2.2 - COUNTRY PROFILES 168

#### **SWEDEN**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	Yes
What type of report was submitted?		ATT onlin	e reporting tool <sup>41</sup>
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly available?	2016



#### **REPORTING PRACTICE SUMMARY - 2020**

Sweden's reporting changed slightly in its 2020 annual report.

Sweden reported **Actual Numbers** of major conventional weapons and light weapons exports. It reported **Actual Values** of exports under voluntary national categories. Small arms exports were not reported in the relevant sections of the online reporting tool, but under national categories as ML1 items.<sup>42</sup>

Sweden submitted a 'nil' report on imports. It reported imports of major conventional weapons in its 2019 report.

<sup>41</sup> Sweden also submitted a separate Annex table detailing national categories (ML1-ML22).

<sup>42</sup> ML1 is the first category of the EU Common Military List categories, covering "smooth-bore weapons with a calibre of less than 20mm, other arms and automatic weapons with a calibre of 12.7mm or less and accessories and specially designed components." See, European Council (2020). 'Common Military List of the European Union'. 17 February 2020. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020XG0313(07)&from=EN.



Sweden made extensive use of 'Section C: Voluntary National Categories' to report data under 18 out of 22 EU Common Military List categories. It reported aggregate values of items exported to individual destinations under each category.

Sweden provided clear, disaggregated data on each reported export and import.

Sweden provided descriptions of all exports of major conventional weapons and light weapons.

Sweden specified where information was withheld for 'commercial sensitivity/national security-related' reasons and for which weapon sub-category (missiles & missile launchers).



#### ROOM FOR IMPROVEMENT

Sweden could provide comments describing the nature of its exports and imports.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Sweden reported exports to seven countries. Of these, five were ATT States Parties and two were Signatories.
- Sweden reported the export of major conventional weapons items, all of which were missiles and missile launchers (MANPADS) to the Czech Republic, Ireland and Lithuania. It withheld the number of items involved in each transfer.
- Sweden reported exports of light weapons, covering two sub-categories, recoilless rifles and portable antitank missile launchers and rocket systems, to Hungary, Malaysia, South Africa and the United States. It withheld the number of items involved in each transfer.
- Under voluntary national categories, Sweden also provided data covering 18 categories of the EU Common Military List. Under ML1 items, which include small arms, it reported exports worth SEK18.6m (US\$2m).<sup>43</sup> In terms of value, the majority of its ML1 exports were to Germany (23.5 per cent), the United Kingdom (14.1 per cent) and Denmark (10 per cent).



#### TRANSFER SUMMARY - 2020: IMPORT DATA

• Sweden submitted a 'nil' report for imports.

## **SWITZERLAND**

Was the 2020 annual report submitted?			Yes - On time
Was the 2020 annual report made public?			Yes
Was data withheld for 'commercial sensitivity/national	al security-relat	ed' reasons?	No
What type of report was submitted?		AT	Γ online reporting tool
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publicly availa	2016 \( 2017 \( \sqrt{1000000000000000000000000000000000000



#### **REPORTING PRACTICE SUMMARY - 2020**

Switzerland's reporting remained the same in its 2020 annual report.

Switzerland continued to report **Actual Numbers** of major conventional weapons exports and **Authorized Numbers** of SALW exports.

Switzerland reported **Actual Numbers** of major conventional weapons imports and **Authorized Numbers** of SALW imports.



Switzerland provided clear, disaggregated data on each reported export and import.

Switzerland provided comments describing the nature of its major conventional weapons exports and imports.



#### ROOM FOR IMPROVEMENT

Switzerland could provide descriptions and more comments describing the nature of its SALW exports and imports.

Switzerland could indicate clearly that there were no reported exports or imports in specific weapons categories and sub-categories rather than leaving relevant sections of the reporting template blank.



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- Switzerland reported exports to 52 countries and territories. Of these, 39 were ATT States Parties, six were Signatories and five were non-members (India, Kuwait, Oman, Qatar and Yemen).<sup>44</sup>
- Switzerland reported exports of 175 major conventional weapons items: 168 armoured combat vehicles and seven large-calibre artillery systems.
- In terms of numbers, the main importers of major conventional weapons from Switzerland were Denmark (62.3 per cent), Botswana (12 per cent) and Ireland (10.3 per cent).
- Switzerland reported exports of 35,576 SALW items, covering seven sub-categories. Of these, the majority were sub-machine guns (43.5 per cent), revolvers and self-loading pistols (29.7 per cent) and rifles and carbines (14.4 per cent).
- In terms of numbers, the main importers of SALW items from Switzerland were the United States (79.9 per cent), Italy (5.4 per cent) and Austria (3.3 per cent).



#### TRANSFER SUMMARY - 2020: IMPORT DATA

- Switzerland reported imports from 21 countries and territories. Of these, 16 were ATT States Parties, three were Signatories and one was a non-member (Russia).<sup>45</sup>
- Switzerland reported the import of six major conventional weapons items, all of which were largecalibre artillery systems from Spain.
- Switzerland reported the import of 8,386 SALW items, covering seven sub-categories. Of these, the majority were revolvers and self-loading pistols (71.7 per cent), assault rifles (15.4 per cent) and sub-machine guns (11.3 per cent).
- In terms of numbers, the main exporters of SALW to Switzerland were Germany (32.5 per cent), Austria (28.9 per cent) and the United States (20.4 per cent).

## **TOGO**

Was the 2020 annual report submitted?

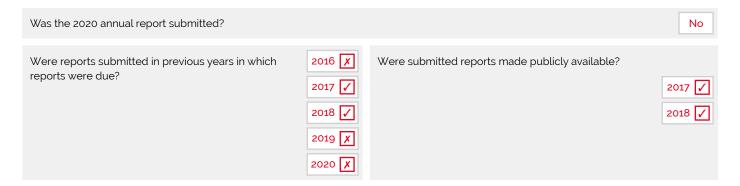
Were reports submitted in previous years in which reports were due?

