



Arms Trade Treaty

Baseline Assessment Project

Reporting Challenges and Assistance Needs IN THE ASIA-PACIFIC REGION



ASIA-PACIFIC



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INTRODUCTION

The Arms Trade Treaty (ATT) was adopted in 2013 with the purpose of establishing common international standards to regulate the international trade in conventional arms and to prevent and eradicate their diversion into the illicit trade. As enunciated in Article 1 of the Treaty, the ATT is intended to contribute to international and regional peace, security, and stability; reduce human suffering; and promote cooperation, transparency, and responsible action by States Parties. The ATT contains a variety of obligations to fulfill this object and purpose.

For the Asia-Pacific region, the ATT provides a significant opportunity to highlight and address issues of concern. The Arms Trade Treaty Baseline Assessment Project (ATT-BAP) has participated in several workshops across the region, which have involved the participation of States Parties, signatories and non-signatories. Participants were invited to analyze their national systems against the provisions contained in the ATT and to undertake a baseline assessment or gap analysis of their national transfer control systems. The workshops identified several challenges to be addressed by States in the Asia-Pacific region that seek to effectively implement the ATT:

- ▶ Outdated legislation;
- ▶ Limited human resources;
- ▶ Lack of x-ray machines at border posts; and
- ▶ Limitations in record keeping and reporting systems and procedures.

This report examines the status of, and challenges to, ATT implementation in eleven States in the Asia-Pacific region – including States Parties, signatories, and States that have yet to join the Treaty. In total, six States in the region are ATT States Parties: Australia, Japan, New Zealand, Samoa, South Korea, and Tuvalu.¹ A further eleven States in the region are signatories of the Treaty.² Despite the small number of ATT States Parties in the Asia-Pacific region, States in the region are vested in understanding the ATT obligations and their capacities to implement the ATT once they become States Parties. Moreover, non-signatories, such as Fiji, have been actively deepening their understandings of ATT obligations. For example, Fiji has participated in every Conference of States Parties (CSP) as an observer. In addition, the Solomon Islands and Papua New Guinea have examined their current compliance with ATT obligations in the form of a gap analysis prior to undertaking the internal process of joining the Treaty. In short, although there are only six States Parties in the region, there is considerable interest in the ATT across the region from public servants, as the region continues to suffer from a lack of political will.

This report identifies the challenges in ATT implementation for the States in the Asia-Pacific region, with emphasis on Pacific Island States. The report is primarily focused on Pacific Island States due to their interest in participating in implementation workshops. Moreover, the challenges for the Pacific Islands – the human resource challenges, in particular – are not necessarily the same challenges faced by Asian States. In Asia, the main impediment to ATT implementation is political resistance and lack of political will. The report focuses on reporting and record keeping challenges, and identifies the assistance needs for the region to effectively implement the ATT.

¹ South Korea is not obligated to submit an initial report until February 2018 and an annual report until 2019. Tuvalu was required to submit an initial report by 3 December 2016, but missed the deadline due to lack of capacity – as noted by State officials during a regional workshop. Tuvalu is required to submit an annual report by 31 May 2017.

² Bangladesh, Cambodia, Kiribati, Malaysia, Mongolia, Nauru, Palau, Philippines, Singapore, Thailand, and Vanuatu

The report is based on the information obtained from the following sources:

- ▶ Initial reports on measures to implement the ATT submitted by Australia, Japan, New Zealand, and Samoa
- ▶ Workshops held in partnership with the Centre for Armed Violence Reduction's Pacific Small Arms Action Group (PSAAG) within the Pacific region in Fiji and Solomon Islands³
- ▶ Questionnaires developed and distributed by ATT-BAP, and received from: Australia, Fiji, Japan, Kiribati, Palau, Papua New Guinea, Philippines, Solomon Islands, and Vanuatu (see Box 1)

Box 1. The ATT-BAP Survey

ATT-BAP SURVEY

The ATT-BAP Survey, which was made available in January 2014, contains a section relating to progress toward signing and ratifying the ATT, as well as 12 sections with detailed questions on how States implement the ATT:

- ▶ National Control System and List
- ▶ Exports
- ▶ Imports
- ▶ Transit/Transshipment
- ▶ Brokering
- ▶ Prohibitions
- ▶ Risk Assessment
- ▶ Diversion
- ▶ Enforcement
- ▶ Record Keeping
- ▶ International Cooperation
- ▶ International Assistance

The ATT-BAP Survey requires States to conduct an in-depth review and assessment of how their current arms transfer control system can implement the ATT. As of 15 May 2017, 65 ATT-BAP Surveys have been received. Of the 57 States Parties that submitted an initial report by 15 May 2017, 44 previously completed the ATT-Baseline Assessment Survey. In addition, eight Signatories and two States that have not yet signed the Treaty have completed their ATT-BAP Surveys. Seven of the 65 total ATT-BAP Surveys are identified on the United Nations list of least developed countries. Six States, including Australia, submitted their ATT-BAP Surveys as their initial reports. The ATT-BAP Survey continues to be used by States – particularly in the Pacific Island and CARICOM region – to help States identify gaps and needs, as well as to develop national processes to meet their ATT obligations.

