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**WORKING GROUP ON TRANSPARENCY AND REPORTING
INTRODUCTORY PAPER FOR MEETING OF 23 FEBRUARY 2024**

Introduction and mandate for the WGTR CSP9-CSP10

1. During the Ninth Conference of States Parties (CSP9) of the Arms Trade Treaty (ATT), States Parties dealt with a number of recommendations of the interim Chair of the Working Group on Transparency and Reporting (WGTR) that followed from the WGTR's discussions during its meetings of 16 February and 11 May 2023 and were included in the WGTR draft report to CSP9.¹
2. Following these recommendations, States Parties:
 - a. *Recalled that transparency is a key purpose of the Treaty, which States Parties need to observe in their national implementation of Treaty obligations, as well as their exchanges and initiatives within the ATT process.*
 - b. *Reiterated that reporting is a fundamental legal obligation of the Treaty, and that submitting initial and annual reports is an indicator of the commitment of a State Party to the Treaty.*
 - c. *Expressed its concern for the continuing low rate of compliance with the reporting obligations.*
 - d. *Urged States Parties that are not fully compliant with their reporting obligations to submit their reports or, in case of difficulty to do so, to make use of the available assistance mechanisms in order to achieve full compliance with the Treaty's reporting obligations.*
 - e. *Encouraged all relevant stakeholders to continue to implement the Outreach Strategy on Reporting that was adopted at CSP4, and to use all available means to actively engage with States Parties that are not fully compliant with the reporting obligations, in order to raise awareness on the mandatory nature of reporting and to provide assistance upon request.*
 - f. *Expressed its continuing support for the project of voluntary bilateral and regional assistance with reporting (peer-to-peer), including the voluntary regional reporting champions initiative, and requested the ATT Secretariat to develop this project further;*
 - g. *Encouraged States Parties and signatory States to register online for access to the IT platform and make use of the information exchange platform.*

¹ See paragraph 26 of the CSP9 Final Report ([ATT/CSP9/2023/SEC/773/Conf.FinRep.Rev2](#)) and paragraph 30 of the WGTR Chair's Draft Report to CSP9 ([ATT/CSP9.WGTR/2023/CHAIR/768/Conf.Rep](#)). The ATT Secretariat acted as interim WGTR Chair and facilitated WGTR meeting throughout the CSP9 cycle, because despite extensive consultations by the CSP9 President and the ATT Secretariat, no eligible and willing State Party had been secured to assume the role of WGTR (co-) Chair.

h. Endorsed the mandate for the WGTR in the period between CSP9 and CSP10, as included in Annex A to the interim Chair's Draft Report and highlighted the need for the Working Group to explore possibilities of aligning its work with the mainstream work of WGETI.

3. The standing agenda items that States Parties instructed the WGTR to deal with in the period between CSP9 and CSP10 as a minimum are the following:

- a. State of play of compliance with reporting obligations and challenges concerning reporting;*
- b. Substantive issues concerning reporting under Article 13 of the ATT;*
- c. Transparency and information exchange; and*
- d. WGTR mandate in the period between CSP10 and CSP11.*

4. Under each of these standing agenda items, States Parties charged the WGTR with the following specific tasks:

a. With regard to the **state of play of compliance with reporting obligations and challenges concerning reporting**, the WGTR will:

- i. review the status of reporting at every meeting, thereby focusing on the progress that has been made in comparison to the previous status updates;*
- ii. invite participants of States Parties that are in non-compliance with their ATT reporting obligations to present their challenges to submitting timely and accurate initial and annual reports, as well as participants of States Parties that have complied with their reporting obligations to present their experiences in compiling and submitting reports, including beneficiaries of projects funded by the Voluntary Trust Fund (or other international assistance providers) related to improving reporting capacities;*
- iii. monitor the implementation of the "Outreach strategy on reporting"² and the project of voluntary practical bilateral and regional assistance with reporting (peer-to-peer); and*
- iv. give participants the opportunity to propose and discuss other means to promote reporting and support States Parties in addressing their reporting challenges.*

b. With regard to **substantive issues concerning reporting under article 13 of the ATT**, the WGTR will:

- i. give participants the opportunity to exchange practices, challenges and limitations concerning substantive issues about the reporting obligations that could benefit from consideration by the WGTR; and*
- ii. consider submitted proposals for alterations or additional questions and answers for the 'FAQ'-type guidance document on the annual reporting obligation, adopted at*

² The "Outreach strategy on reporting" is included as Annex A in the WGTR co-chairs' Draft Report to CSP4, available on the ATT website, in the Working Groups section of the CSP4 Conference documents page: <https://www.thearmstradetreaty.org/conference-documents-csp-4.html>.

CSP3 and updated at CSP5 and CSP8.³

- c. With regard to **transparency issues and information exchange**, the WGTR will:
- i. give participants the opportunity to exchange practices, challenges and limitations concerning information exchanges that are required or encouraged by the Treaty, both on the policy level, as well as on the operational level;
 - ii. monitor the use of the online reporting functionality and the information exchange platform on the ATT website and further examine ways for the platform to support the work of the WGTR and the WGETI as well as cooperation between States Parties; and
 - iii. consider proposals to harness information from the initial and annual reports in a manner that allows follow-up on these reports.
- d. With regard to the **WGTR mandate in the period between CSP10 and CSP11**, the WGTR will review the relevance of the aforementioned agenda items in the light of the state of play of ATT transparency and reporting and explore possibilities of aligning its work with the mainstream work of WGETI, with a view to preparing a proposal for consideration by CSP10.

5. The co-chairs have prepared this introductory paper to unpack the tasks of the WGTR for discussions in the period between CSP9 and CSP10, and to allow delegations to prepare efficiently for the WGTR meeting, which will take place on 23 February 2024. The paper explains the background of the given tasks, summarizes past proposals and discussions, sets out elements for discussion and puts forward a number of proposals for consideration to delegations. This should ensure a structured and effective discussion during the meeting.

6. As the paper includes several calls to delegations to submit input before the meeting, the co-chairs encourage delegations to do so in writing, via e-mail to the co-chairs and the ATT Secretariat, or via the Information Exchange Platform, by 09 February 2024.