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Were submitted reports made publicly available?

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## **TRINIDAD AND TOBAGO**

## **TUVALU**





## **UNITED KINGDOM**

Was the 2020 annual report submitted?			Yes - N	Missed deadline
Was the 2020 annual report made public?				Yes
Was data withheld for 'commercial sensitivity/nationa	l security-relat	ed' reasons?	Unspecified	- Not indicated
What type of report was submitted?			UN	ROCA template
Were reports submitted in previous years in which reports were due?	2016	Were submitted reports made publ	icly available?	2016



#### **REPORTING PRACTICE SUMMARY - 2020**

United Kingdom's reporting remained the same in its 2020 report.

United Kingdom reported **Authorized Numbers** of exports of major conventional weapons and SALW.

United Kingdom did not report any imports.



United Kingdom provided clear, disaggregated data for major conventional weapons and SALW exports.

United Kingdom provided descriptions of items and comments on the nature of the majority of its exports.



#### **ROOM FOR IMPROVEMENT**

United Kingdom provided no information on imports for major conventional weapons or SALW, and it did not indicate if it submitted a 'nil' report for imports.

United Kingdom did not specify whether the reported exports of attack helicopters were manned or unmanned, per UN Registry Definitions of Categories as outlined in Article 2 of the ATT.46



#### TRANSFER SUMMARY - 2020: EXPORT DATA

- United Kingdom reported exports to 76 countries. Of these, 50 were ATT States Parties, 14 were Signatories and 12 were non-members (Armenia, Bhutan, Egypt, India, Indonesia, Jordan, Kenya, Kuwait, Oman, Pakistan, Qatar and Saudi Arabia).
- United Kingdom reported the export of 450 major conventional weapons items, covering seven categories.
   Of these, the majority were missiles and missile launchers (missiles etc.) (76.4 per cent), armoured combat vehicles (18.4 per cent) and attack helicopters (2.4 per cent).
- In terms of numbers, the main importers of major conventional weapons from the United Kingdom were India (76.9 per cent), the United States (11.1 per cent) and Djibouti (3.8 per cent).
- United Kingdom reported the export of 27,123 SALW items, covering ten sub-categories. Of these, the majority were rifles and carbines (92 per cent), assault rifles (2.9 per cent) and revolvers and self-loading pistols (2.4 per cent).
- In terms of numbers, the main importers of SALW from the United Kingdom were the United States (76.8 per cent), South Africa (5.8 per cent) and Germany (2.9 per cent).

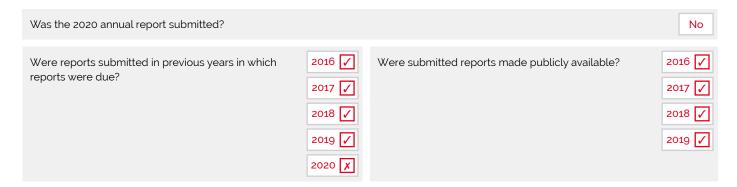


## TRANSFER SUMMARY - 2020: IMPORT DATA

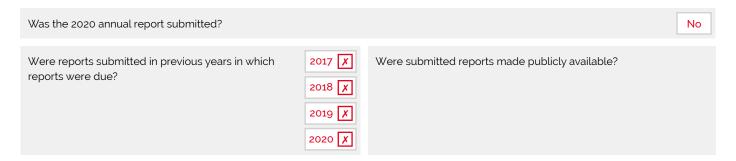
United Kingdom did not report imports.

<sup>46</sup> The UN Registry definitions of weapons categories include attack helicopters that are: (a) manned rotary-wing aircraft, designed, equipped or modified to engage targets by employing guided or unguided anti-armour, air-to-surface, air-to-subsurface, or air-to-air weapons and equipped with an integrated fire control and aiming system for these weapons, including versions of these aircraft which perform specialized reconnaissance or electronic warfare missions; and (b) unmanned rotary-wing aircraft, designed, equipped or modified to engage targets by employing guided or unguided anti-armour, air-to-surface, air-to-subsurface, or air-to-air weapons and equipped with an integrated fire control and aiming system for these weapons. For more information, see ATT Working Group on Transparency and Reporting (2019). 'Reporting Authorized or Actual Exports and Imports of Conventional Arms under the ATT: ATT/CSP5.WGTR/2019/CHAIR/533/Conf.Rep.Rev1. https://bit.ly/3rHiE2k, p. 26.

## **URUGUAY**



## **ZAMBIA**





## **CHAPTER 3: ATT REPORTING UPDATES AND INSIGHTS FROM 2021**

## 3.1 - PRELIMINARY REVIEW OF 2021 ANNUAL REPORTS

#### INTRODUCTION

States Parties are required under Article 13.3 of the Treaty to submit annual reports to the ATT Secretariat on their authorized or actual arms exports and imports that occurred during the previous calendar year. These annual reports are invaluable tools for enhancing understandings of global weapons flows and building confidence among states involved in the international arms trade.

The ATT requires each State Party to submit a first annual report following the first full calendar year after the Treaty enters into force for it and to continue reporting every year thereafter. Under the terms of the Treaty, annual reports are due to the ATT Secretariat by 31 May each year. The Secretariat grants States Parties a seven-day grace period, creating a de facto deadline of 7 June each year. Of the 110 States Parties required to have submitted at least one annual report since 2015, only 78 – just over two-thirds – have done so. Annual reporting compliance has declined since the first reports were submitted in 2016.

This chapter provides a preliminary analysis of the 2021 annual reports and of the overdue annual reports that were submitted since the publication of last year's ATT Monitor Annual Report as of 7 June 2022.

