

**Control Arms Coalition Virtual Consultations 2020**  
**State of the ATT: Transparency & Reporting**  
**Outcome Report**  
 August 2020

The second Control Arms Coalition virtual consultation brought together over 30 Control Arms members and partners as well as expert speakers from around the world to discuss the state of Arms Trade Treaty (ATT) Transparency & Reporting. In particular, two issues formed the basis for discussion: 1) Arms import and export reporting obligations found in Article 13 of the ATT, and 2) Information sharing and transparency in the ATT process. The objective of the consultation was to inform Control Arms members and partners of two evolving challenges to transparency, to develop strategies to encourage comprehensive, consistent and public ATT reporting and to protect and enhance civil society space in the ATT process. A resource document titled "[State of the ATT: Transparency & Reporting](#)" was circulated ahead of the consultation and provided the foundation for the discussion.



**ATT Reporting**

Following opening remarks by Control Arms Co-Director Cindy Ebbs and consultation moderator Carina Solmirano of the [ATT Monitor](#), Stimson Center Vice-President Rachel Stohl delivered a presentation on the state of ATT reporting. Noting that transparency is at the core of the ATT as outlined in Article 1, Stohl stressed that transparency in the arms trade can be enhanced through

accurate, timely, comprehensive and public initial and annual reports. After explaining precisely what those reporting obligations are under Article 13, Stohl identified 3 major challenges: 1) record low rates of compliance on annual reporting this year, likely due to the COVID-19 pandemic, 2) a growing tendency towards confidential reports, and 3) aggregating data and withholding relevant information. Together, the three trends pose significant transparency challenges and stand as obstacles towards reducing corruption and increasing accountability in the global arms trade. Among the potential factors influencing these worrying trends are lack of political will, reporting fatigue, lack of awareness of reporting obligations/deadlines, limited availability of information, and lack of capacity. Stohl concluded her presentation by outlining the resources available and steps that states can take to mitigate these trends, some of which were captured in the [resource document](#).

The presentation was followed by a Q&A and group session, in which participants delved deeper into why some States Parties have yet to submit annual reports, whether submitted

reports are complete enough or not, the recent lack or delay of reporting from States Parties that traditionally submit timely reports, and the effectiveness of the reporting templates provided by the ATT Working Group on Transparency and Reporting.

## **Transparency in the ATT and other multilateral processes**

Katrin Geyer of Reaching Critical Will, the Disarmament Program of the Women's International League for Peace and Freedom (WILPF), and Florence Foster, from the Quaker United Nations Organisation (QUNO) contextualised the discussion on transparency in the ATT process by highlighting trends in other multilateral processes and the overarching effect of COVID-19 on diplomacy and civil society access.

Geyer explained the importance now, more than ever, of having maximum accountability and transparency in the ATT process and the broader disarmament space. She argued that the COVID-19 pandemic has highlighted the fact that it's "not guns and battle tanks that ensure global peace and security in a crisis such as this, but essential workers in the health and food sector, public transportation, and other essential services... but in many countries arms production has been deemed an essential service". Similarly, she mentioned that some ATT States Parties endorsed the UN Secretary General's call for a global ceasefire, yet they continued to supply arms to ongoing conflicts amidst the pandemic. Referencing the purpose of the ATT - to reduce human suffering - Geyer emphasized that in light of the current crisis, it should be everyone's top priority to ensure accountability, transparency, and effective implementation of the ATT to prevent the approval of problematic arms transfers.

While cognizant of the constraints placed on governments by the global public health crisis, Geyer outlined how other multilateral arms control and disarmament processes adapted to pandemic restrictions and whether these adaptations allowed for transparency. A majority of multilateral meetings were postponed due to concerns that not all stakeholders could take part in them. That was the case, for instance, with the Open Ended Working Group on Information and Communication Technologies (ICTs or cybersecurity), where the third and final session was postponed from July 2020 to July 2021. Geyer identified a more concerning byproduct of adapting working methods to comply with pandemic restrictions -- the exclusion of civil society from consultations. For example, the Chair of Open Ended Working Group on ICTs failed to communicate to civil society if or how they could access the informal consultations. As a positive example, Geyer referenced the Group of Governmental Experts on Lethal Autonomous Weapons Systems (GGE on LAWS), in which the Chair conducted two open and transparent consultations with all stakeholders, including civil society, to design a path forward amidst the health crisis.<sup>1</sup>

Echoing previous speakers, Florence Foster of QUNO noted that despite decades-long recognition of the mutually beneficial relationship between states and civil society, the shrinking

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<sup>1</sup> The GGE on LAWS has since agreed to hold an in-person meeting with Geneva-based diplomats only.

