

VOL.13 NO.2

11 February 2020



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EDITORIAL: A WHOLE LOT OF UNPACKING GOING ON

Allison Pytlak and Katrin Geyer | Women's International League for Peace and Freedom

The first round of this year's Arms Trade Treaty (ATT) meeting cycle got off to what could be described as a very practical start, in which there was much technical conversation, methodical work planning, and in particular, a lot of "unpacking" activities—which seems to be a popular approach across the board.

The three ATT working groups—on treaty implementation, transparency and reporting, and universalisation—have adopted ever-more detailed workplans and tasks over the last year or two. This results in meetings that are increasingly specialised, mainly on the details of arms transfer policy and practice—but there is also always much discussion and close scrutiny of agenda items that would be considered more administrative, or financial, such as in relation to sponsorship and financial challenges, as the summaries in this edition show.

In particular, discussions in the three sub-working groups of the Working Group on Effective Treaty Implementation (WGETI) on article 9 (transit and trans-shipment) and article 11 (diversion), as well as in the Working Group on Transparency and Reporting (WGTR), demonstrate how these groups and their tasks are becoming more structured and compartmentalised in order to zero in on specific obstacles reported by states parties.

Not everyone welcomed this degree of technical sharing and exchange, however. The United Kingdom and France raised concerns about the proposed unpacking of key legal concepts in the WGETI's sub-working group on articles 6 and 7 in which they cautioned against setting "prescriptive" definitions and reminded that Treaty implementation is a national prerogative. The presumed rationale for unpacking concepts is to arrive at common understandings of how to apply the precise, legal, terminology of those two articles—which are arguably the heart of the ATT—and (hopefully) create a better standard by which to measure arms transfers decisions of states parties. In doing so, it would become more difficult

for a state to argue later that it did not have, for instance, adequate "knowledge" of the implications of a proposed transfer at the time when it was authorised, or that it understands "war crimes" in a way that would make arms transfers that appear obviously linked to such crimes permissible, for example. Put differently, a legal grey area can be strategic to maintain.

Costa Rica, Mauritania, Control Arms, and WILPF also expressed concern about the unpacking exercise in this sub-working group but for different reasons. We are concerned about the risks of opening or reinterpreting concepts that have been thoroughly reviewed and explained by lawyers and legal scholars. We do not want to enable the kind of strategic or deliberate ambiguity that would exploit loopholes and leave space for questionable arms transfers.

Meanwhile, technical and detailed information sharing is also becoming an issue in the context of ATT reporting—or, more accurately, it is the lack of such information that has become the problem. Despite the ATT being such a young treaty, there is already a noted decline in reporting rates and too much variety among them to enable any solid analysis. Moreover, Control Arms noted that while more countries may have submitted annual reports in 2018 than in previous years, "...we know less about the global arms trade than we did before, due to the increasing number of reports being kept confidential." Only four annual reports were kept confidential in 2017, whereas 11 states parties requested confidentiality when submitting an annual report in 2018.

The preview edition of this volume of the ATT Monitor stressed the importance of continuity and awareness about the decisions from previous Conferences of States Parties alongside longer-running discussions and dynamics that influence meeting agendas and positions.

When it came to decisions adopted by states parties less than six months ago at the Fifth

Conference of States Parties (CSP5) on gender and gender-based violence, it almost felt as if that work hadn't happened. As we report on elsewhere in this edition, a few of the CSP5-mandated activities will be taken up by the WGETI sub-working group on articles 6 and 7—but not thoroughly or on their own merit. Other of the actions seem doomed to be overlooked entirely. The ATT Secretariat delivered a short presentation on what it will do to improve gender balance in meetings. This is the right step to take but the plans seem vague as of yet and would benefit from more detail. Throughout the week, very few countries highlighted this subject, even broadly, as a priority. Most of the suggestions and reminders on this topic came from civil society. No country took the floor to report on any measures implemented since CSP5 that would advance those commitments. Only WILPF responded to the ATT's Secretariat's presentation.

This is a downside of the annual themes. Having one opens up opportunities for dialogue and learning on a subject than would not otherwise be possible, but what happens after that when everyone moves on to something new? Anchoring the decisions on gender and GBV in the final conference report created obligations, many of which are measurable and in line with commitments that most states already have such as through instruments like the Convention on the Elimination of Discrimination against Women; the Women, Peace and Security agenda; or Sustainable Development Goal (SDG) 5. Incidentally, the SDGs were once also a CSP thematic focus that inspired several mapping activities that outlined the parallels between ATT obligations and various of the Goals and indicators—but then dropped off. The CSP6 theme (transparency and information exchange to address and prevent diversion) does pick up on work started in 2018 for CSP4 with

an intention of developing “permanent tools” for future use.

Regardless of topic, there are clearly many tools, templates, and guidelines now being developed by the ATT community, many of which are based on national practice or understandings. Such sharing is good for transparency, and for capacity- and confidence-building. To be even more effective, states should ensure that these materials reach appropriate colleagues at home, in order to close the policy gaps between Geneva and national capitals; and to engage those people or other relevant experts in the development of these tools and unpacking of concepts.

More than anything, we must always evaluate if said resources and discussions play a role in facilitating the impact that the ATT was meant to—and make sure to not use the need to create them as an excuse to avoid or delay addressing the more politically challenging issues of non-compliance by some states parties through on-going problematic arms transfers. These states already have control systems in place and probably won't be waiting on any guidance notes issued by meetings of states parties; they cannot justify non-compliance as a capacity issue. When will time be given to addressing that, in these meetings?

It does feel sometimes as if the humanitarian imperatives that were the original motivation for the ATT have been lost sight of, in the technical work of creating tools and resources. “We need to redouble our efforts to keep the human being at the centre of our attention,” Costa Rica stated last week, in one of very few statements that referenced the human-centric notion of security that is central to this Treaty.

SUMMARY: SUB-WORKING GROUP ON ARTICLES 6 AND 7

Katrin Geyer | Women's International League for Peace and Freedom

This sub-working group of the Working Group on Effective Treaty Implementation (WGETI) was convened on 4 February, under the facilitation of Ambassador Ignacio Sánchez de Lerín of Spain. The meeting followed the work plan suggested by the facilitator in the document ATT/CSP6. WGETI/2020/CHAIR/584/M1.LetterWorkPlans. Rev1.

Draft multi-year work plan

Participants discussed the draft multi-year work plan (attachment 1, *ibid.*). The multi-year work plan is designed to ensure the development of a voluntary guide on the implementation of articles 6 and 7.

Many participants including Switzerland and Canada welcomed the draft work plan. Costa Rica noted that the work plan should allow for flexibility and a circular review of good practices of implementation. It cautioned that many of the key concepts scheduled to be discussed in a few years should not impede on the application in the day to day implementation of the ATT. Mexico made similar remarks.

The Women's International League for Peace and Freedom (WILPF) expressed concern that gender and gender-based violence (GBV) commitments agreed to at the Fifth Conference of States Parties (CSP5) are overlooked completely or not given sufficient attention. Control Arms also argued that the multi-year work plan should reflect, where applicable, its contribution to the CSP5 gender and GBV commitments. Canada welcomed that the gender commitments as agreed upon last year are reflected in the work plan, and announced its intention to develop the inclusion of gender aspects further in articles 6 and 7.