#### PREVIEW OF 2021 ANNUAL REPORTS

Of the ATT's 111 States Parties, 110 were required to submit an annual report covering the 2021 calendar year. The Philippines – the newest State Party – is not yet required to submit an annual report. By 7 June 2022, the following 44 States Parties had submitted an annual report for 2021:

 Antigua and Barbuda, Australia, Barbados, Belgium, Bosnia and Herzegovina, Burkina Faso, Canada, Chile, Croatia, Czech Republic, El Salvador, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Madagascar, Maldives, Malta, Mauritius, Montenegro, Netherlands, New Zealand, Niger, People's Republic of China, Peru, Poland, Portugal, Republic of Korea, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, State of Palestine, Sweden, Switzerland and United Kingdom Just 40 per cent of the States Parties due to submit an annual report for 2021 did so by the Secretariat's de facto deadline. This was the second-lowest rate of on-time compliance in the seven years of annual reporting under the Treaty, higher only than that for the first year of the COVID-19 pandemic. It also represents a decrease from the previous year, when 44 per cent of States Parties due to submit 2020 annual reports did so on time. The extremely low rate of on-time ATT annual reporting poses a critical challenge to the continued utility and value of the Treaty, which has transparency at its core. States Parties urgently need to fulfil their compliance with the ATT's reporting requirements or the Treaty and its commitment to promoting arms-trade transparency will be at risk.

TABLE 3.1 - ATT ANNUAL REPORTS ON-TIME REPORTING RATES

Reporting Year	Number of On-Time Reports Submitted <sup>1</sup>	On-Time Completion Rate (as a per cent of reports due)
2015	30	49%
2016	31	41%
2017	37	42%
2018	46	50%
2019	37	38%
2020	46	44%
2021	44	40%

States Parties often face significant challenges to annual reporting – including time or resource constraints, coordination and information-sharing issues, and competing government priorities – and many of these have been exacerbated by the COVID-19 pandemic.² However, it is not clear why such a high number of States Parties failed to submit their 2021 annual reports on time, particularly as the effects of the pandemic have somewhat abated. With ATT annual reporting now in its seventh year, the challenges to preparing annual reports are

<sup>1</sup> The number of on-time annual reports for 2015–2020 is based on data provided in ATT Secretariat. 'Arms Trade Treaty: Status of Reporting.' Second Meeting of the Working Group on Transparency and Reporting. 28 April 2022. https://bit.ly/3nxiv02. The number of on-time 2021 annual reports is based on information on the Secretariat's website as of 7 June 2022: ATT Secretariat. 'Annual Reports'. https://thearmstradetreaty.org/annual-reports.html?templateId=209826.

<sup>2</sup> Stimson Center Arms Trade Treaty-Baseline Assessment Project. 'Taking Stock of ATT Reporting Trends and Challenges'. April 2022. http://www.armstrade.info/wp-content/uploads/2014/10/Taking-Stock-of-ATT-Reporting-Trends-and-Challenges.pdf

well known, and it is critically important that States Parties take steps to address them.

Fourteen of the States Parties that reported on time this year (nearly 32 per cent) made their 2021 annual reports confidential; that is, available only to the ATT Secretariat and other States Parties. This represents an increase from the 28 per cent of on-time 2020 reports and 17 per cent of on-time 2019 reports that were kept confidential.

The trend of increasing confidential reporting has been driven not only by first-time reporters electing to do so but also by States Parties shifting from public to confidential reporting. Of the 14 States Parties that submitted confidential 2021 annual reports, three had never submitted an annual report before (Guatemala, Niger and People's Republic of China), four had submitted public annual reports for six years before reporting confidentially for the first time this year (Croatia, Latvia, Portugal and Spain), three had previously submitted one or more public reports before switching to confidential reporting in recent years (El Salvador, Greece and Mauritius), and four had always submitted confidential annual reports (Antigua and Barbuda, Barbados, Madagascar and State of Palestine).

The steady increase in confidential annual reporting raises several concerns. Restricting access to reports limits insights into global weapons flows; undermines efforts to identify problematic sales, dangerous accumulations and reporting irregularities; and prevents accurate assessments of whether States Parties are complying with their ATT obligations and whether the Treaty is fulfilling its object and purpose.

#### **REPORTING UPDATES**

Five States Parties were required to submit their first ATT annual reports this year (Afghanistan, Namibia, Niue, People's Republic of China and São Tomé and Príncipe). As of 7 June 2022, only one of them (People's Republic of China) had done so. The lack of reporting by the other four is yet another marker of faltering compliance with the ATT's annual reporting requirement. By this deadline last year, three of the eight States Parties due to submit their first annual reports to the ATT Secretariat had done so.

With annual reporting at a near record low, the number of States Parties that have consistently fulfilled this obligation has fallen. As of 7 June 2022, 39 States Parties (not including those required to report for the first time this year) had submitted all of their required annual reports.<sup>3</sup> At the same point last year, 41 had done so.

By comparison, 28 States Parties (not including the four non-reporting due to report for the first time this year) have not submitted any of their required annual reports. This represents a slight increase from the 26 States Parties that were consistently non-compliant with their annual reporting obligations over the previous two years.

Despite the disappointing number of submissions, over the past year, several States Parties with overdue reports have made laudable progress toward fulfilling the Treaty's annual reporting requirements. Since the publication of last year's ATT Monitor, Guatemala and Niger submitted annual reports for the first time after years of non-compliance. Guatemala was first required to report in 2018 and Niger was first required to do so in 2017. Additionally, several States Parties submitted overdue annual reports. This includes 17 States Parties that submitted their 2020 annual reports after the reporting deadline, and so had not been included in the analysis of 2020 annual reports in last year's ATT Monitor.<sup>5</sup> It also includes five States Parties that submitted annual reports that were due in previous years (Barbados, Cameroon, El Salvador, Madagascar and South Africa). Of these, four submitted overdue 2019 reports (Barbados, Cameroon, Madagascar and South Africa), two submitted overdue 2018 reports (Barbados and El Salvador), and one submitted overdue 2017 and 2016 reports (Barbados).

