THE ARMS TRADE TREATY

REPORTING TEMPLATE

INITIAL REPORT ON MEASURES UNDERTAKEN TO IMPLEMENT THE ARMS TRADE TREATY, IN ACCORDANCE WITH ARTICLE 13(1)

This template is intended for use by States Parties to the Arms Trade Treaty when preparing their initial report in accordance with the Treaty's Article 13(1).

Article 13(1) requires States Parties to "*report to the Secretariat on any new measures undertaken to implement the Treaty, where appropriate*" and thus does not limit information-giving only to measures related to binding obligations in the Treaty. However, in terms of national implementation, binding obligations have a special significance. To highlight this, the template distinguishes between two types of information: (A) information which relates to binding obligations under the Treaty, and (B) information which relates to provisions in the Treaty which are estimated to be binding to a lesser degree, or non-binding. Where the template touches upon information related to the (B) type of provisions in the Treaty, the rows are shaded to make this distinction clear.

The shading does <u>not</u> indicate that certain information is purely voluntary, its purpose is to facilitate the use of this template as a diagnostic tool for assessing at the national level the need for implementation work to fulfil requirements of the Treaty. The un-shaded items are necessary to implement, the shades items represent desirable features of a national control system - which under certain circumstances may also be necessary to implement.

The division of obligations into binding and non-binding has been undertaken - solely for the purpose of this Template - on the basis of a strict observance of the qualifiers included in the text of the Treaty. Thus,

- if a provision in the text is prefaced with "shall" only, it is considered binding and information on that topic should be provided in the initial report.
- if a provision in the text has qualifiers, such as "shall…subject to its national laws", or "shall…pursuant to national law", or "shall….consistent with national law", or "shall….where necessary/appropriate", then a binding obligation is deemed to exist if certain pre-requisites are fulfilled. In this case, information on the topic should be provided in the initial report. If the pre-requisites are not fulfilled, the provision is deemed to be non-binding. In this case information need not be provided unless measures have in fact been taken in the national context to comply with such a provision.
- if States Parties are only encouraged to take, or invited to consider taking, certain actions, the provision is deemed non-binding. This category also includes qualifiers such as "may include…" or actions to be initiated "by mutual consent" with another State Party. <u>Information should be provided if measures have been taken in the national context that fulfil this type of provision</u>.

On a voluntary basis, more information may always be provided.

Please note that Article 13.1 also requires States Parties to "*report to the Secretariat on any new measures undertaken in order to implement this Treaty, when appropriate*". This template may be used to supply such updates as well. Only changes need then be indicated.

GOVERNMENT OF _*SURINAME*_____

INITIAL REPORT ON MEASURES UNDERTAKEN TO IMPLEMENT THE ARMS TRADE TREATY, IN ACCORDANCE WITH ITS ARTICLE 13(1)

DATE OF SUBMISSION__22 August 2019_____

This Initial Report is available only to States Parties	☐

This Report contains only updates to a previously submitted initial report dated_____	☐

1. NATIONAL CONTROL SYSTEM AND LIST

A. Overview of legislation and ordinances governing the national control system [Article 5(2)] (please list below. If the national control system is governed in whole or part by other means than legislation or ordinances, please indicate these also)			
B. The national control system includes the following:		Yes	No
i)	competent national authorities (further specified below) [Article 5(5)]	☐	☒
ii)	a control list [Article 5(2)]	☐	☒
iii)	one or more national points of contact to exchange information on ATT implementation [Article 5(6)]	☐	☒
If 'No' to any of the items above, please provide background below.			
The member state is still working on pointing out the national points of contact and the control list is still in development			
C. The national point(s) of contact has (have) been notified to the Secretariat of the Treaty [Article 5(6)] (if 'No', please clarify below)		Yes ☐	No ☒
D. The national control list covers the following:		Yes	No
i)	Battle tanks [Article 2(1a)]	☐	☒
ii)	Armored combat vehicles [Article 2(1b)]	☐	☒
iii)	Large-caliber artillery systems [Article 2(1c)]	☐	☒
iv)	Combat aircraft [Article 2(1d)]	☐	☒
v)	Attack helicopters [Article 2(1e)]	☐	☒
vi)	Warships [Article 2(1f)]	☐	☒
vii)	Missiles and missile launchers [Article 2(1g)]	☐	☒
viii)	Small arms and light weapons [Article 2(1h)]	☐	☒
The national control list also includes the following, in order to enable the application of Articles 3 and 4:		Yes	No
ix)	Ammunition/Munitions for the conventional arms covered in Article 2(1) [for the application of Article 3]	☐	☒