WILPF reminded that the CSP5 decision found in paragraph 22(c) ii, in that the WGETI that encourages state parties to provide information on their national practices relating to "mitigating measures" in the context of should be well

accounted for in the proposed first CSP7 preparatory meeting on this topic. Control Arms argued that more time should be allocated to sharing national practices relating to assessing the risks identified in article 7(1)(i) -(iv) and article 7(4). It noted that so far, there has been little discussion on the practical application of articles 6 and 7, specifically, how states parties develop and conduct risk assessment processes.

Costa Rica noted that there was no need to "unpack" notions as "basic" as "crimes against humanity," "genocide," or "attacks against the civilian population," as these terms are enshrined in international humanitarian law (IHL). Instead of reinterpreting these concepts, states should discuss how they are applied and implemented. WILPF and Control Arms made similar observations. The facilitator asserted that the working group does not intend to question well established concepts in international law, but rather to affirm them, and to consolidate the legal framework.

Draft methodology template for unpacking key concepts

The facilitator had prepared and distributed in advance a draft methodology template "designed to capture information and input from States Parties on their national practices and approaches to interpreting key concepts," as noted in the work plan of the meeting (see attachment 2 of the work plan).

The suggested terms in the template include "facilitate" as applicable to articles 7(1) b i-iv and 7(4), "serious," as applicable to article 7(1) b i-ii and 7(4), and "overriding risks," as applicable to article 7(3). The facilitator encouraged states parties to submit information on their national practices in interpreting these terms before the next working group meeting in order to acquire a better overview of the amount of varying or overlapping interpretations on these terms. The facilitator expressed hope that in so doing, overlapping or

similar approaches could be bundled into a few models to be eventually used in the guide.

Most participants welcomed the exercise to unpack key concepts. Austria said that this was a useful exercise last year when working on gender and GBV. The International Committee of the Red Cross (ICRC) reminded that the overall objective of unpacking key concepts should be to achieve the “highest possible common international standards” for regulating the arms trade, as found in the Treaty’s article 1.

Switzerland noted that the prescription for states to report on interpretations of each key concept limited to 250 characters each would not be enough. The facilitator informed that states’ contributions could be longer than that, but reminded states to be clear and concise in their submissions. The International Committee of the Red Cross (ICRC) suggested that states could provide a short summary of 250 characters, and attach a separate longer explanation if necessary. Mexico supported this proposal. Canada proposed to allow for 250 words instead of 250 characters.

Canada proposed that civil society and other actors should also be allowed to feed into the template.

Switzerland, Control Arms, Belgium, Canada, and the ICRC, among others, suggested that the concept of “having knowledge” at the time of authorisation, as included in Article 6(3), should also be considered as key concept.

Japan expressed concern about the final compilation of states’ submissions as types of interpretation and concepts are so various. France expressed similar concerns, and proposed to have an exchange on export controls on a voluntary basis. The United Kingdom (UK) also affirmed that information sharing is to be done on a voluntary basis to avoid prescriptive interpretation of the terms. The facilitator underscored that the working group should work towards concrete outcomes.

Palestine said there should not be “huge gaps” in interpretations, and that unpacking key concepts should help to harmonise national legislation with the Treaty, not vice versa.

The ICRC observed that states should share their interpretation of the term “serious” in its context as it would be challenging for states to share their interpretation in isolation of its context of article 7. The United States and Belgium made similar observations.

Control Arms and WILPF reminded that significant work has already been done to clarify many of the terms suggested, and Control Arms suggested to “strive to build on these existing resources rather than duplicate efforts.”

Voluntary training guide

Participants discussed the draft outline of a potential voluntary guide in implementing articles 6 and 7. The topics included are closely aligned with the topics included in the draft multi-year work plan. Many participants, such as the European Union (EU), Japan, and Palestine, welcomed the proposal for a voluntary guide.

The UK and WILPF observed that CSP5 had recommended the development of a voluntary guide specifically on article 7(4) related to the gender-based violence risk assessment. The facilitator noted that while he was aware that CSP5 recommended the drafting of a voluntary guide on the GBV risk assessment specifically, he noted that a voluntary guide could be more inclusive and useful by addressing articles 6 and 7 together. He said that instead of having one specific chapter on gender, the guide will incorporate a gender perspective across all topics. Control Arms said that the voluntary guide should reflect, where applicable, its contribution to the CSP5 decisions on gender and GBV.

Control Arms, the ICRC, WILPF, and others underscored that the voluntary guide should make use of already significant amount of existing resources on implementation of articles 6 and 7 for the drafting of the guide. The EU noted that the recently updated User’s Guide for the EU Common Position on Arms Exports would be a good reference point for consideration in the guide.

Palestine suggested that the guide should include reference to state and corporate responsibility for wrongful acts, as in line with the ATT’s objective to

achieve the highest possible common international standard.

The ICRC noted that the proposed question in paragraph 3 b) ii “Who conducts risk assessments?” is not only applicable to article 7, as proposed but also to article 6.

The ICRC further proposed making links between risk assessments processes in conjunction with articles 6 and 7, and diversion risk assessments, as states often assess these risks together. It suggested including a question about how states navigate complex arms transfer decisions, such as in cases of a bilateral support relationship or where the recipient country is in conflict.

SUMMARY: SUB-WORKING GROUP ON ARTICLE 9

Katrin Geyer | Women’s International League for Peace and Freedom

The first meeting of the sub-working group on article 9 on transit or trans-shipment met on 4 February under the facilitation of Mr. Rob Wensley of South Africa. It was based on the list of topics and elements for consideration compiled by the former chairperson of the Working Group on Effective Treaty Implementation (WGETI) as contained in annex E of document ATT/CSP5. WGETI/2019/CHAIR/529/Conf.Rep.

Participants discussed the five questions included in the facilitator’s non-paper (attachement 1 of document ATT/CSP6.WGETI/2020/CHAIR/584/M1.LetterWorkPlans.Rev1).

Dr. Paul Holtom of the Small Arms Survey opened the meeting. He provided a brief overview on this issue, offering definitions of the term, and an analysis of the 61 publicly available initial reports in terms of states’ current practice to regulate transit and trans-shipment. He noted there was “a mixed pattern” of transit and trans-shipment regulation, with details in the reports varying significantly (see paragraphs 4-10 of attachment 1 for further analysis). Dr. Holtom concluded by outlining linkages between article 9 and other articles of the Arms Trade Treaty.

The facilitator encouraged states to share national practices. He underscored that “unpacking” concepts and seeking common understandings in article 9 does not mean to be prescriptive in any form. He invited participants to submit suggestions for the development of a multi-year work plan in writing.

In response, the International Committee of the Red Cross (ICRC) responded that the term “appropriate measures to regulate,” should at the minimum provide for national laws to allow for weapons crossing the territory of a state party to be subject to its intervention, if the receiving entity would commit acts that would violate the ATT.

Aspects of the discussion are summarised below.