Agenda item 1: State of play of compliance with reporting obligations and challenges concerning reporting

Task 1: The WGTR will review the status of reporting at every meeting, thereby focusing on the progress that has been made in comparison to the previous status updates.

7. Reviewing the status of reporting is always done through a presentation by the ATT Secretariat. **During the 23 February 2024 WGTR meeting, the ATT Secretariat will give a general overview of the reporting status and of the progress that has been made in comparison to the previous status update.**

Task 2: The WGTR will invite participants of States Parties that are in non-compliance with their ATT reporting obligations to present their challenges to submitting timely and accurate initial and annual reports, as well as participants of States Parties that have complied with their reporting obligations to present their experiences in compiling and submitting reports, including beneficiaries of projects funded

³The 'FAQ'-type guidance document on the annual reporting obligation is available on the ATT website, on the Reporting Requirements page: <https://www.thearmstradetreaty.org/reporting.html>.

by the Voluntary Trust Fund (or other international assistance providers) related to improving reporting capacities.

8. This recurring task has always been included in the WGTR mandate to offer States Parties a continuous platform to share problems and difficulties, as well as solutions and good practices, in the organization and fulfilment of their reporting obligations. In line with the CSP9 decisions on the review of the ATT Programme of Work and the WGETI configuration and substance, for this discussion, the co-chairs adopted the working arrangements that are included in the proposal on the WGETI configuration and substance which was adopted at CSP9.⁴ In that respect, the co-chairs actively reached out to a number of States Parties to give a presentation about the challenges they face to submitting annual reports, the measures they have taken to overcome those challenges and/or the processes they have put in place to collect, consolidate and transmit the relevant information to the ATT Secretariat. In doing so, the co-chairs aimed to ensure diversity in the presenting States' profile and to include beneficiaries of VTF funded projects related to reporting.

9. **During the 23 February 2024 WGTR meeting, the co-chairs will invite the States Parties in question to give their presentation. Subsequently delegations will be given the opportunity to engage with the presenting States Parties about their practices and challenges.** If feasible, this exchange should also include information on possibilities for international cooperation and assistance in response to the challenges or constraints that were raised, for example through the Voluntary Trust Fund, as well as identifying issues that might benefit from further clarification within the WGTR (cf. agenda item 2).

10. In this context, the co-chairs also remind States Parties about the comprehensive assistance tools that the CSP already endorsed and recommended for use, namely:

- a. The document "National-Level Measures to Facilitate Compliance with International Reporting Obligations and Commitments" – offering guidance on the organization of reporting duties;
- b. The document "Reporting Authorized or Actual Exports and Imports of Conventional Arms: Questions & Answers" - providing guidance in the form of questions and answers to facilitate the preparation of the mandatory annual report; and
- c. The "Outreach strategy on reporting" (under which all States and other ATT stakeholders will be asked to brief the WGTR about any initiative undertaken to promote and enhance compliance with the reporting duties of the Treaty).

⁴ See paragraphs 24 (f) and 35 of the CSP9 Final Report ([ATT/CSP9/2023/SEC/773/Conf.FinRep.Rev2](#)). Also see the Management Committee Draft Proposal on the Review of the Arms Trade Treaty Programme of Work ([ATT/CSP9.MC/2023/MC/765/Conf.Prop](#)) and the draft proposal on the WGETI configuration and substance, included as Annex D in the WGETI Chair's Draft Report to CSP9 ([ATT/CSP9.WGETI/2023/CHAIR/767/Conf.Rep](#)). For an overview of the working arrangements, see paragraph 11 of the latter draft proposal.

Task 3: The WGTR will monitor the implementation of the “Outreach strategy on reporting” and the project of voluntary practical bilateral and regional assistance with reporting (peer-to-peer).

Outreach strategy on reporting

11. The “[Outreach strategy on reporting](#)” was adopted at CSP4, in response to the downward trend in reporting rates, which has continued until now. The strategy includes several recommendations and calls to all ATT stakeholders to pay attention to reporting issues in their work on implementing and helping to implement the Treaty. Concretely the Conference: 1) encouraged the participation of the President, members of the Bureau, co-chairs and the ATT Secretariat in ATT-related events, and to reserve specific time to provide information on reporting; 2) called on States Parties to consider the possibility of organizing, together with civil society and/or regional organizations, informative sessions at the regional level, addressed to national authorities responsible for reporting; 3) invited States Parties to promote the ATT, through bilateral dialogue, with particular references to the importance of timely reporting (which could eventually, lead to the identification of challenges and technical assistance opportunities); and 4) requested the CSP President and/or ATT Secretariat to proactively reach out to States Parties that have not fulfilled their reporting obligations and identify, where possible, the reasons or difficulties to elaborate and submit the reports.

12. The implementation of the outreach strategy was subsequently included in the mandate of the WGTR in order to monitor its impact. Consecutive WGTR co-chairs asked delegations to brief the Working Group on any initiative they had undertaken focused on enhancing compliance with the reporting duties of the Treaty. One type of activity that has become standard practice in that regard concerns the engagement of CSP Presidents with those States Parties that are in arrears with their reporting obligations on a bilateral basis and through individualized letters. Also the ATT Secretariat has committed to close engagement with the States that have outstanding reports, providing guidance where appropriate and feasible. Soon, the ATT Secretariat will also launch a project regarding capacity-building for ATT reporting, supported by the European Union (EU). This new project aims to strengthen States Parties’ understanding of ATT reporting obligations and their capacity to meet these obligations in order to increase the rate of reporting and further the Treaty’s transparency purpose. In terms of assistance, it is also noted that the Voluntary Trust Fund has increasingly been leveraged to support reporting efforts by States.