x)	Parts and components in a form that provides the capability to assemble the conventional arms covered in Article 2(1) [for the application of Article 4]	☐	☒
If 'No' to any of the items above, please provide background below			
E. The national control list has been provided to the Secretariat of the Treaty [Article 5.4] (if 'No', please elaborate further below)		Yes ☐	No ☒
F. Arms for recreational, cultural, historical and sporting purposes are included in the national control list [Article 2(1)(h) & Preamble, 13th para]		Yes ☐	No ☒
If 'No', please provide further information below, for instance whether a separate set of controls are applied to these types of arms			
G. Additional categories not listed under Section A1.D are included in the national control list [Article 5(3)] (If 'Yes', please specify below)		Yes ☐	No ☒
H. Control list definitions are supplemented by more detailed definitions not in the control list itself [Article 5(3)] (If 'Yes', please provide further information below)		Yes ☐	No ☒
I. The national control list is publicly available [Article 5(4)] (if 'Yes', please provide information below as to how your control list is made publicly available - if available on the open internet please provide the hyperlink)		Yes ☐	No ☒
J. Additional voluntary information about the national control system (please elaborate below - for instance regarding inter-agency coordination structures, training systems for relevant officials, transparency and accountability mechanisms, outreach to private actors such as industry, or any ongoing / planned review or change of the national control system or parts thereof)			

2. PROHIBITIONS

A. The national control system prohibits authorization of transfers as defined by Article 2(2), of conventional arms covered under Article 2(1) and items covered under Articles 3 and 4, in the circumstances specified in Articles 6(1) to 6(3) (if 'No' in any respect, please elaborate below)	Yes ☐	No ☒
B. International agreements to which the country is a Party, and which are considered relevant for the application of Article 6(2) (please list below)		
• *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction. (Genève, 1992)* • *Comprehensive Nuclear-Test-Ban Treaty. (New York, 1996)* • *Convention of the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction. Oslo, 1997*		

C. International agreements to which the country is a Party, and which are considered relevant for the application of Article 6(3) (please list below - for instance if)
Geneva Conventions I- IV (1949) *Additional Protocols to the Geneva Conventions (1977)* *Convention on the Marking of Plastic Explosives*

D. Guidelines exist for the assessment of whether a sanctions decision is applicable or not to an individual case (if 'No' in any respect, please elaborate below)	Yes ☐	No ☒

E. Additional voluntary information relevant to prohibitions under Article 6 (please elaborate below - for instance if prohibitions are applied to a wider range of products than defined in Articles 2(1), 3 and 4)

3. EXPORTS

A. The national control system includes the following:		Yes	No
i)	an authorization or licensing system for arms exports [Article 5(2)]	☐	☒
ii)	export assessment criteria [Article 7]	☐	☒
iii)	a risk assessment procedure [Article 7]	☐	☒
If 'No' to any of the items above, please provide background below			
B. National export controls apply to the conventional arms covered under Article 2(1), and the items covered under Articles 3 and 4 (if 'No', please provide further information below)		Yes ☐	No ☒
C. The national control system includes measures to ensure that all export authorizations are detailed and issued prior to export [Article 7(5)] (if 'No', please provide further information below)		Yes ☐	No ☒
D. The national risk assessment procedure includes all the criteria described in Article 7(1)(a) and (b), and Article 7(4) (if 'No' in any respect, please elaborate below)		Yes ☐	No ☒
E. The competent national authority(-ies) for the control of exports [Article 5(5)] (please specify below)			
Ministry of Trade, Industry and Tourism, National Security and Customs Suriname			
F. The national control system allows appropriate information about an export authorization to be made available, upon request, to the importing State Party and/or to the transit or trans-shipment States Parties [Article 7(6)] (if 'No' please elaborate below)		Yes ☐	No ☒
G. The national risk assessment procedure includes the consideration of risk mitigation measures that could be undertaken to mitigate identified risks [Article 7(2)] (if 'Yes' please elaborate below, including an indication of types of risk mitigation		Yes ☐	No ☒