Exchange on national implementation measures

Switzerland informed that the control of transit of arms is established through national legislation. Any transit needs a specific transfer license, and a holder of a general transit license needs to provide information about the goods, quantity and country of destination, and is required to keep this information for ten years. Switzerland explained that in cases of violations, penalties range from monetary fines to prison sentences. Lastly, Switzerland explained that trans-shipment is part of transit and that the same licensing process applies to both actions.

Austria informed that it applies two set of rules: for commercial transfers, a license is required; for sovereign transfers, such as for peacekeeping missions, there is no special procedure as part of granting right of passage. It said that all airports are key to regulating transit. When a civilian aircraft carries military items, the assumption is that of denial.

Argentina said that in its documentation control, it requests the import license by the importing

country and the proof of authorisation from the exporting country.

Costa Rica explained that its council on security has prohibited any transfer of small arms through its territory to avoid human suffering, and in its attempt to excel in its implementation of the ATT.

Control Arms encouraged further sharing of details of how relevant national systems function, “allowing states parties that wish to develop their capabilities in this area to gain an understanding from a variety of approaches.” Finland also observed it would be useful to exchange on good practices.

Links to other articles

The majority of participants asserted that article 9 is intimately linked to other provisions of the Treaty and could not be discussed in isolation. The European Union, Japan, Palestine, Control Arms, and Belgium underscored the crucial link between article 6 and article 9. Belgium proposed that further discussion should go into challenges of linking article 6 with article 9, for instance for the enforcement of arms embargoes.

The ICRC observed that the regulation of transit was essential to prevent diversion and encouraged connection of activities between sub-working groups 11 and 9.

Finland noted that it was important to take a closer look at transit hubs that are linked to higher risks of diversion.

Control Arms stressed that states parties’ obligations under article 9 are impacted by obligations under article 6 on prohibitions, and article 11 on diversion. It argued that “these obligations elsewhere in the Treaty give a firm floor to national interpretations of the term ‘necessary’ in Article 9.”

Benin said that the obligation in article 12(3) requiring state parties to keep records, including

on the transit and trans-shipment states for at least ten years is also relevant to consider.

Belgium and Palestine said that article 7 was also important to consider.

Japan specified that article 7(6) is particularly relevant, requesting exporting states to make available information to the importing and/ or transit or trans-shipment state.

Japan noted there are indirect links between article 9 and articles 5(2) and 5(5). Palestine also asserted that the article 5 requirement to implement the Treaty in a non-discriminatory manner is relevant.

Costa Rica reminded that when analysing appropriate measures concerning article 9, due diligence was crucial.

“Unpacking” of concepts

Some states stressed the importance of unpacking key concepts as a part of work in this group.

Palestine said that the term “where feasible” should take into account the purpose and object of the Treaty, and is therefore related to article 1.

Japan argued that the feasibility of regulation depends on the resources available in each state, and also depends on how goods are transported, and the volume of goods, amongst other factors.

Mauritania expressed discomfort at debating terms that are already agreed upon and defined in other conventions. It advised against “re-opening debate” on certain terms which could be dangerous in light of the “present status of the international community.”

Belgium observed that the Convention on Certain Conventional Weapons (CCW) has come up with a common definition of what it understands to be transit operations. It said that ATT participants could draw inspiration from other fora’s understanding of these types of operations.

SUMMARY: SUB-WORKING GROUP ON ARTICLE 11

Katrin Geyer | Women's International League for Peace and Freedom

The sub-working group on article 11 on diversion of the Working Group on the Effective Treaty Implementation (WGETI) met on 5 February. The meeting was facilitated by Ms. Stela Petrović of Serbia.

The Fifth Conference of States Parties (CSP5) welcomed the multi-year workplan to address article 11 on diversion as living document, contained in document ATT/CSP5.WGETI/2019/CHAIR/529/Conf.Rep, developed by the sub-working group in past meetings. The workplan focusses on three parts: before the transfer; during transfer; and at or after importation/post-delivery.

This first meeting of the sub working group focused on "transfer chain stage 1", which refers to the time before a transfer occurs. The discussion was based on guiding questions relating to assessing the risk of diversion, and the role of private sector in mitigating diversion risk.

Most participants affirmed that the prevention of diversion is a key objective of the ATT.

Participants, including Switzerland, Japan, the European Union (EU), Mexico, the Republic of Korea (ROK), Benin, Austria, Costa Rica, the United Kingdom (UK), Germany, Romania, Paraguay, Haiti, Mauritania, Argentina, Canada, Jamaica, the Philippines, Georgia, Sweden, Conflict Armament Research, and Control Arms provided information and/or offered recommendations based on their (national) experiences of transfer risk assessments with respect to diversion. Below is a non-exhaustive summary of some of the discussed and recommended practices.

The EU supported further exchange and the compilation of best practices in preventing and addressing diversion. The EU informed that taking into account the risk of diversion is among the eight criteria of the EU Common Position on Arms Exports. It informed that the provision of diversion is the most invoked provision for denying export license applications.

Switzerland noted that its national legislation requires that license officers conduct pre-transfer risk assessments on a case by case basis. An export is denied if there is a high risk that exported war materiel will be exported to another end recipient than that which was declared in the export request. To determine if this is the case, Swiss authorities liaise with the Swiss embassy in the country of destination, as well as other ministries and governmental departments. Switzerland noted that each case is different, and that there is not just one way to assess risk diversion. The UK, Canada, and Germany informed about similar national procedures.

Control Arms observed that there is no strong sense what is meant by the requirement for the "highest international standards" for diversion risk assessments, and proposed that the annex from the Fourth Conference of States Parties on "possible measures to address and prevent diversion" would be a good basis to elaborate this further.

The ROK explained that it takes the end user certificate (EUC) as sole evaluation criteria for granting licenses. The ROK, Romania, Argentina, Georgia, and Control Arms stressed the importance of verifying the authenticity of these documents. Conflict Armament Research (CAR) informed that in its analysis of EUCs, it found that many certificates were incomplete or lacked information, limiting states' ability to carry out their due diligence exercise.

The ROK noted that current verification procedures pose challenges as too much administrative time and resources are wasted, and proposed the establishment of a standardised electronic system to facilitate this process.

Benin observed that it was important to link article 11(5) with article 15 on international cooperation, especially for transit countries that have the greatest difficulties in assessing risks of diversion. It called for authentic and reliable information

sharing to countries “in the middle of the chain”.

Jamaica also informed that as a transit state, it has been active working with all relevant stakeholders to strengthen domestic processes and controls to prevent diversion of illicit arms.

Japan noted that unusual transit routes indicate a high risk of diversion.

Control Arms argued that states should identify risks of trans-shipment, and should establish and approve transshipment routes prior to transfer to ensure safe passage and prevent diversion.

Austria informed that the transfer of technology also may lead to diversion. This could happen when a country wants to establish a subsidiary, which would be an example of a technology transfer. It noted that Austria denies the transfer if it deems export controls to be less strict in the country requesting to establish a subsidiary.

Costa Rica informed that in efforts to help prevent diversion, its office of armaments has established a registry which records weapons in the hands of private individuals and private military and security companies (PMSCs), allowing for more rigorous control of weapons in its national territory.