Barbados's recent annual report submissions are particularly notable. Having submitted its first annual report last year after four years of non-compliance, it submitted its 2021 annual report on time. With the submission of its overdue 2016 through 2019 annual reports over the last year, Barbados has now submitted all six of its required annual reports. While States Parties are obliged to submit their reports on time, there is still tremendous value in submitting even long-overdue ones. Non-reporting States Parties should be encouraged to follow the example of Barbados and the other State Parties that submitted overdue reports over the last year.

<sup>3</sup> Antigua and Barbuda, Australia, Barbados, Belgium, Bosnia and Herzegovina, Canada, Chile, Croatia, Czech Republic, El Salvador, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Madagascar, Maldives, Mauritius, Montenegro, Netherlands, New Zealand, Peru, Poland, Portugal, Republic of Korea, Romania, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, State of Palestine, Sweden, Switzerland and United Kingdom.

<sup>4</sup> Bahamas, Belize, Botswana, Brazil, Cabo Verde, Central African Republic, Chad, Côte d'Ivoire, Dominica, Ghana, Grenada, Guinea, Guinea Bissau, Guyana, Iceland, Lebanon, Lesotho, Mauritania, Mozambique, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Seychelles, Suriname, Togo, Trinidad and Tobago and Zambia.

<sup>5</sup> Australia, Austria, Bulgaria, Cameroon, Chile, Cyprus, Estonia, Hungary, Luxembourg, Madagascar, Malta, Monaco, Nigeria, Norway, Panama, South Africa and United Kingdom.

#### **INITIAL ASSESSMENT**

Several observations can be made based on an initial review of the contents of the 30 publicly available 2021 annual reports submitted by 7 June 2022:

Eight of the States Parties (27 per cent) that submitted publicly available 2021 annual reports used the online reporting tool, with six of them also using the online tool to submit their 2020 annual reports.<sup>6</sup> By comparison, eight of the 32 States Parties (25 per cent) that submitted public 2020 reports by this time last year used the online tool.<sup>7</sup>

Nineteen States Parties (63 per cent) used a version of the recommended reporting template to submit their 2021 annual reports.<sup>8</sup> In an example of good practice, 12 of them used the most recently revised version of the template endorsed by the Seventh Conference of States Parties in 2021.<sup>9</sup> Three States Parties (10 per cent) used their 2021 report to the United Nations Register of Conventional Arms or a modified version of it.<sup>10</sup>

Three States Parties submitted 'nil' reports for arms exports (Maldives, Peru and Sierra Leone). An additional two (Burkina Faso and Chile) did not report any arms exports but also did not indicate that they submitted 'nil' reports. Two States Parties submitted 'nil' reports for arms imports (Maldives and Sierra Leone). One additional State Party (United Kingdom) did not report any arms imports but also did not indicate that it submitted a 'nil' report.

Nine States Parties (30 per cent) indicated withholding some commercially sensitive and/or national security-related information from their 2021 reports. Two of them (Australia and Sweden) indicated withholding the number items transferred under certain weapons categories and one (Burkina Faso) explained that it withheld data relating to the value of goods. This is an increase from last year when approximately 19 per cent of States Parties that

submitted public 2020 reports indicated that they withheld some commercially sensitive and/or national security-related information.

Four States Parties indicated that their 2021 report included information on national definitions and categories of conventional arms, compared to five doing so in their 2020 reports.<sup>12</sup>

#### **EXPORTS**

Nineteen States Parties reported exports of major conventional weapons. <sup>13</sup> Six reported authorized major weapons exports. <sup>14</sup> and 11 reported actual major weapons exports. <sup>15</sup> This includes two States Parties (Czech Republic and South Africa) that did not indicate in all instances whether they were reporting authorized or actual exports, which can complicate analysis. Moreover, an additional two States Parties (Bosnia and Herzegovina and Ireland) did not indicate whether any of their reported major weapons exports were actual or authorized transfers.

Twenty-five States Parties reported exports of small arms and light weapons (SALW). <sup>16</sup> Eleven of them reported authorized SALW exports. <sup>17</sup> 11 reported actual exports <sup>18</sup> and one (Montenegro) indicated that all of its reported SALW exports were both authorized and actual transfers. However, four of these States Parties (Ireland, Italy, Serbia and Sweden) did not indicate in all instances whether they were reporting actual or authorized SALW exports. An additional two States Parties (Bosnia and Herzegovina and Czech Republic) did not indicate whether any of their reported SALW exports were actual or authorized transfers.

Several States Parties reported differently on exports of major conventional weapons and of SALW. Germany reported actual exports of major conventional weapons and authorizations of SALW exports. The Czech Republic indicated whether