³ Centre for Armed Violence Reduction and Pacific Small Arms Action Group, National Workshop on Arms Trade Treaty 2016 Report, Suva, Fiji: May 2016; Centre for Armed Violence Reduction and Pacific Small Arms Action Group, Solomon Islands Arms Control Systems Workshop, Honiara, Solomon Islands: August 2016.

RECORD KEEPING AT-A-GLANCE

Article 12 of the ATT contains obligations for States Parties with regard to maintaining records of export authorizations or actual exports, imports, or transit/transshipment of the conventional arms covered by the ATT (Box 2).

Box 2. Article 12 (Record Keeping)

ARTICLE 12. RECORD KEEPING

1. Each State Party shall maintain national records, pursuant to its national laws and regulations, of its issuance of export authorizations or its actual exports of the conventional arms covered under Article 2 (1).
2. Each State Party is encouraged to maintain records of conventional arms covered under Article 2 (1) that are transferred to its territory as the final destination or that are authorized to transit or trans-ship territory under its jurisdiction.
3. Each State Party is encouraged to include in those records: the quantity, value, model/type, authorized international transfers of conventional arms covered under Article 2 (1), conventional arms actually transferred, details of exporting State(s), importing State(s), transit and trans-shipment State(s), and end users, as appropriate.
4. Records shall be kept for a minimum of ten years.

The reporting form for the initial report contains very few questions on record keeping (see Figure 1). From this source, one can draw some general conclusions about the record-keeping practices and experiences of the States Parties in the Asia-Pacific region. All four States Parties that submitted an initial report on measures to implement the ATT maintain records of arms export authorizations. Japan and New Zealand maintain these records for 10 years per the Treaty requirement. Australia indicated that records are held for seven years, however this retention period is currently being examined with a view to extend the period to a minimum of 10 years. Samoa indicated that a minimum requirement is not yet reflected in its national legislation, though it can be amended. Australia, Japan, and Samoa maintain records of actual arms exports, and New Zealand indicated that it does not.

Figure 1. ATT Reporting Form. Section 8. Record Keeping

Figure 1. ATT Reporting Form. Section 8. Record Keeping

A. The national control system includes provisions for maintaining records regarding: [Article 12(1)] (it is mandatory to retain records for one of the two options below)		Yes	No
i)	issued authorizations for the export of conventional arms covered under Article 2(1) of the Treaty [Article 12(1)]		
ii)	actual exports of conventional arms covered under Article 2(1) of the Treaty [Article 12(1)] (if 'No' to both (i) and (ii), please elaborate below)		
B. Records are kept for a minimum of 10 years [Article 12(4)] (if 'No', please elaborate below)		Yes	No
C. The national control system includes provisions for maintaining records regarding:		Yes	No
i)	imports of conventional arms covered under Article 2(1) of the Treaty into national territory as final destination [Article 12(2)]		
ii)	authorizations for the transit and/or trans-shipment through national territory of conventional arms covered under Article 2(1) of the Treaty [Article 12(2)]		
iii)	authorizations related to the conduct of brokering activities included in the scope of the national control system (for instance relating to a register of brokers) [Article 10]		
D. Records cover other categories of conventional arms than those specified in Article 2(1) (if 'Yes', please elaborate below)		Yes	No
E. Additional voluntary information relevant to national record keeping (please specify below - for instance types of information preserved in national records for exports and imports respectively)			

All four States Parties maintain records on arms imports and authorizations for the transit and/or transshipment of arms through their national territories. Samoa also indicated that it maintains records of authorizations related to the conduct of brokering activities, even though it does not have brokering provisions in its existing legislation.

In addition, the completed ATT-BAP Surveys from six non-ATT States Parties (Fiji, Kiribati, Palau, Philippines, Solomon Islands, and Vanuatu) from the Asia-Pacific region provide additional insight into the region's record-keeping measures. Four of these six States maintain records of arms export authorizations. Fiji maintains these records for as long as the weapons exist, but also stated that there is no legislative requirement for exporters to keep records. The Solomon Islands maintains its records for seven years and Vanuatu maintains its records for at least 10 years. The four States that do keep records maintain records of actual arms exports. Kiribati and Palau do not keep records of arms export authorizations or actual exports.

Although Papua New Guinea has not formally submitted an ATT-BAP Survey, it did complete a Survey at the PSAAG workshop held in Port Moresby in October 2016. In that document, Papua New Guinea reported that it does not keep records of arms exports. Indeed, it is worth indicating that most States in the Pacific Islands do not export arms – and are unlikely to become major arms exporters. Therefore, they do not have systems relating to maintaining export records. It is unlikely that record keeping on arms exports will ever be a priority for these States, nor should it be.

Four of these six States maintain records of arms imports (these are the same four that maintain records for arms exports). Kiribati and Palau do not keep records of arms imports. It is also worth noting that Kiribati has unarmed police and Palau has a prohibition on private arms ownership, so imports to the country would likely be quite low, if any. The same four States maintain records of arms that are authorized to transit and/or transship territory under their jurisdictions. Kiribati and Palau do not keep or maintain records of arms imports or arms that are authorized to transit and/or transship territory under their jurisdictions. Papua New Guinea indicated in its workshop that it keeps import records for seven years.