measures that are most often used)		
H. The national control system allows exports of controlled equipment without a licence or under simplified procedure under certain circumstances [for instance temporary exports or exports to trusted partners] (if 'Yes' please provide further information below)	Yes ☐	No ☒
I. The national risk assessment procedure includes other criteria <u>not</u> mentioned in the articles cited in 3.D above (if 'Yes' please specify below)	Yes ☐	No ☒
J. Measures to exercise control over exports are applicable also to other categories of conventional arms than those covered in Articles 2(1), 3 and 4 [Article 5(3)] (if 'Yes', please elaborate below)	Yes ☐	No ☒
K. An export authorization can be reassessed if new relevant information becomes available [Article 7(7)] (if 'Yes', please provide further information below. Are there also legal provisions for suspension or withdrawal of a license?)	Yes ☐	No ☒
L. Information / documentation included in an application for an export authorization (please specify below)		
M. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for an export authorization [Article 5(5)] (please specify below)		
N. The national control system allows a State of final destination to request information concerning pending or actual export authorizations pertaining to it [Article 8(3)] (if 'No', please elaborate below)	Yes ☐	No ☒
O. Additional voluntary information relevant to national export controls (please specify below - for instance on the control of re-exports, or further detail on national measures indicated in 3A-D and F)		

4. IMPORTS

A. The national control system includes measures that allow the regulation, where necessary, of imports of conventional arms covered under Article 2(1) [ref Article 8(2)], as well as items covered under Articles 3 and 4. [ref Articles 6(1) to 6(3)] (if 'Yes', please provide further information below on the nature of control measures and confirm whether they apply to all items in the national control list. If 'No', please elaborate below)	Yes ☐	No ☒
If 'Yes', please also answer the following question		
B. The competent national authority(-ies) for the regulation of imports [Article 5(5)]		

(please specify below)		
Ministry of Trade, Industry and Tourism, National Security and Customs Suriname		
C. The national control system allows for the provision, pursuant to national law and upon request, of appropriate and relevant information to assist an export assessment by a potential exporting State Party [Article 8(1)] (if 'No', please elaborate below)	Yes ☐	No ☒
D. Imports of conventional arms subject to control are under specific circumstances permitted without regulation or under simplified procedure (if 'Yes' please provide further information below)	Yes ☒	No ☐
Ministry of Trade, Industry and Tourism		
E. Measures to regulate imports are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (if 'Yes', please elaborate below)	Yes ☐	No ☒
F. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for an import authorization (when such an authorization is required) [Article 5(5)] (please specify below)		
Ministry of Defense, National Security, Ministry of Justice and Police, Customs Suriname		
G. Information / documentation required for an import authorization (please specify below)		
H. Additional voluntary information relevant to national import controls (please specify below)		

5. TRANSIT & TRANS-SHIPMENT

A. The national control system includes measures that allow the regulation, where necessary and feasible, of transit of conventional arms covered under Article 2(1) [ref Article 9], as well as items covered under Articles 3 and 4. [ref Articles 6(1) to 6(3)] (if 'Yes', please provide further information below on the nature of control measures and confirm whether they apply to all items in the national control list. If 'No', please elaborate below)	Yes ☐	No ☒
B. The national control system includes measures that allow the regulation, where necessary and feasible, of trans-shipment of conventional arms covered under Article 2(1) [ref Article 9], as well as items covered under Articles 3 and 4. [ref Articles 6(1) to 6(3)] (if 'Yes', please provide further information below on the nature of control measures and confirm whether they apply to all items in the national control list. If 'No', please elaborate below)	Yes ☐	No ☒
C. Control measures for the regulation of transit and/or trans-shipment cover : (If 'Yes' to (ii) or (iii), please indicate in the free text field how enforcement is conceived - systematic control or only when information is available?)	Yes	No
i) Transit / trans-shipment through land territory (including internal waters)	☒	☐