Control Arms argued that it should be a pre-requisite that actors seeking the granting of licenses should register with relevant national authorities, and registrations should be periodically reviewed.

Switzerland informed that it conducts national company audits to examine the legitimacy and credibility of Swiss arms exporters. Japan and Sweden have similar procedures.

Mexico, Haiti, and Costa Rica spoke about the grave humanitarian consequences that diverted weapons cause in their countries.

Paraguay observed that it was important that all civil servants be trained on the trade of arms and arms trafficking, and reported back on national workshops. It announced it will continue to duplicate these training efforts, especially on the subject of intercepting weapons and ammunitions in airports.

Japan informed that its relevant ministries have a webpage with instructions and guidelines on export control, application procedures, and legislation relevant to the prevention of diversion.

Canada noted that in an effort to enhance private sector awareness of the risks of diversion, states should allocate sufficient resources to create awareness of obligations under the ATT.

Switzerland also said that it informs industry about legislative or administrative changes, and raises awareness of relevant security development policies.

ROK shared that it conducts training sessions and offers online lectures to reach a wide range of stakeholders.

Germany said that it hosts a yearly, two-day seminar with industry, sharing, amongst others, updates on new legislation.

Control Arms reminded of the crucial role that civil society plays in identifying gaps in arms control and detecting the diversion of arms but reminded that the primary responsibility to prevent diversion lies with states.

The Philippines called developing a single platform that would include a database with real time updates on the information of movements of arms, to function as an accountable inventory system.

SUMMARY: WORKING GROUP ON TREATY UNIVERSALISATION

Katrin Geyer | Women's International League for Peace and Freedom

The meeting of the Working Group on Treaty Universalisation (WGTU) took place on Wednesday, 5 February. The meeting was chaired by Ambassador Janis Karklins of Latvia with input also from Ambassador Carlos Foradori of Argentina, who will preside over the Sixth Conference of States Parties (CSP6).

Ms. Raluca Muresan of Control Arms provided an overview of civil society efforts for universalisation of the Arms Trade Treaty (ATT). She reported on three main areas of work that have contributed to Treaty universalisation, including advocacy/ raising public awareness; technical support; and capacity building.

Ambassador Karklins thanked civil society for their efforts. He noted that it would not have been possible to get 100 co-sponsors on the 2019 UN First Committee resolution on the ATT without their support.

Ambassador Foradori outlined his activities to promote the universalisation of the ATT. These include bilateral meetings with countries that are not yet party to the ATT. He cited reasons why countries are not yet states parties, including political indifference or the perception that accession was not a political priority.

Mr. Dumisani Dladla of the ATT Secretariat updated on the status of ratification and accessions to the Treaty. He recalled that there are currently 105 states parties. He informed that 32 states have signed the Treaty but haven't yet ratified. He reminded that the United States announced last year that it did not intend to become a party to the Treaty,

Mr. Dladla then offered an overview of regional distribution of the ATT membership and concluded his presentation with an overview of rates of universalisation per year, indicating that there was a decline in years four and five but an increase of accession in year six.

Japan continues its universalisation efforts even after its presidency of CSP4. These include updating and distributing of the universalisation pamphlet that parliamentarians can use in their countries for awareness raising; bilateral dialogues and outreach; and the organisation of roundtable workshops on universalisation.

Palestine and Mexico welcomed the recent accessions of Botswana, Canada, and the Maldives.

Palestine regretted that major arms exporters aren't yet party to the Treaty, and noted that the United States' reversal of its position "threatens to paralyse the effective implementation of ATT provisions."

Palestine suggested that a "bottom up approach" would be useful in raising awareness about the Treaty, including advocating and promoting the Treaty in educational institutions, and raising more awareness with the media and parliamentarians.

The Republic of Korea (ROK) announced that it launched its project to translate the ATT universalisation toolkit as well as the welcome pack for new states parties to the ATT into languages other than the six UN languages. It informed that it already published the official translations of these documents in Korean. They are being distributed to domestic industries to intensify awareness raising efforts. It noted that it is currently in the process of selecting other Asian languages for translation of the toolkit and welcome pack. Japan and Ambassador Foradori acknowledged the ROK's efforts in this regard.

Australia announced that it will be hosting a universalisation workshop on all conventional weapons treaties, including the ATT, in June in Fiji.

Mexico suggested that the meeting of states parties for the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms (CIFTA) would be a good space to promote the ATT.

SUMMARY: WORKING GROUP ON TRANSPARENCY AND REPORTING

Katrin Geyer | Women's International League for Peace and Freedom

The Working Group on Transparency and Reporting (WGTR) convened on Thursday, 6 February by its co-chairpersons, Mr. Tom Nijs of Belgium and Mr. Alejandro Alba Fernández of Mexico. The meeting followed the agenda items as set out in document ATT/CSP6.WGTR/2020/CHAIR/577/M1.AnnAgenda.

Status of compliance with reporting obligations

Mr. Dumisani Dladla of the ATT Secretariat gave an overview of the status of reporting, including progress since the update provided at the Fifth Conference of States Parties (CSP5) in August 2019. He informed that 25 states are late in submitting their initial reports. In terms of regional distribution, twelve African states parties, eleven Latin American states, and two European states still need to submit their initial reports. In total, 74 initial reports have been submitted. Since CSP5, Zambia and Belize have submitted their initial reports.

Out of submitted initial reports, 12 states parties (or 16 per cent) have chosen to keep their reports confidential. 62 states have used the reporting template for the initial report, amounting to 84 per cent of all submitted reports.

The rate of annual reports has alarmingly dropped from 80 per cent in 2015 to 66 per cent in 2018. The amount of states parties due to submit their annual reports has increased from 61 states parties in 2015 to 92 in 2018. Thirty-four per cent of states parties are still due to submit their 2018 annual report. Sixteen per cent of 2018 annual reports were kept confidential. More positively, the Dominican Republic and Sierra Leone have already submitted their 2019 reports, ahead of the deadline.

The European Union (EU) reminded that reporting contributes to greater transparency of the global arms trade and strengthens confidence between states. Control Arms and Argentina made similar observations.

Guyana explained that it is late in submitting its initial report because at the time of ratification, its national control system still needed to be revised to ensure full implementation of the Treaty. It informed that together with the EU ATT outreach programme, it will hold a workshop next week with all relevant national stakeholders to address challenges. Chad also explained that it hasn't submitted any reports yet due to a lack of capacity and basic structures to gather the necessary information for reporting.

Mexico, Argentina, and the EU regretted the downward evolution of reporting rates. The EU and Control Arms regretted that an increasing number of states keep their reports confidential. The EU and Control Arms observed that without public reporting, it is impossible to know how states parties implement the Treaty. Control Arms said that the "more reports are submitted, the less we know about the global arms trade."

In contrast, Austria argued that keeping state reports private is a "theoretical concept," as there is much information available anyways, based on available economic data, for instance. Mr. Nijs also asserted that "secrecy was relative," because industry often is proud of their deals and publishes detailed information about transfers on their websites.

Control Arms welcomed the updates to four initial reports as important demonstration of progress on Treaty implementation, and reminded states that it was their legal obligation to update initial reports when there are changes.