REPORTING AT-A-GLANCE

ATT Article 13 (Box 3) requires States Parties to complete and submit two reports to the ATT Secretariat:

- ▶ an initial report on measures undertaken to implement the ATT, which must be completed and submitted at least once (within the first year of entry into force for that State), but must be updated as regulations and policies change; and
- ▶ an annual report containing information on authorizations or actual exports and imports of the eight categories of conventional arms contained in Article 2(1) of the Treaty that took place during the previous calendar year (i.e. annual reports submitted before 31 May 2016 provide information on international arms transfers and authorizations that took place between 1 January and 31 December 2015).

All four States Parties from the region that ratified the ATT by 24 December 2014 have submitted an initial report and their first ATT annual report in 2016 (Table 1).⁴

Box 3. Article 13 (Reporting)

ARTICLE 13. REPORTING

Article 13(1)

Each State Party shall, within the first year after entry into force of this Treaty for that State Party, in accordance with Article 22, provide an initial report to the Secretariat of measures undertaken in order to implement this Treaty, including national laws, national control lists and other regulations and administrative measures. Each State Party shall report to the Secretariat on any new measures undertaken in order to implement this Treaty, when appropriate. Reports shall be made available, and distributed to States Parties by the Secretariat.

Article 13(3)

Each State Party shall submit annually to the Secretariat by 31 May a report for the preceding calendar year concerning authorized or actual exports and imports of conventional arms covered under Article 2 (1). Reports shall be made available, and distributed to States Parties by the Secretariat. The report submitted to the Secretariat may contain the same information submitted by the State Party to relevant United Nations frameworks, including the United Nations Register of Conventional Arms. Reports may exclude commercially sensitive or national security information.

⁴ Australia submitted its UN Register submission before 31 May 2016, but subsequently submitted an annual report in December 2016 using the ATT reporting form.

Two of the four States Parties from the region that submitted their initial implementation reports to the ATT Secretariat had previously completed ATT-BAP Surveys and used them as the basis for their initial report submissions (Australia and Japan). The two other States Parties used the ATT reporting template developed by the Working Group on Reporting (New Zealand and Samoa). All four States Parties indicated that their reports could be made publicly available. Tuvalu missed its initial report deadline. During the regional meeting held in Samoa in September 2016, Tuvalu indicated that it would not be able to meet this reporting deadline due to limited capacity. Tuvalu remarked that although it had ratified the ATT, the Treaty had yet to be implemented at a national level.

Table 1. Asia-Pacific ATT State Party Ratification and Reporting

	Ratification	Entry Into Force for State	Initial Reporting Deadline	First Annual Report Deadline
Australia	3 June 2014	24 Dec 2014	23 Dec 2015	31 May 2016
Japan	9 May 2014	24 Dec 2014	23 Dec 2015	31 May 2016
New Zealand	2 Sept 2014	24 Dec 2014	23 Dec 2015	31 May 2016
Samoa	3 June 2014	24 Dec 2014	23 Dec 2015	31 May 2016
Tuvalu	4 Sept 2015	03 Dec 2015	02 Dec 2016	31 May 2017
South Korea	28 Nov 2016	26 Feb 2017	25 Feb 2018	31 May 2019



RECORD KEEPING AND REPORTING CHALLENGES

In early 2017, ATT-BAP developed a reporting questionnaire to better understand States' experiences and challenges in completing both types of ATT reports. As of 15 May 2017, only Samoa has completed and returned its reporting questionnaire to the ATT-BAP team. ATT-BAP has also discussed reporting challenges with governments from the region during several national and regional workshops. These discussions provide insights into the reporting experiences of States in the region that have made submissions or are due to make submissions, and also those that are not States Parties and therefore do not yet have to provide such reports.

Many States have not yet developed an interagency process or coordination mechanism to enable preparation for their ATT initial and/or annual reports. States have reported that although they keep records, there is no centralized database system shared amongst the agencies to access that information. Moreover, records may be hand-recorded and different agencies utilize different systems to collect and record this information.

Many States within the region have never reported to other instruments that seek similar information – e.g., national reports on implementation of the UN Programme of Action on Small Arms and Light Weapons (PoA) or the UN Register of Conventional Arms (UN Register) – or have not done so consistently, and therefore have not established systems for the collection and compilation of relevant information (Table 2). Thus, for many, the submission of the ATT reports represents the first time that this type of information will be collected.