13. During the 23 February 2024 WGTR meeting, **the co-chairs will first invite the ATT Secretariat to briefly update delegations about the new reporting capacity-building project made possible through the EU support. After this, the co-chairs will invite Côte D'Ivoire to report on the VTF-funded reporting capacity-building workshop which it hosted in November 2023 for ECOWAS Member States. Following these interventions, the co-chairs will give States Parties, civil society and regional organizations the opportunity to brief delegations about any information sessions or promotional events on reporting they have held, and about any other initiative focused on enhancing compliance with the reporting obligations.**

Project of voluntary practical bilateral and regional assistance with reporting (peer-to-peer)

14. The project of voluntary practical bilateral and regional assistance with reporting (peer-to-peer) was first discussed during the CSP4 cycle and received explicit support from States Parties at CSP5. The initial intention of this project was simply that States Parties with specific questions about how to do their reporting could contact their peers to get an answer or practical advice. In that respect, this assistance was intended as an additional auxiliary instrument, next to, for example, the abovementioned 'FAQ'-type guidance document on the annual reporting obligation. The regional aspect related to the focus on bringing regional peers together, because of shared language, regional dynamics and/or common challenges could facilitate the peer-to-peer exchanges. In that regard, the project also had links to the outreach strategy on reporting and the Voluntary Trust Fund.

15. To facilitate such exchanges and to make the project concrete, the ATT Secretariat organized two informal breakfast meetings on reporting in the margins of CSP6 and CSP9 WGTR meetings, bringing together State Party delegates in need of practical advice on reporting with their peers in States Parties with experience on this subject.⁵ This set-up saw participants engage in very practical peer-to-peer exchanges in English, French and Spanish language groups, which was received positively, with participants revealing their willingness to continue these peer-to-peer exchanges.

16. During the CSP9 cycle, the Working Group also discussed a proposal of the interim Chair to take the project forward with the so-called "voluntary regional reporting champions initiative". With this initiative, it was proposed that the ATT Secretariat would identify regional champions on reporting and inquire after their ability and willingness to engage with States Parties in their region that experience challenges with their reporting duties. The level of engagement of these regional reporting champions with States in arrears would largely fall to the States in question themselves. Their engagement could be both active and passive. Regional champions could undertake active steps to encourage States in their region to submit their reports and/or share their national good practices in bilateral exchanges, or simply inform struggling States in their region, possibly via the ATT Secretariat, that they are available to provide advice on how to gather and process relevant information and how to submit reports. In this process also regional organisations could play a leading or supportive role, which several already do in the context of VTF projects.

17. Following positive reception of the proposal by States Parties, the ATT Secretariat reached out to several States Parties with a good track record on reporting in Africa, the Americas, Asia, Europe and Oceania, to inquire about their interest to take on a role as reporting champion. The States Parties that eventually accepted the role were subsequently invited to the abovementioned CSP9 informal breakfast meeting on reporting, as a first step to engage with those States Parties in their region that are interested in receiving reporting assistance.

18. At CSP9, on the recommendation of the WGTR, the Conference expressed its continuing support for the peer-to-peer project and the regional champions initiative and requested the ATT Secretariat to develop this project further. In light of this, the ATT Secretariat will organize a third informal breakfast meeting on reporting, as well as a brainstorm meeting with interested regional reporting champions to

⁵ The two-year break in organizing these meetings was due to the COVID-19 pandemic.

further explore the possible opportunities. The Secretariat will also involve a number of regional organizations, to assess how they could support outreach efforts of regional reporting champions or involve them in their own reporting-related projects. During the 23 February 2024 WGTR meeting, **the co-chairs will invite the ATT Secretariat to briefly report on the outcomes of these meetings and the possible way forward with the project.** Generally, it needs to be clear that it is firstly up to each regional reporting champion to decide what kind and what level of engagement it can commit to, taking into account its capacity and resources. As a minimum, regional reporting champions *par excellence* are expected to use every opportunity at bilateral and regional meetings dedicated to arms control to engage with States Parties in their region that struggle with their reporting duties.

[Task 4: The WGTR will give participants the opportunity to propose and discuss other means to promote reporting and support States Parties in addressing their reporting challenges.](#)

19. This recurring task has always been included in the WGTR mandate to offer delegations the opportunity **to submit proposals for other means to support States Parties in addressing their reporting challenges.** Delegations are invited to do so in writing, via e-mail to the co-chairs and the ATT Secretariat or via the Information Exchange Platform, or orally during the 23 February 2024 WGTR meeting itself.

Agenda item 2: Substantive reporting and transparency issues under article 13 of the ATT

[Task 1: The WGTR will give participants the opportunity to exchange practices, challenges and limitations concerning substantive issues about the reporting obligations that could benefit from consideration by the WGTR.](#)

20. This is a recurring task to allow delegations to raise any issue on the substance of any of the obligations in Article 13 of the Treaty. For that purpose, the co-chairs **invite all delegations to raise any substantive issue they want to discuss in writing, via e-mail to the co-chairs and the ATT Secretariat or via the Information Exchange Platform, or orally during the 23 February 2024 WGTR meeting itself.**

21. The co-chairs note that in previous CSP cycles, issues that were most frequently discussed and remain a point of attention for many States Parties and other stakeholders concern the public availability of annual and initial reports and the aggregation of data in annual reports. On these topics, like previous co-chairs of this Working Group, the co-chairs wish to highlight the guidance that is included in the voluntary 'FAQ'-type guidance document on the annual reporting obligation and continue to invite delegations' views on these issues and share national implementation practices.

Guidance on public availability and aggregation of data in the voluntary 'FAQ'-type guidance document on the annual reporting obligation

Concerning public availability, the guidance included in the answer to question 41 reads as follows:

“States Parties must decide on the degree of availability of their annual reports, and whether this entails making them available to the public, as most States Parties have done. In making this choice, States Parties should take into account the Treaty’s purpose in Article 1 of promoting transparency and carefully consider the balance between legitimate concerns regarding public availability and the public interest of transparency. States Parties should also consider that the Treaty already allows States Parties to exclude

commercially sensitive or national security information from their ATT annual report (see questions 29 to 31).”.

Concerning aggregation of data in annual reports, the guidance included in the answer to question 23 reads as follows:

“The Treaty does not specify this, but in line with the UNROCA practice and taking into account the Treaty’s purpose in Article 1 of promoting transparency, States Parties are strongly encouraged to break down the relevant data per country to or from which exports and imports were authorized or effected.”.