- 6 Belgium, Chile, Czech Republic, Italy, Poland, Romania, Sweden and Switzerland. With the exception of Belgium and Poland, all of these States Parties also used the online tool to submit their 2020 annual reports.
- 7 Argentina, Czech Republic, Finland, Italy, Japan, Romania, Sweden and Switzerland.
- 8 Australia, Bosnia and Herzegovina, Burkina Faso, Germany, Hungary, Ireland, Japan, Liechtenstein, Maldives, Malta, Montenegro, New Zealand, Peru, Republic of Korea, Serbia, Sierra Leone, Slovakia, Slovenia and South Africa.
- 9 Australia, Burkina Faso, Germany, Japan, Liechtenstein, Maldives, Malta, New Zealand, Peru, Republic of Korea, Sierra Leone and Slovakia.
- 10 Canada, Netherlands and United Kingdom.
- 11 Australia, Bosnia and Herzegovina, Burkina Faso, Hungary, Ireland, Montenegro, Republic of Korea, South Africa and Sweden.
- 12 Belgium, New Zealand, South Africa and Switzerland.
- 13 Australia, Belgium, Bosnia and Herzegovina, Canada, Czech Republic, Germany, Hungary, Ireland, Italy, Netherlands, Poland, Republic of Korea, Serbia, Slovakia, Slovenia, South Africa, Sweden, Switzerland and United Kingdom.
- 14 Australia, Belgium, Italy, Republic of Korea, South Africa and United Kingdom.
- 15 Canada, Czech Republic, Germany, Hungary, Netherlands, Poland, Serbia, Slovakia, Slovenia, Sweden and Switzerland.
- 16 Australia, Belgium, Bosnia and Herzegovina, Canada, Czech Republic, Germany, Hungary, Ireland, Italy, Japan, Liechtenstein, Malta, Montenegro, Netherlands, New Zealand, Poland, Republic of Korea, Romania, Serbia, Slovakia, Slovenia, South Africa, Sweden, Switzerland and United Kingdom.
- 17 Australia, Belgium, Germany, Ireland, Italy, Malta, New Zealand, Republic of Korea, South Africa, Switzerland and United Kingdom.
- 18 Canada, Hungary, Japan, Liechtenstein, Netherlands, Poland, Romania, Serbia, Slovakia, Slovenia and Sweden.

its reported exports of major conventional weapons were authorized or actual transfers but did not indicate whether any its reported SALW exports were actual or authorized. Conversely, Ireland indicated whether its reported SALW exports were authorized or actual transfers but did not indicate whether any of its reported exports of major conventional weapons were actual or authorized transfers.

Seventeen States Parties reported only the number of items exported. <sup>19</sup> One (Sweden) reported only the value of items exported, except for some transfers for which it provided neither the number nor value of its exports. Seven States Parties reported both the number and value for the items exported, <sup>20</sup> though for certain transfers one of them (Belgium) reported only the value while another (Ireland) reported only the number.

#### **IMPORTS**

Fifteen States Parties reported imports of major conventional weapons.<sup>21</sup> Two of them (Belgium and Chile) reported authorized major conventional weapons imports, ten reported actual imports,<sup>22</sup> one (Peru) reported a combination of the two and one (Burkina Faso) indicated that all of its reported major weapons imports were both actual and authorized transfers. One State Party (Czech Republic) did not indicate whether it reported actual or authorized major conventional weapons imports.

Twenty-six States Parties reported imports of SALW.<sup>23</sup> Nine of them reported authorized imports,<sup>24</sup> 11 reported actual imports,<sup>25</sup> one (Peru) reported a combination of the two and two (Burkina Faso and Montenegro) indicated that all of their reported imports were both actual and authorized transfers. However, four of these States Parties (Australia, Belgium,



- 19 Canada, Czech Republic, Germany, Hungary, Italy, Liechtenstein, Montenegro, Netherlands, New Zealand, Poland, Republic of Korea, Romania, Serbia, Slovakia, South Africa, Switzerland and United Kingdom.
- 20 Australia, Belgium, Bosnia and Herzegovina, Ireland, Japan, Malta and Slovenia.
- 21 Australia, Belgium, Burkina Faso, Chile, Czech Republic, Germany, Japan, Netherlands, Peru, Poland, Romania, Serbia, Slovakia, Slovenia and Switzerland.
- 22 Australia, Germany, Japan, Netherlands, Poland, Romania, Serbia, Slovakia, Slovenia and Switzerland.
- 23 Australia, Belgium, Bosnia and Herzegovina, Burkina Faso, Canada, Czech Republic, Germany, Hungary, Ireland, Italy, Japan, Liechtenstein, Malta, Montenegro, Netherlands, New Zealand, Peru, Poland, Republic of Korea, Romania, Serbia, Slovakia, Slovenia, South Africa, Sweden and Switzerland.
- 24 Belgium, Germany, Italy, Liechtenstein, Malta, New Zealand, Republic of Korea, South Africa and Switzerland.
- 25 Australia, Canada, Hungary, Japan, Netherlands, Poland, Romania, Serbia, Slovakia, Slovenia and Sweden.

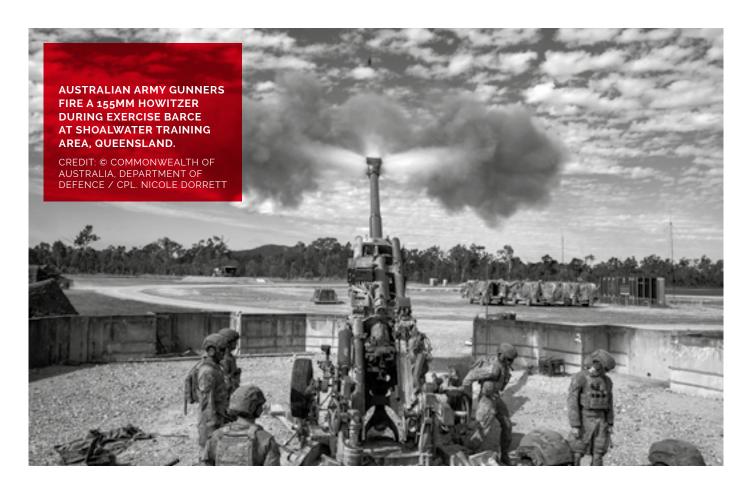
Hungary and Romania) did not indicate in all instances whether they were reporting actual or authorized SALW imports, and an additional three (Bosnia and Herzegovina, Czech Republic and Ireland) did not indicate whether any of their reported SALW imports were authorized or actual transfers.

Two States Parties reported differently on imports of major conventional weapons and of SALW. Germany and Switzerland both reported actual imports of major conventional weapons and authorizations of SALW imports.

Twenty-two States Parties reported only the number of items imported,26 one (Belgium) reported either the number or the value and four (Bosnia and Herzegovina, Japan, Peru and Slovenia) reported both the number and value for the items exported, though for certain transfers one of them (Japan) reported only the number.