space for civil society is further undermined this year by the effects of the COVID-19 pandemic. The key challenge, Foster argued, is that the changes brought forth by quarantine measures have forced multilateral processes to be maintained on 'life support'. This resulted in almost no decisions taken this year beyond how to postpone the decision-making forums. Recognizing this as a significant loss for multilateralism in 2020, she reiterated that civil society has, by and large, been left out of decisions and lack of information sharing has been a clear trend. Foster finished by providing positive examples of transparency of process from the human rights sector. For example, some limited access was afforded to civil society in the Human Rights Council in July 2020. In informal discussions on the passage of certain resolutions, States provided comments in writing or shared comments orally through an online broadcast available to civil society. The resolutions were then tabled, discussed, amended and validated in full transparency.

Control Arms co-director Cindy Ebbs followed by providing an overview of the developments within the ATT process that undermine transparency and civil society access. Recalling the ATT's [Rules of Procedure](#) which afford civil society high levels of participation and access to documentation in comparison to other arms control and disarmament treaties, Ebbs outlined factors that have contributed to the erosion of civil society access and participation in the ATT process over the last two years. A growing trend towards private reporting, the increased use of the restricted area of the ATT website, and the cancellation of ATT meetings due to the COVID-19 pandemic -- these types of measures and practices have enabled the exclusion of civil society and placed additional barriers to constructive advocacy work.

Ebbs then noted In the context of the Sixth Conference of States Parties (CSP6), one of the 17 draft decisions put forward for consideration by States Parties sought to formalise a series of closed meetings on diversion into a "Diversion Information Exchange Forum" (DIEF). To date, civil society and other key stakeholders have no access to the initial informal consultations or the organizational documents governing the formal establishment of the DIEF. Ebbs emphasized that the establishment of a closed process of this type has major implications for the transparency of ATT implementation and the ATT process itself. Ebbs concluded that the decision (which was ultimately adopted at CSP6 through a silence procedure), greatly limits open dialogue and transparency on a critical ATT implementation issue that will have implications for years to come.

In the subsequent Q&A session, participants noted that ATT proceedings are largely dominated by states from the global north, and that if a virtual process had been adopted it would magnify that trend. Participants also highlighted that while the rationale behind the DIEF is to enable diplomats to openly discuss issues that may have national security implications, in practice this has not been the case. Discussions with government officials who took part in the initial DIEF meetings revealed that these informal discussions did not result in any concrete discussion on actual cases of diversion.

## **Breakout Group Exercise & Strategy Planning**

Following the overview of the key challenges to transparency provided by the four panelists, participants divided into randomly generated Zoom breakout groups to brainstorm ideas on: 1) how to encourage comprehensive, consistent and public ATT reporting; and 2) how to protect civil society space and enhance transparency in the ATT process. After thirty minutes of group deliberations, the participants returned to the plenary for a strategy mapping session which formed the basis of a Control Arms Coalition transparency strategy that will seek to ensure the ATT process remains transparent and promotes accountability.

**ATT reporting.** The group recognized that the COVID-19 pandemic has posed a serious challenge for governments, particularly those in the Global South which were already confronted with capacity challenges. In this context, civil society can play an important role in supporting governments by raising awareness of important commitments, including reporting deadlines, and providing resources, support and expertise in the area of reporting. Civil society can also inform and encourage governments with fewer resources to take advantage of the international assistance mechanisms such as the Voluntary Trust Fund (VTF) which can support governments in developing efficient reporting systems. It was agreed that the coalition should seek to engage with governments or regional organisations as a means of overcoming these challenges, following the example of successful partnerships between civil society and government in Latin America.

Similarly, it was also agreed that while the Coalition should take general thematic approaches in identifying challenges and offering support to fulfil reporting requirements, best practices should be adapted in order to fit each national context and assistance needs.

**Protecting civil society space and enhancing transparency in the ATT process.** Recognizing that governments and Treaty Secretariats and other multilateral processes might not have transparency and civil society participation at the top of their agendas as they devise new working methods during the COVID-19 pandemic, participants stressed that our role is to protect our space and remind governments of the importance of civil society participation and contribution to multilateralism. Emphasis was placed on the importance of raising awareness surrounding this issue with governments that may be sympathetic to civil society. In this regard, the establishment of a working group on transparency was recommended as a way to support advocacy efforts in this area. Cooperation with regional and sub-regional organisations such as ECOWAS was highlighted as a way to build confidence and further relationships between civil society and governments. Similarly, engaging with parliamentarians to make the voices of civil society heard at the national level was determined as a good practice, especially in terms of ensuring transparency in arms transfer decisions.

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