22. Next to public availability and aggregation of data, also synergies with other reporting obligations, such as the United Register on Conventional Arms (UNROCA), remains an important point of attention. This is also reflected in the widespread use among States Parties of the tick-box in the ATT Annual Reporting Template, which allows a States Party to indicate that the United Nations Office for Disarmament Affairs (UNODA) may use the relevant information in its Annual Report as a basis for the reporting State’s report to the UNROCA. For that reason, the co-chairs also continue to invite delegations’ views on this issue as well.

[Task 2: The WGTR will consider submitted proposals for alterations or additional questions and answers for the ‘FAQ’-type guidance document on the annual reporting obligation, adopted at CSP3 and updated at CSP5 and CSP8.](#)

23. The ‘FAQ’-type guidance document on the annual reporting obligation was endorsed by States Parties at CSP3. It was then updated at CSP5 and CSP8, when States Parties endorsed a number of amendments that were necessary to reflect: 1) the introduction of the online reporting tool; and 2) the revised Annual reporting template that was endorsed and recommended for use at CSP7.

24. The guidance document is by nature an open-ended document, allowing all delegations to suggest proposals for alterations or additional questions and answers. The document itself requires that such proposals be considered in the WGTR (before they can be presented to the Conference). **The co-chairs therefore invite delegations to submit proposals for alternations or additional questions and answers to the co-chairs and the ATT Secretariat by e-mail, or via the Information Exchange Platform, by 09 February 2024. The co-chairs will then invite proponents to present their proposals to the Working Group.**

Agenda item 3: Transparency and information exchange

[Task 1: The WGTR will give participants the opportunity to exchange practices, challenges and limitations concerning information exchanges that are required or encouraged by the Treaty, both on the policy level, as well as on the operational level.](#)

25. This is a recurring task to allow delegations to propose and discuss any instrument that could strengthen, promote or expedite the information exchanges that the Treaty requires or encourages States Parties to undertake in articles 7 (6), 8 (1), 11 (3), 11 (5), 13 (2), 15 (2-4) and 15 (7).

26. The two mechanisms that have already been established for this purpose, following discussions in the WGTR, are the Information Exchange Platform in the Restricted Area of the ATT website and the Diversion Information Exchange Forum (DIEF), both available to all States Parties and signatory States. The Information Exchange Platform in the Restricted Area of the ATT website is addressed under the next task of this agenda item.

27. **Beyond these two mechanisms, the co-chairs will invite delegations to propose and discuss any other structured mechanisms, processes or formats facilitating the information exchanges that are required or encouraged by the Treaty, both on the policy level, as well as on the operational level. The co-chairs welcome any written proposals, via e-mail to the co-chairs and the ATT Secretariat or via the Information Exchange Platform, as well as oral proposals during the 23 February 2024 WGTR meeting.**

Task 2: The WGTR will monitor the use of the online reporting functionality and the information exchange platform on the ATT website and further examine ways for the platform to support the work of the WGTR and the WGETI as well as cooperation between States Parties.

28. The online reporting tool and the Information Exchange Platform in the Restricted Area of the ATT website have been operational since the CSP4 cycle in 2018. During the CSP6 cycle, the ATT Secretariat presented guidance on the use of the Information Exchange Platform, which is available in the Restricted Area of the ATT website. Despite the WGTR co-chairs' continuous encouragement of States Parties and signatory States to consider using the online reporting tool for submitting their annual reports and to engage in information exchanges via the Information Exchange Platform, the use of both instruments remains very limited. More generally, the number of users that have requested access to the Restricted Area of the ATT is also limited.

Information Exchange Platform

29. For clarity, the co-chairs recite that the Information Exchange Platform was created to facilitate exchanges between States Parties and signatory States for two purposes:

- exchanges on pending issues within the ATT process: working group chairs and facilitators were encouraged to use the platform to communicate and receive input ahead of and in between meetings of their working groups. This was considered useful, because unlike exchanges via e-mail, exchanges via the platform would be accessible for all registered State Party and signatory State delegates, which could advance ongoing discussions intersessionally;
- information sharing and exchanges that are required or encouraged in the Treaty itself: this concerns in particular Articles 11 (5), 13 (2) and 15 (2-4) and 15 (7) and is acknowledged in the Terms of Reference of the Diversion Information Exchange Forum (DIEF), as these Terms of Reference encourage States Parties and Signatory States to use the platform to share operational diversion-related information.⁶

30. Because the use of the platform was barely used for either purpose, during the CSP9 WGTR meetings, delegations were requested to reflect on the continuing role of the platform for both purposes

⁶ See Rule 13 of the Terms of Reference (ToR) concerning the Diversion Information Exchange Forum, available at <https://www.thearmstradetreaty.org/diversion-information-exchange-forum.html?templated=1386528>.

on the basis of a number of questions.⁷ This was considered particularly relevant in light of the platform's potential role in the context of the review of the ATT programme of work, as the related proposal that was considered at CSP9 mentioned the platform as a possible method for ATT office holders to conduct intersessional informal consultations. To inform the discussion, the ATT Secretariat also provided a short presentation of the platform, in reference to the guidance document mentioned above. During the discussions, a few delegations intervened to acknowledge the relevance of the platform, while indicating that its use needs to be enhanced, for example by informing States Parties and signatory States whenever an announcement is introduced in the platform.

31. In view of the limited number of interventions about this topic in the CSP9 WGTR meetings and the potential importance of the platform going forward, the specific task to further examine ways to optimize (use of) the platform was maintained in the mandate of the Working Group. **The co-chairs therefore invite all delegations to share their views on how the use of the platform could be enhanced, in writing via e-mail to the co-chairs and the ATT Secretariat or via the Information Exchange Platform, or orally during the 23 February 2024 WGTR meeting.**

Online reporting tool

32. The online reporting tool is in essence a fully digital version of the Initial and Annual Reporting Templates (which are also available in Word and PDF format). Additionally, it allows States Parties to upload their reports. According to the Status of Reporting presentation of the ATT Secretariat during CSP9, only 10 out of 64 Annual Reports, 16 %, for the calendar year 2022, were submitted via the online reporting tool, while an additional three reports were uploaded via the tool. The highest rate of submissions via the online reporting tool is not more than 19%, in its inaugural year of 2018.

33. **During the 23 February 2024 WGTR meeting, the co-chairs will seek the views of delegations on the limited use of the online reporting tool and whether any steps could be taken to increase its use.**

Task 3: The WGTR will consider proposals to harness information from the initial and annual reports in a manner that allows follow-up on these reports.