Table 2. Asia-Pacific State Reporting: National Reports on PoA Implementation and UN Register Submissions

	PoA (year last reported)	UN Register (year last reported)
Afghanistan	-	1993
Australia	2016	2016
Bangladesh	2010	2010
Bhutan	-	2015
Brunei Darussalam	-	2007
Cambodia	2008	2012
China	2016	2014
Democratic People's Republic of Korea	-	-
Fiji	2016	2007
India	2016	2015
Indonesia	2010	2008
Japan	2016	2015
Kazakhstan	2015	2012
Kiribati	-	2006
Kyrgyzstan	2006	2009
Lao People's Democratic Republic	-	2009
Malaysia	2016	2012
Maldives	2016	2011

Marshall Islands	2014	2005
Micronesia, Federated States of	-	2006
Mongolia	-	2014
Myanmar	-	-
Nauru	-	2015
Nepal	-	2012
New Zealand	2016	2009
Pakistan	2016	2012
Palau		2010
Papua New Guinea	2012	1998
Philippines	2016	2008
Republic of Korea	2014	2013
Samoa	2016	2011
Singapore	2016	2015
Solomon Islands	2004	2015
Sri Lanka	2008	1995
Tajikistan	2003	2009
Thailand	2016	2011
Timor-Leste	-	2002
Tonga	-	2006
Turkmenistan	2016	2010
Tuvalu		2006
Uzbekistan		2003
Vanuatu	2016	2015
Viet Nam	2006	2012

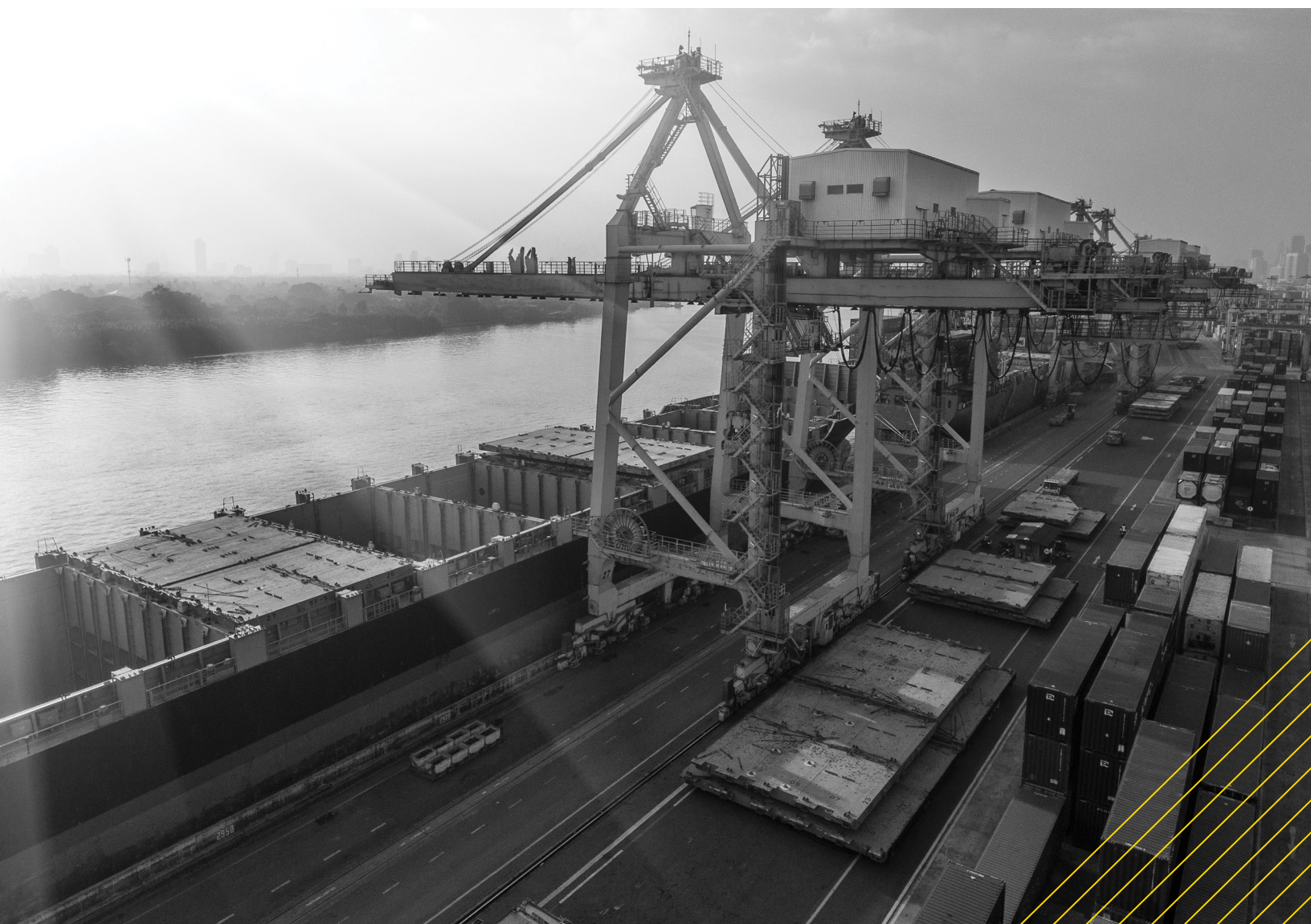
■ State has not joined the ATT

**The 43 States identified in this table represent those covered in the scope of work of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific*