ii)	Transit / trans-shipment through territorial waters	☐	☒
iii)	Transit / trans-shipment through national air space	☒	☐
UNCLOS plays an important role in the territorial waters of Suriname			
D. The competent national authority(-ies) for the regulation of transit and trans-shipment [Article 5(5)] (please specify below)			
E. Transit / trans-shipment of controlled equipment is permitted without regulation or under simplified procedure under certain circumstances (for instance in a free trade area) (if 'Yes' please provide further information below)		Yes ☐	No ☒
F. National control of transit and/or trans-shipment goes beyond the fulfillment of obligations under Article 6 of the Treaty (if 'Yes', please specify the additional scope of control and indicate whether the additional control applies to all items in the national control list)		Yes ☐	No ☒
G. Measures to regulate transit and/or trans-shipment are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (if 'Yes', please elaborate below)		Yes ☐	No ☒
H. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for a transit or trans-shipment authorization (when such an authorization is required) [Article 5(5)] (please specify below)			
Minister of Trade, Industry and Tourism			
I. Information / documentation required in an application for a transit / trans-shipment authorization (please specify below)			
J. Additional voluntary information relevant to national transit / trans-shipment controls (please specify below)			

6. BROKERING

A. The national control system includes measures that allow the regulation, pursuant to national laws, of brokering of conventional arms covered under Article 2(1) [ref Article 10], as well as items covered under Articles 3 and 4. [ref Articles 6(1) to 6(3)] (if 'Yes', please provide further information below on the nature of control measures and confirm that they apply to all items in the national control list. If 'No', please elaborate below)	Yes ☐	No ☒
B. The definition of brokering used in national legislation [Articles 6(1) to 6(3) and Article 10] (please specify in particular if there are extraterritorial elements in the definition, for instance the activities of nationals resident abroad, or transfers that take place between two third countries)		
C. The competent national authority(-ies) for the regulation of brokering [Article 5(5)] (please specify below)		

D. National brokering controls contain exemptions (for instance for national armed forces or defence industry) [Articles 6 & 10] (if 'Yes', please provide further information below)	Yes ☐	No ☒
E. National brokering controls go beyond the fulfillment of obligations under Article 6 of the Treaty (for instance regulating brokering in other situations) (if 'Yes', please specify the additional scope of control)	Yes ☐	No ☒
F. Measures to regulate brokering are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (if 'Yes', please elaborate below)	Yes ☐	No ☒
G. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for a control measure related to brokering [Article 5(5)] (please specify below)		
H. Information / documentation required in an application related to brokering (please elaborate below)		
I. Additional voluntary information relevant to national brokering controls (please specify below)		

7. DIVERSION

A. Measures foreseen in the national control system to prevent the diversion of conventional arms covered by Article 2(1) [Article 11(1)]		Yes	No
i)	assessing the risk of diversion of an export [Article 11(2)] (if 'No', please provide background below)	☐	☒
ii)	cooperation and information exchange, where appropriate and feasible and pursuant to national law, with other States Parties [Article 11(3)] (if 'No', please provide background below)	☐	☒
B. The national control system includes appropriate measures to be taken, pursuant to national law and in accordance with international law, when a diversion of transferred conventional arms under Article 2(1) has been detected [Article 11(4)] (if 'No', please elaborate below)		☐	☒
C. Measures included in the national control system to prevent the diversion of conventional arms covered by Article 2(1) [Article 11(1)] :		Yes	No
iii)	establishment of mitigation measures [Article 11(2)]	☐	☒
iv)	provision, upon request, of end use / end user documentation to the exporting State [Article 8(1)]	☐	☒