The EU reported that it supported Togo and Zambia with its ATT outreach programme in their reporting obligations.

Mexico expressed hope that the new online reporting tool can help to address the problems states face in reporting.

Voluntary assistance with reporting

At CSP5, states parties mandated the ATT Secretariat and the WGTR, to implement a system of voluntary practical bilateral and regional assistance with reporting (peer-to-peer) (see paragraph 27 e of the final report).

Ms. Sarah Parker of the ATT Secretariat briefed participants about the peer-to-peer outreach conducted by the Secretariat. She reported that following their outreach, fourteen states parties had confirmed their willingness to offer assistance to other states parties. She explained that the Secretariat identified 32 states parties that might be interested in receiving support. These states parties were invited to an informal kick-off breakfast meeting convened on 6 February. The meeting was well attended and interactive, with nine states offering support and ten states looking for assistance. The ATT Secretariat announced that it is looking into different options towards formalising these first efforts. Romania and Germany welcomed the initiative.

Outreach activities

As co-chair Mr. Nijs reminded, CSP4 adopted the outreach strategy to tackle the low numbers of reporting (see co-chairs' draft report to CSP4 for further detail, ATT/CSP4.WGTR/2018/CHAIR/358/Conf.Rep). Consideration of the strategy was included in the CSP5 preparatory process, with the objective to effectively monitor the implementation of the strategy. The WGTR chairs received only "limited responses" to their calls for all ATT stakeholders to report on initiatives focused on enhancing compliance with reporting duties. Mr. Nijs announced that the president of CSP6 will hold diverse consultations in the coming weeks to advance on the implementation of the strategy.

Mr. Dladla of the ATT Secretariat then briefed participants about the Secretariat's outreach activities on reporting. He informed that the Secretariat raised awareness about reporting obligations through workshops and meetings in Kazakhstan, the United Kingdom (UK), South Africa, and Togo. He noted that many states lack of capacity and don't have national systems in place that can collect and process data needed

for reporting, and that quick turn over of human resources hinders long-term capacity building. He cited national security concerns as another obstacle to reporting.

Zambia shared its experience of receiving assistance by the Voluntary Trust Fund (VTF) to improve its reporting capacity. It cited various reasons for having submitted reports late. These include lack of understanding and awareness of reporting obligations; lack of coordination mechanisms for report writing; lack of priority among key stakeholders, and lack of resources to bring all relevant stakeholders together to compile and validate the report. It reported that after receiving VTF support, it collaborated with Small Arms Survey as implementing partner, and was able to submit its initial report in 2019. Zambia made copies available in the room of key findings and lessons learnt on the process.

Ireland reported that along with Saferworld and Germany, it hosted its 8th meeting of the group of experts in January 2020 in Dublin. Forty state and civil society representatives attended.

"FAQ'-type guidance document on the annual reporting obligation

WGTR participants were invited to discuss the 'FAQ'-type document, endorsed at CSP3, on the annual reporting obligation. The document was slightly amended at CSP5 in light of the introduction of the reporting online tool. No participant took the floor under this agenda item, and no proposals for alterations were submitted.

Substantive reporting and transparency issues

WGTR participants had the opportunity to raise and discuss any other substantive issues concerning the Treaty's reporting obligations that could benefit from consideration by the WGTR.

Palestine suggested that annual reporting should not only reflect implementation of the Treaty but also compliance. It should provide for the indication of the final exporting or importing country to determine compliance. It further suggested for the inclusion of a question on IHL compliance in the annual reporting templates.

Means for information exchange

The EU and co-chairs encouraged states to register to access to the online information exchange platform in the restricted area of the ATT website. The ATT Secretariat informed that it has developed guidance on the use of the platform (see document ATT/CSP6.WGTR/2020/ATTS/580/M1.GuidInfExch) but that no state has used the platform yet.

Control Arms described the exchange of information as critical for decision-making of arms transfers. It reminded that to facilitate information exchange states need to update their national points of contacts and have procedures in place to ensure that information is processed on time.

Reporting templates

WGTR participants discussed possible adjustments to the reporting templates “deemed necessary to address uncertainties and inconsistencies, to ensure compatibility between the online reporting tool and the proposed public searchable database that allows for queries and extracting data,” (ATT/CSP6.WGTR/2020/CHAIR/577/M1.AnnAgenda, agenda item2), and to allow for comparability of data. The co-chairs explained that difficulties in comparing data arise because there is limited guidance in the Treaty itself on report content, and that states parties can choose to report on authorised exports and imports only, or on actual and authorised imports and exports.

The co-chairs reminded that reporting templates were endorsed and recommended for use on a voluntary basis at CSP2. They informed that around 80 per cent of submitted reports are based on the reporting template but only twelve states parties have used the online reporting tool since its set up.

The co-chairs presented the inventory of comments and suggestions in Annex A to the WGTR co-chairs’ report to CSP5, and the ATT Secretariat shared findings from a document identifying the adjustments that they deem necessary (see document ATT/CSP6.WGTR/2020/ATTS/579/M1.BPRepTemp for a comprehensive overview).

The co-chairs announced that based on the discussions at this meeting, they will present amended templates for consideration at the April meetings.

Mexico, Control Arms, the International Committee of the Red Cross (ICRC), and Finland welcomed efforts to improve the template. Mexico said this will improve the quality of information provided. It said the online reporting tool could be made more “user friendly”. Mexico suggested harmonising the ATT template with those of other instruments to facilitate better reporting more broadly. Control Arms encouraged states to use the voluntary reporting templates to develop common understandings of the amount and types of information that should be included when reporting, including to provide a baseline for comparability.

The UK reminded that the Treaty allows states for flexibility in reporting, including the option to report on actual or authorised exports and imports. It expressed reservations about re-opening templates at this early stage, and called for changes that make the template more user-friendly instead of substantive changes.

The ICRC observed that the use of templates offers a benefit beyond the direct reporting obligations. They require countries to seek out information across systems and allow for finding gaps in implementation that need to be addressed.

The ICRC encouraged states to report on both authorised and actual exports and imports. It observed that open-ended questions, particularly with respect to articles 6 and 7 would allow for more comprehensive reporting.

Palestine wondered if the WGTR could establish smaller groups that would review and draft “concluding observations” on the content of reports. The WGTR chair recalled that a proposal for a peer-to-peer review mechanism had been made previously but had not enjoyed sufficient support to be taken forward.

SUMMARY: INFORMAL PREPARATORY MEETING FOR THE SIXTH CONFERENCE OF STATES PARTIES

Katrin Geyer | Women's International League for Peace and Freedom

The first informal preparatory meeting for the Sixth Conference of States Parties (CSP6) to the Arms Trade Treaty (ATT) met on Friday, 7 February and covered multiple agenda items.

CSP6 PRIORITY THEME

The president of the Sixth Conference of States Parties (CSP6) Ambassador Foradori of Argentina introduced his priority theme “transparency and information exchange” to address and prevent diversion. He noted that the Treaty will only be effective if its main objective, that of preventing diversion, is achieved. He outlined that obligations on transparency and information exchange can be found in at least nine articles of the ATT. He informed that under the Argentinian presidency, participants are encouraged to explore what are adequate and most effective tools for information exchange information and to prevent diversion, and how to develop and encourage their use. To that end, the president will circulate a document, and invited contributions through the online exchange platform or other channels.