34. Under this task, the WGTR focused most of its attention over the past years on the proposal introduced in the CSP4 cycle of an online database that includes the information generated in annual reports and allows for queries and extracting data. The topic was addressed most concretely in the CSP7 to CSP9 cycles. In the CSP7 cycle, the ATT Secretariat presented a background paper, which intended to facilitate a discussion to identify delegations' expectations and preferences for such a searchable database.⁸ This discussion was deemed necessary to determine draft parameters and features of the

⁷ The questions included in the Introductory Paper for the 16 February 2023 WGTR meeting ([ATT/CSP9.WGTR/2023/CHAIR/744/M1.IntroPaper](#)) were the following: *Do WGTR participants see a continuing role for an Information Exchange Platform in the operation of the ATT process and/or for exchanges that are required or encouraged by the Treaty?; Is its current set-up sufficient to allow meaningful exchanges and information-sharing?; Could a simple step like the ATT Secretariat notifying States Parties and Signatories of announcements on the platform enhance its use?; Are there other improvements to the platform itself that could enhance its use?; and Should the access to the platform be extended to all registered ATT stakeholders, or have public part to allow broader and more inclusive exchanges, as suggested by one State Party during the CSP7 cycle?*

⁸ The background paper 'Considerations for a Searchable Online Database' was included as an annex in the introductory

database, which could then be used to obtain a cost estimate for the development and maintenance and allow for an informed decision.

35. Because the CSP7 and CSP8 cycle discussions on the topic were inconclusive, for the CSP9 cycle, the interim Chair indicated the intention for the WGTR to come to a concrete decision about the database. This concrete decision would entail to either mandate ATT the Secretariat to obtain concrete cost estimates for the development and maintenance of the database or to conclude that States Parties consider the development of a searchable database as not feasible at this stage. Following lengthy deliberations on the feasibility of a searchable database, the WGTR ultimately decided to no longer include the specific task of examining the feasibility of such a database in the mandate of the Working Group. A discussion on this topic is therefore not included in the draft agenda for the 23 February 2024 WGTR meeting. **It nevertheless remains within the mandate of the WGTR for the Working Group to consider other proposals to consolidate information from the initial and annual reports in a manner that allows follow-up on these reports. The co-chairs therefore welcome any written proposals, via e-mail to the co-chairs and the ATT Secretariat or via the Information Exchange Platform, as well as oral proposals during the 23 February 2024 WGTR meeting.**

Agenda item 4: WGTR mandate in the period between CSP10 and CSP11

Task: the WGTR will review the relevance of the aforementioned agenda items in the light of the state of play of ATT transparency and reporting and explore possibilities of aligning its work with the mainstream work of WGETI, with a view to preparing a proposal for consideration by CSP10.

Alignment with the mainstream work of WGETI

36. As indicated in paragraph 8 above, the CSP9 decisions on the review of the ATT Programme of Work and the WGETI configuration and substance also affect the work of the WGTR. In that respect, delegations are reminded of the following elements from the proposal on the review of the ATT programme of work that was considered at CSP9, which set out the focus of the WGTR in order for its discussions to facilitate prioritisation of practical Treaty implementation and States Parties' efforts in that regard:⁹

“The Working on Transparency and Reporting (WGTR) could retain the current discussion topics but within a rationalised time allocation and established interface arrangements with WGETI. To that end, this working group is expected to feed into WGETI discussions in so far as transparency and reporting is concerned with a view to highlighting that transparency and reporting are important features of Treaty implementation effort. Post CSP9, this working group is expected to explore possibilities of aligning its work with the mainstream work of WGETI.”

37. Concerning the topics which the WGTR should discuss to align its work with the mainstream work of the WGETI, delegations are reminded that the adopted proposal on the WGETI configuration and substance provides that the Treaty implementation discussions on the implementation phase/stage of

paper of the WGTR co-chairs for the WGTR meeting of 28-29 April 2021 ([ATT/CSP7.WGTR/2021/CHAIR/657/M.IntroPaper](#)).

⁹ Management Committee Draft Proposal on the Review of the Arms Trade Treaty Programme of Work ([ATT/CSP9.MC/2023/MC/765/Conf.Prop](#)), paragraph 19 (b).

“accounting and reporting on arms transfers” should take place in the WGTR, “*with a feedback loop to WGETI*”.¹⁰ Delegations are further reminded that the graphic representation of implementation phases/stages, attached to the said proposal, includes the following topics to be discussed under the phase/stage of “Accounting and reporting on arms transfers”:

- *Transfer reports to ATT Secretariat;*
- *Reports to Cabinet;*
- *Reports to Parliament;*
- *Audit enquiries; and*
- *Public request for information.*

38. Under the topic of “**transfer reports to ATT Secretariat**”, the WGTR will address the practical implementation of the annual reporting obligation in Article 13 (3) of the Treaty in a comprehensive manner. The WGTR will look at: i) the decisions States make about which information to report; ii) the sources which States use to extract that information from; iii) how States collect and consolidate the information; iv) which authorities are involved in the reporting process; v) which inter-agency cooperation arrangements are in place; and vi) how all these elements are laid down in legislation, administrative regulations and formal procedures and processes. Through the exchange of national reporting practices, the WGTR will aim to identify common practical implementation challenges as well as good reporting practices.

39. Under the topics of “**reports to Cabinet**” and “**reports to Parliament**”, the WGTR will address the information about arms transfers that States Parties provide to their Cabinet and/or Parliament and the purposes of that information-sharing, including legislation, procedures and competent authorities.

40. Under the topic of “**audit enquiries**”, the WGTR will address the auditing of the ministries, departments and agencies involved in arms transfer controls regarding their compliance with national arms transfer laws and regulations.

41. Under the topic of “**public request for information**”, the WGTR will address the information about arms transfers that States Parties provide to the general public through reporting and freedom of information requests, including legislation, procedures and competent authorities.