#### CONCLUSION

The States Parties that submitted publicly available annual reports on time this year as well as those that submitted overdue ones should be commended for their efforts to fulfil their Treaty obligations and contribute to a fuller understanding of global weapons flows. However, it is deeply troubling that the seventh year of ATT annual reporting has seen a continuation of the negative transparency trends that characterized the previous six years, including widespread non-reporting and a steadily increasing rate of confidential reporting. While the COVID-19 pandemic undoubtedly continues to impact government processes involved in reporting, it cannot explain why annual reporting practices have continued to deteriorate even as much of the world has rebounded from the worst days of the pandemic. To reverse these negative trends and meaningfully advance the ATT's transparency aims, more needs to be done to assist States Parties in overcoming the obstacles they face to reporting in a consistent, timely and transparent fashion.





# 3.2 – UPDATES ON ATT INITIAL REPORTS AND MONITORING TREATY IMPLEMENTATION

#### INTRODUCTION

Article 13.1 of the ATT requires States Parties to submit an initial report to the ATT Secretariat on measures undertaken to implement the Treaty. These initial reports can be invaluable tools for understanding, monitoring and evaluating how States Parties interpret and implement their obligations under the ATT. While States Parties are required to submit their initial reports within the first year of the ATT's entry into force for them, nearly a quarter of those due to report have yet to do so, and two-thirds are more than four years past their initial reporting deadline.

This chapter provides an update on the status of ATT initial reporting as of 7 June 2022. It offers an overview of the initial reports submitted or updated over the past year, discusses the current state of compliance with the ATT's initial reporting obligation, and examines efforts by the Working Group on Transparency and Reporting (WGTR) and the ATT Secretariat to enhance initial reporting. In addition, this chapter provides a brief overview of the inclusion in initial reports of post-shipment controls and on-site verification, which is the thematic focus of the Eighth Conference of States Parties (CSP8).

#### **RECENT REPORTS**

Five States Parties (Afghanistan, Namibia, Niue, People's Republic of China and São Tomé and Príncipe) were required to submit their initial reports since 7 June 2021, the cut-off date for last year's ATT Monitor Annual Report. As of 7 June 2022, only the People's Republic of China had done so.

An additional four States Parties (Botswana, Grenada, Guatemala and Niger) belatedly submitted their initial reports to the ATT Secretariat over the past year. Their initial reports had been due in September 2020, December 2015, October 2017 and October 2016 respectively. In total, 44 States Parties have submitted their initial reports late, representing 51 per cent of the 86 initial reports submitted as of 7 June 2022.¹ While States Parties should strive to submit their initial reports on time, those that missed their deadlines should be encouraged to submit so as to provide insights into their national arms-transfer control systems and to fulfil their treaty obligations.

Of the five States Parties that submitted their initial report over the previous year, only Niger elected to make it publicly available. The People's Republic of China, Botswana, Grenada and Guatemala submitted confidential initial reports, which are available only to the ATT Secretariat and other States Parties. The large percentage of confidential reports among the most recent submissions reflects a continued and unwelcome trend. In total, 21 States Parties – nearly a quarter of the 86 States Parties that have reported on measures taken to implement the ATT – have restricted access to their initial reports. Over the years, States Parties have provided several reasons for making their reports confidential, such as concerns around the release of sensitive information and uncertainties around public reporting, or even reports being made confidential by mistake.<sup>2</sup>

States Parties are not required to follow any particular format in preparing their initial reports. While most have used a version of the recommended initial reporting template, States Parties have used several different approaches for their submissions. Of the 86 initial reports submitted to date, 73 (85 per cent) used the template.³ Of the 65 initial reports that are publicly available, 56 (86 per cent) used the template, seven (11 per cent) used the ATT Baseline Assessment Survey developed by the Stimson Center's ATT-Baseline Assessment Project, and two (3 per cent) used a national format. While the ATT Secretariat launched an online reporting tool in 2019 that States Parties can use to submit their initial reports, none that have submitted public initial reports to date has used it.

States Parties now have the option of submitting their ATT reports using revised versions of the recommended initial and annual reporting templates that were endorsed by the Seventh Conference of States Parties in September 2021. As the WGTR rightly observed, the endorsement of the revised templates 'could significantly contribute to improving the quality of reporting' under the Treaty, as the revisions address many of 'the most urgent clarifications, user friendliness issues, gaps and inconsistencies identified in the current templates'. The revised initial reporting template includes new and more explicit questions that invite States Parties to provide more detailed information on specific elements of their national control systems and assistance needs and capabilities, additional guidance to assist States Parties in preparing their reports, and

<sup>1</sup> ATT Secretariat (2022). 'Arms Trade Treaty: Status of Reporting.' Second Meeting of the Working Group on Transparency and Reporting. 28 April 2022. https://bit.ly/3nxiv02

<sup>2</sup> Of the three States Parties that indicated reports were made confidential by mistake, one was able to rectify the issues by submitting an amended report to the Secretariat. See, Arms Trade Treaty-Baseline Assessment Project (2022). 'Taking Stock of ATT Reporting Trends and Challenges,' April 2022, http://www.armstrade.info/wp-content/uploads/2014/10/Taking-Stock-of-ATT-Reporting-Trends-and-Challenges.pdf.

<sup>3</sup> ATT Secretariat (2022) Ibid

<sup>4</sup> ATT WGTR (2021). 'Co-Chairs' Draft Report to CSP7.' 22 July 2021, para. 26. https://bit.ly/3aaLKTj

an annex that States Parties can use when updating their reports to summarize the changes made.

Niger used the revised reporting template to prepare its initial report and, in so doing, illustrated the more detailed responses that this template can elicit. For example, it responded to the newly added questions about international assistance by providing detailed insights on its assistance needs, indicating that it is especially interested in receiving assistance around ATT reporting given its lack of experience in that domain. Niger also reported that it enforces a registration requirement for arms brokers, that its national risk-assessment procedure goes beyond what is required under the Treaty (including by subjecting license applicants to background investigations), and that a draft law on the general control regime for arms, if adopted, would enhance its implementation of the ATT.