Costa Rica, Japan, Mexico, the United Kingdom (UK), and the European Union (EU) welcomed the priority theme. Costa Rica noted that the priority theme is vital since many developing countries are most affected by diversion and the illicit trade of weapons. Costa Rica called for the redoubling of efforts to keep the human being at the centre of our attention.

Japan and the UK supported the informal and constructive meetings on diversion. The UK encouraged continued confidential inter-governmental exchange. Japan noted that it was also important to utilise the expertise of civil society when discussing specific cases of diversion.

Costa Rica reminded that it was crucial to also implement other international instruments, including relating to human rights obligations and

international humanitarian law. It also said that the implementation of the ATT should contribute to the prevention of gender-based violence (GBV) and to the implementation of the Sustainable Development Goals (SDGs).

STATUS OF CSP5 DECISIONS

Mr. Dumisani Dladla of the ATT Secretariat reported on the progress of implementation of decisions taken at CSP5 (contained in document ATT/CSP5/2019/SEC/536/Conf.FinRep.Rev1, section III)

Gender and GBV

With respect to commitments on gender and GBV (paragraph 22 in the CSP5 final report, ATT/CSP5/2019/SEC/536/Conf.FinRep.Rev1), Mr. Dumisani firstly addressed progress of implementation on participation and representation. He noted that states parties are making efforts toward achieving gender balance in their delegations. The ATT Secretariat considers gender balance in its sponsorship programme selection process, and he announced that the Secretariat will report to CSP6 about the gender composition of delegations.

Mr. Dumisani reported that some states are supporting research efforts to improve understandings, and other states are considering ways and means at the national level to improve the collection of gender-disaggregated data.

Regarding the commitments on the GBV risk assessment, Mr. Dumisani noted that discussions within the WGETI's sub-working group on articles 6 and 7 are underway, including discussions on the GBV risk assessment criteria. He also noted that the plans to draft a voluntary guide on articles 6 and 7 include GBV risk assessment. Lastly, Mr. Dumisani noted that the majority of the regional projects funded by the Voluntary Trust Fund (VTF) include GBV considerations.

The Women's International League for Peace and Freedom (WILPF) reminded that the CSP5 decisions on gender diversity were not just meant to increase the number of women, but aimed to ensure meaningful participation allowing for "contribution to policy development, to lead, and to be heard." It urged participants to include those that have experienced armed violence, and non-binary, other LGBT+ people, and other marginalised communities.

Voluntary Trust Fund (VTF)

In line with decisions contained in paragraph 24 of the final report of CSP5, Mr. Dumisani noted that implementation of the guidance for the VTF project evaluation is about to commence, and VTF outreach activities are underway. The implementation of the drafting of guidance for the selection of project proposals has also been initiated.

Voluntary guides and toolkits

Mr. Dumisani informed that the Basic Guide on Establishing a National Control System; the Reference document on conducting risk assessment; the Updated Reporting Guide: Questions & Answer; the Universalisation Toolkit; and the Welcome Pack are all available on the ATT Secretariat's website.

Austria asked if the universalisation toolkit and guide are available in all six UN languages. It is available in English, Spanish, French, Arabic, and Russian.

Transparency and reporting

In line with the CSP5 decision found in paragraph 27 of the conference's final report, Mr. Dumisani shared that a number of annual reports were submitted. He also informed that various initiatives to improve reporting are underway, such as the online reporting tool and peer-to-peer support.

ATT sponsorship programme

In line with the decision found in paragraph 29 of the CSP5 final report, the ATT Secretariat informed that the adopted administrative guidelines for the ATT sponsorship programme are being implemented, recognising the CSP5 decision to suspend consideration relating to rule 8 (1) d. until CSP6.

Financial decisions

Mr. Dumisani updated that the 2020 budget adopted at CSP5 is currently implemented. The ATT Secretariat applied the flexibility agreed upon in paragraph 37 of the final report of CSP5 that the closing of accounts can also be affected at a later stage. The management of uncommitted balance of appropriations is under implementation. The ATT Secretariat established a voluntary reserve fund as requested by CSP5 (paragraph 37(e)) and has issued a call for voluntary contributions on 9 December 2019. So far, no contributions have been made.

Management Committee

The ATT Secretariat stated that guidelines on making financial arrangements in relation to the discharge of financial obligations are being drafted, and the Management Committee is preparing a report on the ATT Secretariat's performance on the administration of the sponsorship programme, as requested by CSP5 (paragraph 37(f) of the final report).

VOLUNTARY TRUST FUND

New Zealand hosted a side event on the VTF during 2019 UN First Committee and held a practical workshop on the application process in December 2019 in Geneva.

Since its establishment in 2016, the Fund has received over \$8.9 million US dollars from a total of 25 states. In addition, the Fund received \$70,000 US dollars from Germany and New Zealand for the VTF's outreach programme. Mr. Dumisani shared that 26 applications were received for the 2020 cycle, and that the selection committee will review them on 21 April 2020.

Mr. Dumisani shared an overview of supported projects, and noted that projects funded in 2017 (15 projects), 2018 (nine projects) and 2019 cycles (19 projects) have all been implemented.

Japan, the EU, the UK, Germany, the Netherlands, Togo, Namibia, Mexico, and Control Arms welcomed support from the VTF. The UK and the Netherlands said that duplication with other funding channels should be avoided.

Control Arms urged states to continue to provide stand-alone funds for capacity-building, training, awareness-raising and technical assistance to civil society supporting the accession to or implementation of the ATT.

WORKING GROUPS

The chairpersons of the three ATT working groups (on Effective Treaty Implementation (WGTI), Transparency and Reporting (WGTR), and Treaty Universalisation (WGTU)) provided a summary of discussions held earlier in the week. Please see the summary reports elsewhere in this edition of the ATT Monitor. The chairs/facilitators made several announcements following discussions within the different working group sessions, noted below. Participants were given the opportunity to respond to the chairs' and facilitators' presentations, also summarised below.

WGTI

The chair of the WGTI expressed confidence that gender and GBV perspectives will be key considerations of the sub-working group on articles 6 and 7. The facilitator of the sub-working group on articles 6 and 7 of will prepare a revised version of the methodology template to be circulated shortly for states parties' consideration. The facilitator of the sub-working group on article 9 will draft a multi-year work plan for consideration by ATT participants in the next round of preparatory meetings in April. The facilitator of sub-working group on article 11 will circulate a paper in advance of the April meetings, outlining elements for assessing risks of diversion for possible adoption at CSP6.

In response to the presentation by the facilitator of sub-working group on articles 6 and 7, the UK suggested to "take a step back and identify real needs in this space." While it is fully supportive of implementing articles 6 and 7, it noted that implementation is a national prerogative, and that the "unpacking of key concepts" is not without risk. It cautioned not to set "prescriptive blanket definitions." France made similar observations.