42. In respect of the provision in the adopted proposal on the WGETI configuration and substance that “*[the WGTR] can deal with topics relevant to the stages/phases related to [...] reporting, in line with [its] mandate*”, it is noted that these topics go beyond those which have been traditionally included in the WGTR mandate since its establishment.¹¹ While the WGTR mandates in past and current cycles have consistently focused on the reports which the Treaty requires or encourages States Parties to submit to the ATT Secretariat and the Treaty’s requirements and encouragements of information exchange between States Parties, the proposed topics also include reports and information sharing about arms transfers

¹⁰ Draft proposal on the WGETI configuration and substance, included as Annex D in the WGETI Chair’s Draft Report to CSP9 ([ATT/CSP9.WGETI/2023/CHAIR/767/Conf.Rep](#)), paragraph 8 (g).

¹¹ See paragraph 11 (a) of the draft proposal.

within States Parties, on the domestic level. This nevertheless falls within the broad overall mandate of the WGTR included in its Terms of Reference, which is to “*undertake tasks defined by the Conference of States Parties in the general area indicated by its title*”.¹²

43. When holding its structured discussions, the WGTR will address the cross-cutting functions of “**international cooperation**” and “**international assistance**”, in relation to the topic in question where appropriate, highlighting available opportunities to address national capacity constraints. If applicable, the WGTR will look at specific contributions that international cooperation between States (Parties) could make, and how States could leverage international assistance (including ATT internal support mechanisms like the Voluntary Trust Fund: <https://www.thearmstradetreaty.org/voluntary.html>) to support their national implementation efforts. This will also include awareness-raising about the ATT Needs and Resources Matching Database (<https://database.thearmstradetreaty.org/>).

Multi-year workplan for structured discussions on national implementation practices

44. In order to explore the different topics in line with the working arrangements that are included in the proposal on the WGETI configuration and substance, the co-chairs have prepared a draft multi-year workplan for the structured discussions on national implementation practices, as well as a new draft mandate for the WGTR beyond CSP10.

45. The draft multi-year workplan for the structured discussions on national implementation practices regarding transparency is included as attachment A to this paper and mirrors the approach of the structured discussions on practical Treaty implementation that will be conducted in the WGETI Sub-working Group on Exchange of National Implementation Practices, with some specificities, due to the fewer topics and the fact that the WGTR also deals with a number of other items. The topics are divided over three-hour *sessions* of the WGTR, noting that, in principle, every meeting of the WGTR will consist of two three-hours sessions and one of these sessions will be dedicated to the item of “national implementation practices regarding transparency”. The workplan allocates one topic per session, as a balance between allowing enough time to explore each topic and making sure that each topic can be addressed within a four-year period. This will also depend on the evolution of the ATT Programme of Work. In that respect, delegations are reminded that in line with the CSP9 decision on the review of the ATT Programme of Work, the WGTR only meets once a year, on one a year trial.

46. The workplan is of a rolling nature, in the sense that no specific time is set for the different meetings and sessions of the WGTR, as this depends on the ATT Programme of Work, as well as the organization of work in the ATT process in general. The workplan is also flexible. It can be adjusted in light of progress made in each session, and topics that have been discussed can be taken up in an additional session if delegations feel it would be beneficial to allow for more presentations of different States Parties and other stakeholders on the topic in question. Given the overall mandate of the WGTR, in this Working Group this applies in particular to the topic of “transfer reports to ATT Secretariat”. As has been done in successive WGTR meetings, it will remain especially important in that respect to hear from States Parties that are struggling to comply with the ATT reporting obligations what their practical implementation challenges are.

¹² Working Paper on the Establishment of a Working Group on Reporting and Transparency (ATT/CSP2/2016/OP.2).

47. Delegations are reminded that also these sessions will be held in line with the working arrangements to which reference is made in paragraphs 8, 9 and 44. Concretely, in each session, the co-chairs will start the discussion with a short introduction about the topic in question. After this, the States Parties that agreed to do so will give their presentations about their practical implementation and national practices concerning the topic. In their presentations, States Parties will be guided by the practical implementation questions that have been prepared for each topic (see the following paragraph). If applicable for the particular session, the stakeholders invited to contribute to the session will then provide their contribution, also taking into account the practical implementation questions. This will then be followed by the Q&A session and information exchanges as set out in paragraphs 8 and 9.

Practical implementation questions

48. The Annex of the draft multi-year workplan includes a list of practical implementation questions for each different topic which States are to take into account in their contributions/presentations. These practical implementation questions aim to guide States Parties to address their concrete practices, real-life proceedings, and not limit their presentations to an overview of their relevant national laws and regulations. The WGTR aims for exchanges on how these national laws and regulations are applied in practice and on who and what is involved. As the multi-year workplan itself, the list of practical implementation questions is intended to be a living document, open for review and update. Nevertheless, for the initial discussion on the draft list during the CSP10 meeting of the WGTR, States Parties and other stakeholders are encouraged to use the opportunity now to take ownership of the process and propose amendments and additional questions which they deem important to be addressed. For that purpose, the co-chairs will call on States Parties and stakeholders to engage in this process.

Draft WGTR mandate in the period between CSP10 and CSP11

49. The new draft mandate for the WGTR beyond CSP10 is attached as attachment B to this paper. It includes the new agenda item on “national implementation practices regarding transparency” under which the topics in the multi-year workplan will be discussed. The draft mandate also retains the essence of the current WGTR agenda items, but these have been rationalized and amended to better match the focus on practical Treaty implementation and to not overlap with the new agenda item.

50. **During the 23 February 2024 WGTR meeting, the co-chairs will seek the views of delegations on both the draft multi-year workplan for the structured discussions on national implementation practices in the WGTR, as well as the draft WGTR mandate for the period between CSP10 and CSP11. The co-chairs also welcome any written input before the meeting, via e-mail to the co-chairs and the ATT Secretariat or via the Information Exchange Platform.**

ATTACHMENT A

DRAFT MULTI-YEAR WORK PLAN FOR THE WGTR EXCHANGE OF NATIONAL IMPLEMENTATION PRACTICES REGARDING TRANSPARENCY

This multi-year workplan deals with the structured discussions on national implementation practices regarding transparency in the Working Group on Transparency and Reporting (WGTR). It is an attachment of the introductory paper for the WGTR meeting of 23 February 2024, and gives effect to the instruction of the CSP9 to “*explore possibilities of aligning [the] work [of the WGTR] with the mainstream work of WGETI*”, which is set out in the proposal on the WGETI configuration and substance that was adopted at CSP9.¹ The workplan arranges the concrete topics that have been identified for the structured discussions in the order that they will be discussed in the three-hour sessions of the WGTR that will address the agenda item “national implementation practices regarding transparency”, noting that, in principle, every meeting of the WGTR will consist of two three-hours sessions and one of these sessions will be dedicated to the said agenda item.