Many States noted challenges when compiling their ATT reports. The most commonly-cited problems were the lack of capacity, resources, and availability of the information required to complete the reports. The compilation of reports was also constrained by the manual and decentralized nature of the record keeping. In addition, difficulties arose from a lack of coordination and information sharing between government ministries and agencies. In ATT workshops, Pacific States have highlighted the communication breakdown between their UN Permanent Missions and the capital. Most workshop attendees reported that they were unaware of reporting deadlines, as messages from the ATT Secretariat do not necessarily get through to them. This was particularly true for States that have not yet appointed a National Point of Contact (NPC) that would be responsible for fulfilling their reporting obligations. These difficulties likely predominantly arise from a lack of human resources, as even when a NPC has been appointed, that NPC is also responsible for several other instruments and is overloaded with reporting duties. Many Pacific officials noted reporting fatigue due to the heavy constraints annual reporting places on their already minimal resources. And, even when there is the ability and willingness to provide reports, NPC's also face confusion as to how to submit a nil report, as well as why they need to submit a nil report when there is nothing to report.

States with reporting challenges indicated it would be helpful to have guidance on how to prepare their reports – both from an internal and external perspective. Some said they were not aware of any available tools or guidance that can assist in this regard. ATT-BAP has developed reporting toolkits for the initial report and is developing materials for the preparation of annual reports. These toolkits take the form of online trainings, videos, and hard copy booklets.⁵

In addition, States stressed the importance of establishing a National Focal Point or a NPC that can streamline the reporting process. States also recognized the need to develop a clearly defined reporting process to avoid inconsistencies in report submissions. This includes developing a calendar for the deadlines for reporting and identifying when information should be provided to internal stakeholders and report compilers.



⁵ The trainings are available on www.armstrade.info

ASSISTANCE – GAPS AND NEEDS

Article 16 of the ATT describes the kinds of international assistance that States in a position to do so may provide upon request and the mechanisms available to provide such assistance.

Box 4. Article 16 (International Assistance)

ARTICLE 16. INTERNATIONAL ASSISTANCE

1. In implementing this Treaty, each State Party may seek assistance including legal or legislative assistance, institutional capacity-building, and technical, material or financial assistance. Such assistance may include stockpile management, disarmament, demobilization and reintegration programmes, model legislation, and effective practices for implementation. Each State Party in a position to do so shall provide such assistance, upon request.
2. Each State Party may request, offer or receive assistance through, inter alia, the United Nations, international, regional, subregional or national organizations, non-governmental organizations, or on a bilateral basis.
3. A voluntary trust fund shall be established by States Parties to assist requesting States Parties requiring international assistance to implement this Treaty. Each State Party is encouraged to contribute resources to the fund.

Article 18(3)(c) tasks the ATT Secretariat with facilitating the matching of offers and requests for assistance for Treaty implementation. The Treaty does not describe the mechanism to fulfill this role beyond the Voluntary Trust Fund (VTF). Until now, States Parties have requested and received international assistance through the United Nations or regional organizations, bi-lateral cooperation with other States, and partnerships with civil society. The VTF was formally established by the Second Conference of States Parties in August 2016 and accepted its first round of proposals through 31 March 2017. States can apply through the VTF to support implementation efforts and work with civil society partners to implement their projects.

The initial reporting template endorsed by the CSP does not include a section to allow States to list what type(s) of assistance they are able to provide, nor does the template contain specific inquiries about the type(s) of assistance a State Party may require in order to implement the Treaty (Figure 2).

Figure 2. ATT Reporting Form. Section 12. International Assistance

A. National regulations and policy allow for the provision - upon request and if in a position to do so - of implementation assistance as set out in Article 16(1) (if 'No', please elaborate below)	Yes	No
B. National regulations and policy allow the provision of financial resources to the voluntary trust fund established under Article 16(3) of the Treaty (if 'No', please elaborate below)	Yes	No
C. Additional voluntary information relevant to the provision - or receipt of implementation assistance (please specify below - for instance regarding assistance provision capacities or assistance needs,)		

An analysis of the initial reports of the States Parties in the Asia-Pacific region reveals some information on the provision of assistance in the region. All four States Parties that completed an initial report indicated that national regulations and policies allow for the provision of implementation assistance and/or that their governments were in a position to provide assistance to other States to enable implementation. Australia and Japan offered information on specific types of assistance that they may be able to contribute. New Zealand noted that it offers legislative drafting assistance for Pacific Island States, which could be used to support ATT ratification if requested. It also noted that it provides border-control capacity-building assistance through its Customs Service.

ATT-BAP Surveys explicitly sought information on assistance needs. ATT-BAP also conducted a questionnaire on assistance needs for Pacific Island States in 2016, which was distributed at national and regional meetings in the region via cooperation with PSAAG. The questionnaire identified assistance needs for several Pacific Island States, which are summarized in Table 3.

Table 3: ATT Assistance Needs of Pacific Island Non-States Parties

	Legal	Legislative	Institution Building	Technical	Financial	Material	Stockpile Management	Disarmament, Demobilization, Or Reintegration	Effective Practices For Implementation
Fiji	✓	✓	✓	✓	✓	✓			✓
Kiribati		✓	✓	✓	✓	✓			
Palau	✓	✓	✓	✓	✓	✓		✓	✓
Papua New Guinea	✓	✓	✓	✓	✓	✓	✓	✓	
Solomon Islands	✓	✓	✓	✓	✓	✓	✓	✓	✓
Vanuatu			✓	✓	✓		✓		✓

In their responses to the assistance questionnaire, States provided additional detail regarding their assistance needs.