The UK and Sweden also reminded that CSP5 agreed to create a voluntary guide on GBV specifically,

WGTR

The chairperson announced that he will present a document at the next WGTR meeting in April on the proposed project of ensuring that the conventional arms contained within in Article 2 (1) of the Treaty are included in the "Harmonised System" of the World Customs Organisation. The document will be a basis for further analysis.

In response to the WGTR chairperson's summary, Japan expressed its support to formalise diversion information exchange provided that financial resources to that end are secured. The UK reiterated that reporting templates and tools are voluntary, and that the Treaty allows for flexibility which has to be respected.

WGTU

After the summary from the WGTU chairperson, Guatemala asked if the ATT Secretariat could share more information about the how many current states parties are exporters and importers. It observed that it would improve the implementation of the Treaty if it was known what type of countries are part of the ATT. Chair Ambassador Fiadori replied that in efforts of universalisation, there is no selectivity or prioritisation of certain states over others.

MANAGEMENT COMMITTEE (MC)

Representatives of Japan and South Africa, as members of the MC, introduced the updated draft matrix for evaluation of the performance of the ATT Secretariat in relation to the administration of the ATT sponsorship programme (document ATT/CSP6/2020/MC/586/PM1.DrMatrix).

It incorporates the seven principles outlined in the final Administrative Guidelines of the ATT Sponsorship Programme (ATT/CSP5/2019/SEC/530/SponProgRep) adopted by CSP5. Based on the updated draft matrix, the MC will prepare its draft report to CSP6. The MC representatives welcome any input on the matrix.

ATT FINANCES

Mr. Dumisani of the ATT Secretariat provided an overview of the ATT finances. He explained factors considered for calculating assessed contributions;

outlined the sources of revenue, and explained the financial management process.

The EU expressed concern over the increasingly critical situation caused by non-payment by up to one third of states parties. The EU and Japan underscored the need to enforce the ATT's financial rules. The EU, Japan, and Mexico urged all states to pay their assessed contributions in full and on time.

DRAFT GUIDELINES ON THE ISSUE OF MAKING FINANCIAL ARRANGEMENTS WITH THE SECRETARIAT

Representatives of Costa Rica and Germany, as members of the MC, presented draft elements for the Secretariat's procedure regarding financial rule 8 (1) d., as contained in document ATT/CSP6/2020/MC/585/PM1.PropArr. At CSP5, states parties had requested the MC to prepare guidelines on the issue of "arrangements with the Secretariat in relation to the discharge of its financial obligations."

As the draft elements paper notes, "to date, no rule or procedure exists within the ATT framework that specifies how a State in arrears can make a financial arrangement or how the Secretariat should process a request for a financial arrangement as contemplated in Rule 8 (1) d of the ATT Financial Rules."

Costa Rica and Germany, as members of the MC, emphasised that this elements paper was a work in progress, and invited comments for their consideration. The MC proposes a multi-year payment plan for introduction in the ATT, outlined in more detail in the elements paper.

Canada took the floor to say that guidelines should not be overly descriptive in light of diverse potential circumstances. Canada noted that any arrangements with the Secretariat should not be an escape route for states parties to avoid the consequences of non-payment as contained in article 8 (1) d. France made similar remarks.

The Netherlands and France said that more clarification is needed about the procedure and sanctions if a state does not adhere to the payment plan.

The UK said that the draft should be clearer in defining arrangements, guarantees addressing non-payments, and consequences linked to non-compliance with arrangements. Canada asserted it was important that the arrangements include clear indicators and reasonable deadlines. France made similar suggestions.

Guatemala noted that the real issue at stake was not the need to elaborate a repayment programme. It acknowledged that article 8 (1) d of the financial rules is clearly set out in terms of losing voting rights and other consequences. Yet it argued that at CSP5, some suggested that states parties in arrears of over more than two years should be excluded from the eligibility of VTF and/or the ATT sponsorship programme. Guatemala urged to explore mechanisms to settle this issue.

STATUS OF OPERATION OF THE ATT SPONSORSHIP PROGRAMME

The ATT Secretariat reported on the status of operation of the ATT sponsorship programme. The programme sponsored 23 delegates to these meetings in February. Mr. Dumisani provided an overview of the services provided to the sponsored delegates, which included a half day briefing ahead of the preparatory meetings. The ATT Secretariat issued a new round of calls for applications on 7 February, with deadline of 2 March.

Control Arms welcomed the fund. It invited governments to support the Control Arms sponsorship fund to enable the participation of globally diverse civil society. It noted that this would ensure that the voices of civil society from all regions, particularly those affected by the proliferation and misuse of arms, are heard and reflected in the discussions and outcomes of these meetings. Benin and Haiti thanked the programme for supporting their participation.

SIDE EVENT REPORT: GENDER-RELEVANT VIOLENCE DATA FOR IMPLEMENTING ATT ARTICLES 6 AND 7

Emile LeBrun | Small Arms Survey

What data is available to states when considering the human rights prohibitions under article 6 and the risks of serious gender-based violence (GBV) under article 7? What more can they do to improve the availability of relevant data? These were the questions addressed in a lively panel discussion side event sponsored by the Small Arms Survey and the Government of Canada on the second day of preparatory and working group meetings held last week. The questions were addressed from the complementary perspectives of data specialists, a national statistical authority, the United Nations, and civil society. The messages were consistent and mutually reinforcing.

Ms. Anna Alvazzi del Frate of the Small Arms Survey highlighted current understandings of the low but slowly improving level of sex-disaggregated data in global violent deaths datasets, noting that conflict deaths data lags behind homicide data in this regard because of the challenges that monitoring systems have in generating it. The Survey's new Briefing Paper reviewing these datasets, *Gender Counts: Assessing Global Sex- and Gender-relevant Data on Armed Violence*, is due to be released in late February.

Ms. Maria Giuseppina Muratore of the National Statistical Institute of Italy discussed how cultural attitudes at the national level around gender-based violence can lag behind the committed language states have supported in international agreements and statements of intent. This disconnect is a real factor in the lack of coordination between agencies that is required to generate and disseminate sex-disaggregated violence data, data on violence against women, and the connection between arms (especially firearms) and gender-based violence. It is not unusual for firearms data to remain inaccessible due to "privacy concerns", for example.

Ms. Sonia Mueller-Rappard of the UN Office of the High Commissioner for Human Rights (OHCHR) described OHCHR's work as custodian

of Sustainable Development Goal (SDG) Indicator 16.1.2 on disaggregated conflict-related deaths. The methodology for this initiative was agreed in 2019 with reporting starting in 2020 focusing on individually documented direct conflict deaths. The SDG indicator should help expand data sources and harmonise data categorisation. Reporting may become more detailed over time and therefore contribute more directly to articles 6 and 7 in the future.

Ms. Katrin Geyer of WILPF's International Secretariat discussed contributions from WILPF's sections in conflict-afflicted countries, where civil society's access to official data on gender-based violence is often challenged by low government capacities and a lack of political will to address such violence. This is why independently produced qualitative data is key in reporting to human rights mechanisms, for example. In this regard, WILPF's concerns have been taken up by and are reflected in concluding observations of the Convention on the Elimination of Discrimination against Women (CEDAW) Committee or in Universal Periodic Reviews.