In each session, the co-chairs will start the discussion with a short introduction about the topic in question. After this, the States Parties that agreed to do so will give their presentations about their practical implementation and national practices concerning the topic. In their presentations, States Parties will be guided by the practical implementation questions that have been prepared for each topic and that are included in the Annex of this multi-year workplan. If applicable for the particular session, the stakeholders invited to contribute to the session will then provide their contribution, also taking into account the practical implementation questions. This will then be followed by the Q&A session and information exchanges as set out in the introductory paper.

WGTR Exchange of National Implementation Practices regarding Transparency: Structured discussions	
<p>Session 1 (3 hours)</p>	<p>Topic 1: Transfer reports to ATT Secretariat</p> <p><i>Under this topic, the WGTR will address the practical implementation of the annual reporting obligation in Article 13 (3) of the Treaty in a comprehensive manner. The WGTR will look at: i) the decisions States make about which information to report; ii) the sources which States use to extract that information from; iii) how States collect and consolidate the information; iv) which authorities are involved in the reporting process; v) which inter-agency cooperation arrangements are in place; and vi) how all these elements are laid down in legislation, administrative regulations and formal procedures and processes. Through the exchange of national reporting practices, the WGTR will aim to identify common practical implementation challenges as well as good reporting practices.</i></p>

¹ See paragraphs 24 (f) and 26 (h) of the Final Report of CSP9 ([ATT/CSP9/2023/SEC/773/Conf.FinRep.Rev2](#)) and Annex D of the WGETI Chair’s Draft Report to CSP9 ([ATT/CSP9.WGETI/2023/CHAIR/767/Conf.Rep](#)).

	<p>The practical implementation questions which delegations are to take into account in their contributions/presentations on this topic are set out on pages 1-2 of the Annex to this multi-year workplan.</p>
<p>Session 2 (3 hours)</p>	<p>Topic 2: Reports to Cabinet and/or Parliament</p> <p><i>Under this topic, the WGTR will address the information about arms transfers that States Parties provide to their Cabinet and/or Parliament and the purposes of that information-sharing, including legislation, procedures and competent authorities.</i></p> <p>The practical implementation questions which delegations are to take into account in their contributions/presentations on this topic are set out on pages 2-3 of the Annex to this multi-year workplan.</p>
<p>Session 3 (3 hours)</p>	<p>Topic 3: Audit enquiries</p> <p><i>Under this topic, the WGTR will address the auditing of the ministries, departments and agencies involved in arms transfer controls regarding their compliance with national arms transfer laws and regulations.</i></p> <p>The practical implementation questions which delegations are to take into account in their contributions/presentations on this topic are set out on page 3 of the Annex to this multi-year workplan.</p>
<p>Session 4 (3 hours)</p>	<p>Topic 4: Public request for information</p> <p><i>Under this topic, the WGTR will address the information about arms transfers that States Parties provide to the general public through reporting and freedom of information requests, including legislation, procedures and competent authorities.</i></p> <p>The practical implementation questions which delegations are to take into account in their contributions/presentations on this topic are set out on pages 3-4 of the Annex to this multi-year workplan.</p>

ANNEX

LIST OF PRACTICAL IMPLEMENTATION QUESTIONS PER TOPIC TO BE DISCUSSED

Draft

Initial remark

1. As indicated in paragraphs 47 and 48 of the introductory paper for the WGTR meeting of 23 February 2024 and in the multi-year workplan itself, the practical implementation questions are provided to guide delegations' contributions/presentations on the topic to be discussed.

Topic 1: Transfer reports to ATT Secretariat

Substantive elements

1. Does your State report about authorised or actual exports and imports or both)?
2. Does your State use the UN definitions or national definitions for the compulsory categories of conventional arms?
3. Does your State include exports and imports of small arms for civilian purposes in the report?
4. Does your State report about additional national categories of conventional arms or other items?
5. Does your State make the reports on exports and/or imports publicly available? When and how is a decision on public availability taken?
6. Does your State consider certain information (or type of export/import) to have commercially sensitivity or national security implications? If so, in which instances does it need to be omitted from the report? When and how is such a decision taken?
7. Does your State report about the quantity (number of items) or the financial value of exports and imports (or both)?
8. Does your State break down (disaggregate) the information about exports and imports per country?
9. Does your State break down (disaggregate) the information on SALW according to type?
10. Does your State provide additional information about (certain types of) exports and imports?

Procedural and institutional elements

11. From which documents or databases is the relevant information for the annual report extracted and processed?

12. Which ministries, departments and/or agencies handle these documents or databases?
13. Does your State have record-keeping requirements for exporters and importers to generate the relevant information for your State's annual reports?
14. Which ministries, departments and/or agencies are charged with collecting and consolidating the relevant information? Does one ministry, department or agency act as coordinator of the reporting process or is a specific inter-agency committee established or charged? In case of the latter, which ministries, departments and/or agencies need to be part of the committee? Which one is in the lead and initiates the process? Who has the decision-making authority about the (final) content of the report?
15. How is collecting and consolidating the relevant information done in practice?
16. Who transmits the annual report to the ATT Secretariat?
17. Who acts as reporting focal point for the ATT Secretariat?
18. How are requests for clarification by the ATT Secretariat be dealt with?
19. Does your State have a formalized national reporting process or a national procedures document in place that includes guidance on all the elements and steps above? Which deadlines apply to each step in order to comply with the deadline of 31 May for the submission of the report to the ATT Secretariat?
20. How are personnel changes be dealt with?