v)	requirement for end use / end user assurances from an importing State (or industry) [Article 8(1)]	☐	☒
vi)	examination, where appropriate, of parties involved in a transfer [Article 11(2)]	☐	☒
viii)	requirement, where appropriate, for additional documentation, certificates, assurances for a transfer [Article 11(2)]	☐	☒
ix)	exchange of relevant information with other States Parties on effective measures to address diversion, as well as on illicit activities and actors [Articles 11(5) & 15(4)]	☐	☒
x)	reporting through the Secretariat to other States Parties on measures taken to address diversion of transferred conventional arms covered under Article 2(1) [Articles 11(6) & 13(2)]	☐	☒
xi)	other measures [Article 11(1)] (if 'Yes', please specify below)	☐	☒
D. Measures included in the national control system, to be taken when a diversion of transferred conventional arms has been detected [Article 11(4)]		Yes	No
i)	alerting potentially affected States Parties	☐	☒
ii)	investigative and law enforcement measures at the national level	☐	☒
iii)	using international tracing mechanisms to identify points of diversion	☐	☒
iv)	other measures (if 'Yes', please specify below)	☐	☒
E. Measures taken to prevent or address diversion are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (if 'Yes', please elaborate below)		Yes ☐	No ☒
F. Additional voluntary information relevant to the prevention of diversion of conventional arms (please specify below - for instance regarding measures in place to avoid diversion in the context of the international movement of conventional arms referred to in Article 2(3) of the Treaty)			

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)			

9. REPORTING

A. The national control system allows for the provision of information as required by Article 13(3) (if 'No', please elaborate below)	Yes ☐	No ☒
B. Additional voluntary information relevant to national reporting **(please specify below, for instance if national reports are publicly available - if available on the open internet please provide the relevant hyperlink)**		

10. ENFORCEMENT

A. Measures are in place that provide the ability to enforce of the national laws and regulations that implement the provisions of the Arms Trade Treaty [Article 14] (if 'No', please elaborate below)	Yes ☐	No ☒
B. National legislation allows the provision to another State Party of jointly agreed assistance in investigations, prosecutions and judicial proceedings in relation to violations of national measures established pursuant to this Treaty [Article 15(5)] (if 'No', please elaborate below)	Yes ☐	No ☒
C. National measures have been taken to prevent, in cooperation with other States Parties, the transfer of conventional arms covered under Article 2(1) of the Treaty becoming subject to corrupt practices [Article 15(6)] (please elaborate below)	Yes ☐	No ☒
D. Additional voluntary information relevant to national enforcement (please elaborate below - for instance measures taken to criminalize offences against national laws and regulations that implement the provisions of the Arms Trade Treaty and to prescribe legal penalties in these cases.)		

11. INTERNATIONAL COOPERATION

A. Cooperation is possible with other States Parties of the Treaty with a view to its effective implementation, where such cooperation is consistent with national law and security interests [Article 15(1)] (if 'No', please elaborate below)	Yes ☒	No ☐
B. Additional voluntary information relevant to participation in international cooperation (please elaborate below - for instance in terms of the measures suggested in Article 15, or in terms of participation in international or regional cooperation in the transfer control area)		

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 ☒
Still working on getting information		
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,)		

13. DISPUTE SETTLEMENT

A. National regulations and policy allow for consultations and, by mutual consent, cooperation in the settlement of disputes regarding the interpretation or application of the Treaty by at least one of the means outlined in Article 19(1) (if 'No', please elaborate below)	Yes ☐	No ☒
In process of development		
B. National regulations and policy allow for the settlement of disputes concerning the interpretation or application of the Treaty through recourse by mutual consent to arbitration as outlined in Article 19(2) (if 'No', please elaborate below)	Yes ☐	No ☒
In process of development		
C. Additional voluntary information relevant to dispute settlement under the terms of the Treaty (please specify below)		
NOTWITHSTANDING INFORMATION PROVIDED IN A&B ABOVE, we are bound by the provision of the article 33 of the UN charterto settle ant dispute by pacific means		

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