<p>FIJI</p>	<ul style="list-style-type: none"> ▶ Legal assistance: legal consultant to identify gaps and provide suggested draft text ▶ Legislative assistance: for the development of a national control list. Comprehensive legislative review including national consultations and drafting legislation for amendments ▶ Assistance for institution building: training for Customs and law enforcement on ATT/SALW operational ▶ Technical assistance: training for Customs and law enforcement on ATT/SALW operational ▶ Financial assistance: for x-ray machines, national database software and hardware. For national consultations on legislative amendments draft by AG's office. Establishment of arms inventories for Police, Military and Corrections Department ▶ Material assistance: x-ray machines, national database software and hardware, arms inventories for Police, Military, and Corrections Department ▶ Assistance with effective practices for implementation: particularly on transit/transshipment
<p>KIRIBATI</p>	<ul style="list-style-type: none"> ▶ Legislative assistance: to amend existing legislation (Arm and Ammunition Ord. 1977) as it is outdated as well as model legislation to be functionalized ▶ Assistance for institution building: building of more equipped armory for the safe keeping of arms and ammunitions as well as buildup shooting range as requested by UN for the deployment of police officers to UN peacekeeping ▶ Technical assistance: training on the operation of arms ▶ Financial assistance: for purchasing arms to be able to enter UN peacekeeping easily ▶ Material assistance: arms and ammunition; scanner at airport; computer for database on arms recording
<p>PALAU</p>	<ul style="list-style-type: none"> ▶ Legal assistance: clear understanding of ATT text and how Palau can become compliant ▶ Legislative assistance: need assistance formalizing interagency coordinating mechanisms to collect data ▶ Technical assistance: technical training for agencies that will be implementing the work, assess existing infrastructure ▶ Financial assistance: financial resources need to build technical and legislative capacity, implementation of a 3 to 5 year implementing action plan ▶ Material assistance: tangible equipment needed to implement plans and enforce policies, x-rays, patrol boats ▶ Disarmament, demobilization, or reintegration assistance: need assistance toward disarming the community possessing illegal arms ▶ Assistance with effective practices for implementation: need expert consultant to help implement, need program of work to get enforcement going

PAPUA NEW GUINEA

- ▶ Legal assistance: needed especially for officers without legal background
- ▶ Legislative assistance: given that PNG has relevant legislations covering ATT, such as the Customs Act and Firearms Regulations, believe that a separate legislation for ATT is needed
- ▶ Assistance for institution building: more training and capacity building for officers dealing with ATT is needed. For example, training for customs officers, foreign affairs officers, defense officers
- ▶ Technical assistance: same as above
- ▶ Financial assistance: needed for conducting national consultations on ATT and its implementation
- ▶ Material assistance: PNG is a big country with so many key stakeholders for the ATT. We need to ensure that there is enough material to be distributed to these parties
- ▶ Stockpile management assistance: our police, defence, correctional services and other security agencies will need assistance in this area
- ▶ Disarmament, demobilization, or reintegration assistance: same assistance is needed as above

VANUATU

- ▶ Assistance for institution building: capacity building for all relevant stakeholders associated with the implementation of the ATT
- ▶ Technical assistance: expert programming for information data
- ▶ Financial assistance: for destruction / stockpiling
- ▶ Stockpile management assistance: we have two containers filled with firearms for destruction / improper stockpiling
- ▶ Assistance with effective practices for implementation

ASSISTANCE PROVISION

Article 16(3) of the ATT requires the establishment of a Voluntary Trust Fund (VTF), which can provide resources to requesting States Parties. The VTF was established at the Second Conference of States Parties (CSP2) in Geneva in August 2016.⁶ As subsequently agreed, States Parties and Signatories can apply for support via the VTF. As of 7 April 2017, a total of \$1,977,394.90 USD has been pledged to the VTF, which, given an individual budget cap of \$100,000 USD, allows for the support of approximately 20 projects.⁷ In the initial round, three states from the Asia-Pacific region applied – Palau, the Philippines, and Samoa. Both Palau and Samoa collaborated with the Centre for Armed Violence Reduction CAVR, who run PSAAG, to submit applications. Palau's proposal focuses on promoting awareness and capacity of the ATT within the Micronesian region of the Pacific through a sub-regional capacity-building workshop and legislative review. Samoa, which had previously expressed difficulties with collecting information for ATT reports, submitted an application to implement an electronic database system for record keeping and reporting. The Philippines applied to the VTF with Nonviolence International as a civil society implementation partner. Their proposal covers the areas of licensing, investigation, and enforcement.