International cooperation and international assistance

21. Are there specific contributions that international cooperation between States (Parties) and/or further discussions within the ATT process could make to facilitate or support compliance with the annual reporting obligation?
22. Is your State in a position to provide assistance to other States Parties on compliance with the annual reporting obligation? Does your State need assistance on compliance with the annual reporting obligation or has your State already received assistance on this in the past, via the VTF or another international assistance provider? In case of the latter, could you elaborate on this?

Topic 2: Reports to Cabinet and/or Parliament

1. Does your State systematically provide information about proposed, authorized and/or actual arms transfers to Cabinet and/or Parliament?
2. If so, does this information cover all categories of arms and all transfers by State actors as well as non-State actors?

3. What type of information is provided? In what format is this information provided (e.g. annual report or proposed arms transfers)? How often is this information provided?
4. If information is systematically provided, is there a systematic review of this information in Parliament, for example in a dedicated hearing?
5. In case information is provided to Parliament about *proposed* arms transfers, does Parliament have a role in the decision-making process?
6. Is the submission of information mentioned above laid down in your State's laws and/or regulations?
7. Which ministries, departments and/or agencies are or may be involved in these information submission processes?
8. Can your State's parliament ask for specific information about arms transfers or the government's arms transfer policies? To what extent are your government's arms transfer policies the subject of parliamentary scrutiny?

Topic 3: Audit enquiries

1. Does your State provide for the auditing of government compliance with national arms transfer laws and regulations?
2. Is the audit process mentioned above set out in national laws, regulations or procedures?
3. How is sensitive information or documentation dealt with during the auditing process?
4. How are audit outcomes (reports) processed? Are these submitted to Parliament or made publicly available?

Topic 4: Public request for information

1. Does your State systematically provide information about authorized and/or actual arms transfers to the general public?
2. If so, does this information cover all categories of arms and all transfers by State actors as well as non-State actors?
3. What type of information is provided? In what format is this information provided (e.g. annual report)? How often is this information provided?
4. Is this sharing of information laid down in your State's laws and/or regulations?
5. Does your State have a procedure for private persons and organisations to request access to official information and/or documentation regarding arms transfers? Is this a special procedure for

information and/or documentation regarding arms transfers, or the general procedure for access to any government information and/or documentation?

6. If so, is this procedure laid down in your State's laws and/or regulations?
7. Which ministries, departments and/or agencies are or may be involved in this procedure?
8. What type of information of official information and/or documentation regarding arms transfers can be requested?
9. Can persons or organisations request access to official information and/or documentation on arms transfers? If so, what are the requirements to be met e.g. proof of special interest?
10. If official information and/or documentation is provided, are there restrictions on its use?
11. If applicable, on which grounds can a request be denied?
12. Can a decision to deny the requested access be challenged? If so, are the options administrative or judicial in nature? What are the possible outcomes of challenges?

ATTACHMENT B**PROPOSED MANDATE FOR THE WGTR FOR THE PERIOD SEPTEMBER 2024 - AUGUST 2025**

In accordance with its Terms of Reference and Rule 42(2) of the ATT Rules of Procedure, the Working Group would like to propose for consideration by CSP9 the following tasks for further work in the period between CSP10 and CSP11:

1. The WGTR shall continue to conduct exchanges concerning the fulfilment of the reporting obligations in Article 13 of the ATT and the broader issue of transparency in the international trade in conventional arms. In its meetings, the WGTR shall, as a minimum, deal with the following standing agenda items:
 - a. State of play of compliance with ATT reporting obligations;
 - b. Supporting compliance with ATT reporting obligations;
 - c. Supporting information exchange between States Parties;
 - d. National implementation practices regarding transparency (“accounting and reporting”); and
 - e. WGTR mandate in the period between CSP11 and CSP12.

2. With regard to the **state of play of compliance with ATT reporting obligations**, the WGTR will:
 - a. review the status of reporting at every meeting, thereby focusing on the progress that has been made in comparison to the previous status updates.

3. With regard to the **supporting compliance with ATT reporting obligations**, the WGTR will:
 - a. invite delegations to brief the WGTR about their initiatives to promote reporting and support States Parties in addressing their reporting challenges and to propose new initiatives in that regard (implementation of the “Outreach strategy on reporting”¹);
 - b. monitor the implementation of other ATT initiatives to support reporting compliance, including the project of voluntary practical bilateral and regional assistance with reporting (peer-to-peer) and the online reporting functionality;
 - c. give delegations the opportunity to raise and discuss substantive issues about the ATT reporting obligations that could benefit from consideration by the WGTR; and
 - d. consider submitted proposals for alterations or additional questions and answers for the ‘FAQ’-type guidance document on the annual reporting obligation, adopted at CSP3 and updated at CSP5 and CSP8.²

¹ The “Outreach strategy on reporting” is included as Annex A in the WGTR Co-Chairs’ Draft Report to CSP4, available on the ATT website, in the Working Groups section of the CSP4 Conference documents page: <https://www.thearmstradetreaty.org/conference-documents-csp-4.html>.

² The ‘FAQ’-type guidance document on the annual reporting obligation is available on the ATT website, on the Reporting Requirements page: <https://www.thearmstradetreaty.org/reporting.html>.

4. With regard to supporting **information exchange between States Parties**, the WGTR will:
 - a. invite delegations to exchange practices regarding the Treaty's information exchange requirements and encouragements, in particular those in Articles 11 (5), 13 (2) and 15 (2-4) and 15 (7) of the Treaty; and
 - b. monitor the use of the information exchange platform on the ATT website and further examine ways for the platform and other means to support the work of the WGTR and the WGETI as well as cooperation between States Parties.

5. With regard to **national implementation practices regarding transparency**, the WGTR will:
 - a. hold discussions in accordance with the multi-year workplan that was welcomed by CSP10 and the working arrangements that are included in the proposal on the WGETI configuration and substance which was adopted at CSP9.³

6. With regard to the **WGTR mandate in the period between CSP11 and CSP12**, the WGTR will review the relevance of the aforementioned agenda items in the light of the state of play of ATT transparency and reporting, with a view to preparing a proposal for consideration by CSP11.

³ See the draft proposal on the WGETI configuration and substance, included as Annex D in the WGETI Chair's Draft Report to CSP9 ([ATT/CSP9.WGETI/2023/CHAIR/767/Conf.Rep](#)), paragraph 11.