A number of threads ran through the experts' comments. For one, quantitative and qualitative data are mutually reinforcing and are both required to get a holistic picture of GBV and to support implementation of articles 6 and 7. Further, national authorities, the United Nations, and civil society make complementary contributions to the collection and generation of relevant data. In this regard, training and capacity-building initiatives are needed for national statistical offices and export authorities to ensure that all relevant information is gathered and analysed, as is sustained support to civil society for generating data where official statistics are weak. These are promising avenues to collectively move closer to the humanitarian objectives of the Treaty.

The side event also served to remind states that they had previously encouraged each other "to

collect gender disaggregated data within their national crime and health statistics, including gender disaggregated data on victims of armed violence and conflict, and make this data publicly available and “to support research that helps increase understanding of the gendered impact of armed violence in the context of the ATT”.

Further, efforts to support linkages between the SDGs and the ATT, which was the thematic focus of the Third Conference of States Parties, had faded

by CSP5. Although the Fourth Conference decided that, “moving forward, the Co-chairs of the Working Groups should continue to promote the linkages between the ATT and the SDGs, and identify appropriate opportunities to raise the issue as their work progresses,” no such connections were cited in the CSP5 final report. As Mr. Jérôme Collard-Proulx from the Canadian Permanent Mission to the UN noted in his closing remarks, these themes from previous conferences of states parties should not be lost but returned to and operationalised.

SIDE EVENT REPORT: LESSONS FROM AROUND THE WORLD ON EFFECTIVE ATT IMPLEMENTATION

Katherine Young | Control Arms Coalition

Control Arms, the Permanent Mission of Costa Rica, and the Geneva Centre for Security Policy hosted a side event to share information about recent global activities and events in support of effective ATT implementation around the world. Speakers presented lessons learned from specific international meetings and regional training events, shared outcomes, challenges, and questions for future consideration. The event was moderated by Maricela Muñoz of Costa Rica. Attendees broadly commended civil society efforts to facilitate effective implementation, as presented below.

Lt. Col. P. H. Hainyanyula of Namibia discussed progress made during the first session of the 2019 Control Arms’ ATT Academy in Southern Africa, which took place 9-12 December in Windhoek, Namibia. Currently an ATT signatory, Namibia spoke specifically to its goal of becoming an ATT state party and the subsequent process of reviewing and implementing national legislation to be compliant with the ATT— including new legislation regarding brokering and conventional arms and ammunition.

Rachel Stohl of the Stimson Center spoke about ATT-Baseline Assessment Project (ATT-BAP) resources and trainings that support the effective implementation of the ATT throughout the world.

The ATT-BAP helps countries find critical gaps in national systems to effective implementation, and provides tools to non-ATT members to facilitate ratification or accession to the ATT. One such training was the Samoa National Workshop in June 2019, which followed a formal needs assessment by Stimson and the Center for Armed Violence Reduction (CAVR), the implementing partner. The workshop was tailored to the gaps identified in the assessment.

Marc Finaud of the Geneva Centre for Security Policy (GCSP) shared information on the organisation’s Geneva-based training programmes for diplomats that provide detailed exploration of Treaty articles. With over 300 participants in the last year, GCSP courses reach a diverse range of government officials and civil society experts in many countries.

Elizabeth Kirkham of Saferworld highlighted outcomes and priority areas of work that emerged from discussions at the recent ATT Expert Group Meeting, which took place on 22-23 January 2020 in Dublin. Established in 2013, the Expert Group provides an informal space for all ATT stakeholders to discuss issues and challenges to ATT implementation, as well as share good practice and lessons learned. The most recent meeting focused on ATT reporting.

INTERACTIVE WORKSHOP ON DIVERSION FOCUSES ON PRACTICAL ACTIONS

Aaron Lainé | Control Arms Coalition

On 3 February 2020, Control Arms, together with the Permanent Missions of Argentina and Canada, co-hosted a practical workshop: “Harnessing Information Sharing & Transparency to Prevent Diversion”. The workshop built on the theoretical groundwork achieved in 2018 through the thematic focus on diversion of the states parties meeting held that year. It sought to contribute to the discussions that are taking place now in the sub-working group on article 11 of the ATT Working Group on Effective Treaty Implementation (WGETI) by moving from theoretical to more practical and concrete discussions.

Control Arms saw an opportunity to contribute to discussions around diversion following the announcement of Argentine Ambassador Carlos Foradori that, “transparency and information exchange to eradicate diversion” would be the thematic focus of the Sixth Conference of States Parties (CSP6), under his presidency. The result was a successful and engaging workshop attended by 25 state representatives and 13 civil society & United Nations representatives.

Ambassador Leslie E. Norton stressed in her opening remarks that arms diversion has “serious consequences on international and national security, human rights (including gender-based violence), humanitarian assistance and sustainable development”, and encouraged all states parties, both importers and exporters, to “...use the ATT meetings to explore together effective measures to tackle this serious issue”. Control Arms Coalition board chairperson Ivan Marques echoed these concerns, citing troubling armed violence statistics in Latin America that is fueled by arms diversion.

The participants heard from seven experts from a wide range of backgrounds including criminal investigation, export control, and investigative journalism. The workshop was split into three

thematic sessions, reflecting the three main stages of an arms transfer and where diversion may be successfully or unsuccessfully detected and prevented: before the transfer, during the transfer, and after the transfer. Experts covered a wide range of topics including but not limited to export assessment methods; risk mitigation measures; the role of information exchange in conducting a risk assessment; the role of transit and trans-shipment states; criminal investigation and enforcement; reassessment after changed circumstances; and the role of open source intelligence.

Presenters used innovative and interactive methods to convey their knowledge and help participants better grasp the more technical aspects of existing information sharing mechanisms within the systems set in place to help detect and prevent diversion, as well as to highlight opportunities for innovation in this field. This included role-playing exercises and live surveys, in which participants assessed whether specific scenarios could constitute diversion under the ATT and suggested sources of relevant, credible data) that could be used in a diversion risk assessment process.

In his closing remarks, Ambassador Carlos Foradori emphasised the importance of establishing dialogue and creating space to share information about measures taken at national and international levels to prevent diversion. The Ambassador also highlighted the crucial role of civil society and industry, and encouraged these discussions to take place in regional settings as well, not just within the states parties meeting cycle

Visit controlarms.org for a more detailed summary report.

ATT MONITOR

Reaching Critical Will is the disarmament programme of the Women's International League for Peace and Freedom (WILPF), the oldest women's peace organisation in the world. Reaching Critical Will works for disarmament and the prohibition of many different weapon systems; confronting militarism and military spending; and exposing gendered aspects of the impact of weapons and disarmament processes with a feminist lens. Reaching Critical Will also monitors and analyses international disarmament processes, providing primary resources, reporting, and civil society coordination at various UN-related forums.



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The *ATT Monitor* is produced by the Reaching Critical Will programme of the Women's International League for Peace and Freedom (WILPF) during all ATT meetings.

ATT MONITOR

Vol. 13, No. 2

11 February 2020

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The views expressed in this publication are not necessarily those of WILPF or Reaching Critical Will.