Prior to the establishment of the VTF, the United Nations established the United Nations Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR), which is a multi-donor fund that supports the implementation of the ATT and the PoA.⁸ States, international and regional organizations, and civil society organizations can apply to UNSCAR to fund projects that support ATT implementation. The current UNSCAR donors include: Australia, Denmark, Finland, Germany, Ireland, Netherlands, Spain, Sweden, Switzerland, and the United Kingdom.⁹ In the Asia-Pacific region, UNSCAR has supported both the UNRCPD and PSAAG to promote the ATT in the region.

The European Union ATT outreach project (EU ATT-OP) has provided ATT-related assistance to two States in South-East Asia – Cambodia and the Philippines. In addition, the Philippines hosted an EU ATT-OP regional seminar for Asia and the Pacific in June 2015. The Philippines is the only EU ATT-OP Road Map State in the Asia-Pacific region, receiving assistance to develop transfer control legislation during 2015-16. The EU ATT-OP also conducted an ad hoc seminar in Cambodia in February 2016 to support the development of an ASEAN legal instrument against arms smuggling.¹⁰

In addition, the United Nations Regional Center for Peace and Disarmament in Asia and the Pacific (UNRCPD) held several workshops to assist the region with implementation efforts. In February 2013, UNRCPD worked with the Government of Malaysia to hold the First Asia Regional Meeting to Facilitate Dialogue on the Arms Trade Treaty to help States prepare for the Final ATT Conference and to share regional views. In November 2013, the Second Asia Regional Meeting to Facilitate Dialogue on the Arms Trade Treaty was held in the Philippines to assist States in identifying common areas of priority and challenges to help States prepare for ATT signature and ratification.¹¹ UNRCPD and the Government of the Kingdom of Cambodia also organized a Regional Legal Assistance Workshop in Cambodia in November 2014 to help prepare States with legal expertise for the ATT's entry into force.¹² In September, UNRCPD also jointly hosted a regional workshop with the Government of Samoa, funded by Australia and New Zealand, to bring Pacific States together to discuss ATT ratification and implementation for the first time since the ATT entered into force.

6 For more information on the Voluntary Trust Fund, see: Arms Trade Treaty Secretariat, "Voluntary Trust Fund," <http://www.thearmstradetreaty.org/index.php/en/voluntary-trust-fund>

7 http://thearmstradetreaty.org/images/ATT_VTF/20170407_2_PrepMtg_ATT_CSP3-_Statement_Chair_VTF_SC-V2.pdf

8 For more information on UNSCAR, see: United Nations Office for Disarmament Affairs, "UNSCAR: UN Trust Facility Supporting Cooperation on Arms Regulation," <https://www.un.org/disarmament/unscar/>

9 https://s3.amazonaws.com/unoda-web/wp-content/uploads/2013/06/Information-for-Donors_UNSCAR.pdf

10 EU ATT-OP. 2016. 'Ad hoc seminar in Phnom Penh, Cambodia', EU Export control programme website, <https://export-control.jrc.ec.europa.eu/News/ArtMID/481/ArticleID/2519/Ad-Hoc-Seminar-in-Phnom-Penh-Cambodia>

11 See: United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, Event, "Second Asia Regional Meeting to Facilitate Dialogue on the Arms Trade Treaty," 27 November 2013, <http://unrcpd.org/event/second-asia-regional-meeting-facilitate-dialogue-arms-trade-treaty/>

12 See: United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, Event, "Regional Legal Assistance Workshop on the Arms Trade Treaty," 18-19 November 2014, <http://unrcpd.org/event/regional-legal-assistance-workshop-att/>

Two States Parties in the Asia-Pacific region have indicated that they are able to provide assistance to support ATT implementation:

- ▶ Australia noted in its initial report that it is a major donor to UNSCAR, which is mandated to support preparation for ratification and implementation of the ATT. Australia conducted significant awareness-raising activities during the ATT negotiations and has continued to do so since the Treaty entered into force. This has included promoting the ATT in regional workshops and encouraging States to sign and ratify the Treaty. Australia has provided support for the Control Arms' ATT Monitor Project, for the ATT Baseline Assessment Project, and for the Small Arms Survey's work on small arms and light weapons.
- ▶ Japan indicated it can provide assistance to support implementation of the ATT, including: legal assistance, legislative assistance (including model legislation), assistance for institution building, technical assistance, financial assistance, material assistance, stockpile management assistance, disarmament, demobilization, or reintegration assistance, and assistance with effective practices for implementation.

Civil society has also been active in supporting ATT implementation, reporting, and universalization in the region. CAVR/PSAAG has undertaken a three-year program to conduct gap analyses, update legislation, and build the capacity of government officials to implement the ATT. PSAAG has also written an ATT implementation guide focused solely on the Pacific. In Fiji, PSAAG has conducted a legislative gap analysis, proposed legislative amendments, and is working to build a centralized database system.

CAVR/PSAAG has also held workshops in the region, which highlights the number of governments that are interested in receiving ATT assistance.