#### **NON-COMPLIANCE**

All but one of the Treaty's 111 State Parties are required to have submitted an initial report to the ATT Secretariat. (The exception is the Philippines, the newest State Party, which is not yet required to submit its initial report.) As of 7 June 2022, 86 States Parties had submitted their initial report, 78 per cent of the 110 due to report. The number of States Parties that have yet to fulfil the initial reporting obligation has remained constant in recent years: 24 had yet to submit their required initial reports as of 7 June 2022, the same number that had yet to do so by the same deadline in 2020 and 2021.

Most of the 24 States Parties that have yet to submit their initial report are several years past their deadline. Four of them (17 per cent) are six-months to one-year late,<sup>5</sup> four (17 per cent) are one- to three-years late,<sup>6</sup> and 16 (67 per cent) are more than four years late.<sup>7</sup>

Many of the 24 States Parties that are late in submitting their ATT initial reports have experience in reporting on their national arms transfer control systems in other forums, particularly the UN Programme of Action on Small Arms and Light Weapons (UN PoA). Of the 24, 12 (50 per cent) have submitted at least one UN PoA report since ATT initial reporting began in 2015. Furthermore, seven of them (29 per cent) have submitted at least one UN PoA report since their ATT initial report was due.

#### **UPDATED REPORTS**

Article 13.1 of the ATT requires that States Parties 'report to the Secretariat on any new measures undertaken in order to implement this Treaty, when appropriate'. Submitting updated initial reports is crucial to ensuring that these reports remain an accurate and useful tool for understanding how States Parties implement the ATT, for measuring the Treaty's impact on national control systems, for developing good practice and for identifying gaps and needs.

To date, only six States Parties (Hungary, Japan, New Zealand, Romania, Slovenia, and Sweden) have submitted updated initial report to the ATT Secretariat. However, several additional States Parties have reported making changes to their national control systems since submitting their initial reports in interventions at formal and informal ATT meetings.<sup>8</sup>

Romania is the only State Party to have submitted an updated initial report since the publication of the 2021 ATT Monitor Annual Report. It reported changes made in 2021 to its primary and secondary legislation, using tracked changes and the report's annex to clearly indicate where information had been updated. The update was submitted using the revised initial reporting template and included responses to the template's newly added questions. As a result, Romania's updated initial report not only contains more recent information but also provides welcome additional insights not captured in its original report.



STATES PARTIES ARE NOT REQUIRED TO FOLLOW ANY PARTICULAR FORMAT IN PREPARING THEIR INITIAL REPORTS. WHILE MOST HAVE USED A VERSION OF THE RECOMMENDED INITIAL REPORTING TEMPLATE, STATES PARTIES HAVE USED SEVERAL DIFFERENT APPROACHES FOR THEIR SUBMISSIONS.

<sup>5</sup> Afghanistan, Namibia, Niue and São Tomé and Príncipe.

<sup>6</sup> Brazil, Guinea Bissau, Lebanon and Mozambique.

<sup>7</sup> Bahamas, Barbados, Cabo Verde, Central African Republic, Chad, Dominica, Ghana, Guinea, Guyana, Lesotho, Mali, Mauritania, Saint Kitts and Nevis, Saint Lucia, San Marino and Seychelles.

<sup>8</sup> For further details on States Parties' public statements with regards to updates to their national control systems, see the ATT Secretariat's records of informal preparatory meetings. ATT Secretariat (2022). 'Working Group Meetings and 2nd CSP8 Informal Preparatory Meeting'. https://thearmstradetreaty.org/CSP8-2nd-working-group-and-preparatory-meeting.

## TEXTBOX 3.1 – POST-SHIPMENT CONTROLS AND ON-SITE VERIFICATIONS

The German Presidency chose post-shipment controls and on-site verifications as the theme for the Eighth Conference of States Parties. Eighteen States Parties, in their initial reports, have described the implementation of these types of control measures.<sup>9</sup>

A review of the publicly available initial reports submitted as of 7 June 2022 suggests that States Parties place greater emphasis on pre-transfer than post-transfer controls. While many describe conducting pre-transfer checks, the number of States Parties that describe utilizing post-transfer controls or on-site verifications is much smaller, and explicit mentions of 'post-transfer controls' and 'on-site verifications' are relatively infrequent.

States Parties that mentioned post-shipment controls described their practices and measures in a variety of ways. They frequently referred to the use of delivery verification certificates (DVCs) or similar forms of documentation to confirm that transferred arms have been delivered to an authorized end-user. Nine States Parties made explicit references to DVCs in their initial reports.<sup>10</sup> An additional four referenced similar documents, such as 'a certificate that the delivery is completed' (Bulgaria), 'a written report with proof that the equipment has been installed on the end user's location, installation of equipment by the exporter, etc.' (Netherlands), 'proof of delivery of the goods' (New Zealand) and 'Goods Received Notes' (Zambia). Some States Parties explained that they may issue DVCs or other documents when importing arms. Albania, for instance, reported that it issues DVCs 'if required by the exporter state'. Likewise, exporting States Parties stated they may require that these documents be issued upon delivery. For example, Romania stated that it may require 'the Romanian exporter to provide delivery verification certificate or an equivalent document after each delivery is made, where multi-shipments are involved'. Some States Parties also reported taking steps to verify DVCs. Romania reported doing so 'through diplomatic channels'.

In some instances, States Parties' post-shipment controls may include requirements that records be kept or provided upon request to facilitate post-transfer checks. Canada reported that its risk-mitigation measures may include 'post-shipment controls, including [...] record-keeping requirements or checks'. Ireland explained that the documentation it requires for import authorizations 'can be checked to ensure the shipment compares in all regards to documentation, and it should be established that the person moving the firearms, ammunition, humane killers, explosives or explosive substances is the person named on the documentation'.