- ▶ September 2015 - Subregional workshop in Vanuatu with the Melanesian Spearhead Group (MSG) and its members
- ▶ April 2016 - Cross-regional workshop in Cambodia with Control Arms and Nonviolence International Southeast Asia
- ▶ May 2016 - Workshop in Suva, Fiji with Fiji Ministry of Defence, National Security and Immigration
- ▶ July 2016 - Workshop in Honiara, Solomon Islands with Ministry of Police, National Security and Correctional Services, Attended by Former Director of the Conventional Weapons Section, DFAT (Funded by UNSCAR)
- ▶ October 2016 - Workshop in Port Moresby, PNG with Department of Foreign Affairs (Funded by UNSCAR)

CONCLUSION AND RECOMMENDATIONS

This report considers the results of information provided by States in the Asia-Pacific region regarding challenges for reporting, the types of assistance required to implement the ATT, and the contribution of Asia-Pacific States in meeting the implementation assistance needs of their neighbors.

REPORTING

Pacific Island States highlighted limited resources and capacity as the main obstacles for fulfilling their ATT reporting obligations. In particular, these States have small bureaucracies that see a growing number of reporting obligations in the field of arms control. At regional workshops, participants reflected on the lack of human capacity. Officials often manage multiple portfolios, for example, and the NPCs for the ATT are sometimes also the NPCs for many other agreements.

In most cases, issues of concern center around the limits of resources and capacity gaps to implement the ATT obligations. In many cases, reporting and record keeping obligations act as one of these hurdles of concern. Burdened by minimal human resources and an ever-growing list of reporting requirements across multiple instruments, non-signatories like Fiji want to have a centralized record-keeping system to ensure accurate reporting before acceding to the Treaty. Other States need to establish interagency data-collection and reporting systems. With low reporting rates in other similar instruments, understanding the source of these concerns can help pave the way for identifying effective ways to improve the systems and procedures in place.

RECOMMENDATIONS

1. **Help States identify synergies between related instruments.** This could entail developing one report that can fulfill multiple obligations or sharing information between NPCs that work on related and relevant instruments.
2. **Foster interagency cooperation.** States can share experiences with other States that may have limited capacities and resources and offer insights on good practices for better distributing the workload and responsibilities between agencies and developing inter-agency processes to share relevant information.
3. **Develop systems to support collation of information and complete reporting forms.** For some States, the development of electronic filing systems may help avoid duplication of efforts and streamline processes. For others, identifying a bureaucratic structure to collect and distribute the information may be useful.

ASSISTANCE NEEDS

Asia-Pacific States have indicated a wide range of assistance needs to effectively implement the ATT. States in the region are seeking assistance in the following areas:

1. Legislative assistance to update outdated legislation
2. Technical assistance and capacity training for implementing agencies to better implement ATT obligations
3. Material assistance in the form of information management computer software and x-ray machines

RECOMMENDATIONS

1. **Develop an Asia-Pacific assistance coordination mechanism.** Although States within the region have different needs, there is value in establishing a mechanism that supports the exchange of information, best practices, challenges, and opportunities for cooperation. This coordination can support States at all levels of their ATT implementation.
2. **Raise awareness about the Pacific Island States' model law and provision of legal experts to work with relevant agencies/parliamentarians.** Useful tools have already been developed to help States update their legislation to conform with the ATT's obligations. Knowledge about these tools and other available assistance should be a priority for States and civil society in the region.
3. **Develop a mechanism for an information exchange on sub- and cross-regional approaches and experience with similar challenges.** Working within sub-regional groups and across regions (such as CARICOM) to identify ways in which different States approach challenges, utilize assistance, and access resources can make for more effective implementation and efficient use of resources.
4. **Identify assistance provision.** Donor States and civil society can work with States in the region to identify ways in which governments can plug into existing streams of assistance, such as the VTF and bi-lateral and regional assistance.

ASSISTANCE PROVISION

Donor countries in the region have been instrumental in making progress towards ATT ratification and accession for many States in the region. Asia-Pacific States put high value into ensuring strong compliance with a Treaty, particularly before ratifying or acceding to that Treaty.

RECOMMENDATIONS

1. **Tailor assistance to the needs of the specific State.** The provision of an x-ray machine to one State does not indicate that all States require an x-ray machine. States should tailor their assistance to meet the specific needs of recipient governments.
2. **Identify cross-regional and international coordination.** States should work to utilize existing resources and not re-invent tools and guidance. The wealth of ATT implementation guidance should be utilized instead of developing new resources and tools.
3. **Establish cooperative measures that better facilitate collaboration between non-signatories/non-States Parties and ATT States Parties/signatories in the region.** States should identify partnerships and potential avenues for developing one-on-one strategic planning with other States in order to identify best practices and ways in which existing systems can be adapted to fulfill ATT obligations. Learning from regional neighbors allows for common approaches and harmonization of efforts.
4. **Identify measures to support regional non-signatories.** If more States in the region become States Parties to the ATT, assistance to boost capacity and resource challenges will need to be provided. Those States that still have a long way to go to fulfill the ATT's obligations should be included in regional measures to support awareness-raising as well as practical steps to facilitate accession to, and implementation of, the ATT.



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For more information, visit the Arms Trade Treaty-Baseline Assessment Project Portal at www.armstrade.info or contact us at ATT@stimson.org

Rachel Stohl: rstohl@stimson.org
Paul Holtom: pholtom@stimson.org

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