Finally, some States Parties provided examples of post-shipment controls that may be applied long after a delivery takes place. Liechtenstein and Switzerland, for example, explained that 'lilf there is evidence that the non-re-export declaration has been violated, the licensing authority may take precautionary measures (e.g. temporary stop of delivery, request for information, on-site inspections). They added that their 'licensing authorities may at any time demand from the licensee information on the nature, quantity, customs clearance data and end use of goods that are or have been imported or transported in transit in terms of a GIL [General Import License].

Five States Parties described using post-shipment verifications (PSVs) or similar measures as part of their exportcontrol system.<sup>11</sup> Liechtenstein and Switzerland explicitly referenced PSVs, while Belgium mentioned 'post-export verification', Bulgaria 'physical inspection [...] of delivery', and Romania 'on-site post-delivery verification', Belgium, Bulgaria, Liechtenstein and Switzerland indicated that they may require these inspections or verifications as part of an export authorization. These States Parties also provided some insights on the purpose of PSVs as well as who may conduct them, with Switzerland and Liechtenstein reporting that PSVs may be conducted to 'verify compliance with the non-re-export declaration', and Bulgaria explaining that 'a physical inspection [...] of the delivery in the end-user state' may be carried out by 'persons authorised' by Bulgaria's 'Interministerial Commission'. In general, however, these States Parties did not provide detailed explanations of the purposes or processes for PSVs.

<sup>9</sup> Albania, Belgium, Bulgaria, Canada, Czech Republic, Estonia, Germany, Ireland, Liechtenstein, Lithuania, Netherlands, New Zealand, Poland, Portugal, Romania, Slovenia, Switzerland and Zambia.

<sup>10</sup> Albania, Belgium, Canada, Czech Republic, Estonia, Poland, Portugal, Romania and Slovenia.

<sup>11</sup> Belgium, Bulgaria, Liechtenstein, Romania and Switzerland.

#### **EFFORTS TO ENHANCE ATT INITIAL REPORTING**

The Working Group on Transparency and Reporting continues to support the timely and accurate submission of ATT initial reports. During the preparatory process for the Eighth Conference of States Parties, the WGTR provided opportunities for States Parties, the ATT Secretariat, and civil society organizations to review the status of reporting, to share reporting challenges and identify means of assisting States Parties in addressing them, and to propose and discuss solutions to substantive reporting issues as well as issues around information exchanges and the ATT Secretariat's IT platform.<sup>12</sup> The WGTR co-chairs explained that its draft mandate for the coming year, which will be considered at CSP8, 'contains considerably fewer recurring and specific tasks' than its current mandate in the hope of allowing the WGTR's work 'to be more flexible and responsive to upcoming challenges and developments and to input from the members of the Working Group'.13 In its draft mandate for the CSP9 cycle, the WGTR proposes to continue to conduct exchanges around the status of reporting and reporting challenges; substantive reporting issues, such as the public availability of reports, gender considerations, and synergies with other reporting obligations; and transparency issues and information exchanges.<sup>14</sup> This may include an update on the WGTR's efforts to monitor the impact and usefulness of the revised initial reporting template, discussion of which was postponed during the CSP8 cycle.15

Support for enhanced initial reporting has also been provided by the ATT Secretariat, including through EU-funded projects aimed at matching implementation assistance needs and capabilities, training local and regional experts on delivering implementation assistance, and building the capacity of national points of contact, including with respect to initial reporting. <sup>16</sup> The ATT Secretariat has also monitored responses to individualized letters it sent on behalf of the CSP7 President to States Parties with overdue initial reports, several of which have since submitted theirs. <sup>17</sup> Additionally, the ATT Secretariat is considering ways to resume a peer-to-peer exchange of reporting assistance between States Parties – a project it began during the CSP6 cycle but was forced to suspend due to the COVID-19 pandemic. <sup>18</sup>

#### CONCLUSION

Over the past year, there have been some positive developments with regards to ATT initial reporting, such as the submission of new, updated and long-overdue reports as well as the adoption of useful revisions to the initial reporting template. However, there have also seen some negative transparency and reporting trends. The low rate of initial reporting compliance from the newest Treaty members, the submission of confidential reports by most new reporters and the limited number of States Parties who submit updated initial reports upon modifications to their national control systems continue to undermine initial reporting. The CSP9 cycle will need to be deliberate and concerted in its efforts to reverse these negative trends and fulfil the Treaty's transparency aims.

<sup>12</sup> ATT WGTR (2021). Ibid, Annex A.

<sup>13</sup> Visser, Sabine (2022). Presentation at the Second Meeting of the Working Group on Transparency and Reporting! 28 April 2022, https://youtu.be/3yfYl\_wYiKw?t\*11353.

<sup>14</sup> ATT WGTR (2022). 'Draft Annotated Agenda for Meeting of 28 April 2022, 13 April 2022, Annex B. https://bit.ly/30LuEKH

<sup>15</sup> ATT WGTR (2022). 'Introductory Paper for Meeting of 17 February 2022.' 21 January 2022, para. 26. https://bit.ly/3AEmwrp

<sup>16</sup> ATT WGTR (2022). 'Co-Chairs' Report of 17 February 2022 Meeting.' para. 12; Council of the European Union (2021). 'Arms Trade Treaty: EU steps up support in fight against illicit arms trade.' 16 April 2021,

https://www.consilium.europa.eu/en/press/press-releases/2021/04/16/arms-trade-treaty-eu-steps-up-support-in-fight-against-illicit-arms-trade/.

<sup>17</sup> ATT WGTR (2022). 'Introductory Paper for Meeting of 17 February 2022.' para. 19.

<sup>.</sup> 18 Ibid, para. 14.

