Arms Trade Treaty
Third Conference of States Parties
Geneva, Switzerland, 11 – 15 September 2017

FINAL REPORT

The Final Report of the Third Conference of States Parties to the Arms Trade Treaty, which took place from 11-15 September 2017, in Geneva, Switzerland, consists of three parts and an Annex as follows:

I. Introduction
II. Organization of the Conference
III. Decisions and Recommendations

Annex List of Documents

I. INTRODUCTION


2. Article 17 (1) of the Treaty states that “A Conference of States Parties shall be convened by the provisional Secretariat, established under Article 18, no later than one year following the entry into force of this Treaty” and “thereafter at such other times as may be decided by the Conference of States Parties”. Article 17 (4) (a-e) further states that “The Conference of States Parties shall:

   (a) Review the implementation of this Treaty, including developments in the field of conventional arms;
   (b) Consider and adopt recommendations regarding the implementation and operation of this Treaty, in particular the promotion of its universality;
   (c) Consider amendments to this Treaty in accordance with Article 20;
   (d) Consider issues arising from the interpretation of this Treaty;
   (e) Consider and decide the tasks and budget of the Secretariat;
   (f) Consider the establishment of any subsidiary bodies as may be necessary to improve the functioning of this Treaty; and
   (g) Perform any other function consistent with this Treaty”

3. In accordance with the provisions of Article 17, the First and the Second Conferences of States Parties to the Arms Trade Treaty were held in Mexico, 24–27 August 2015, and in Switzerland, 22–26 August 2016, respectively. Pursuant to a decision by the First Conference of States Parties, an Extraordinary Meeting of States Parties was also held in Switzerland on 29 February 2016 to review and adopt decisions related to the establishment of a Secretariat for the Treaty. The Third Conference of States
II. ORGANIZATION OF THE CONFERENCE

9. The Secretariat to the Treaty made arrangements and provided the necessary services for the Conference, including the preparation of this Report.

10. The Conference was held in Geneva, Switzerland, 11–15 September 2017 and was attended by one hundred and six (106) States, a number of international and regional organisations and representatives of civil society and industry.

11. Seventy-nine (79) States Parties participated in the work of the Conference in accordance with Rule 1 of the Rules of Procedure: Albania, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Central African Republic, Chad, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Dominican Republic, El Salvador, Estonia, Finland, France,
Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Lesotho, Liberia, Lithuania, Luxembourg, Madagascar, Mali, Malta, Mauritius, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Togo, Tuvalu, United Kingdom of Great Britain and Northern Ireland, Uruguay and Zambia.

12. Twenty-three (23) Signatory States participated in the work of the Conference in accordance with Rule 2 of the Rules of Procedure: Angola, Brazil, Burundi, Cameroon, Chile, Colombia, Comoros, Guinea-Bissau, Haiti, Israel, Lebanon, Malaysia, Mozambique, Namibia, Palau, Philippines, Singapore, Swaziland, Thailand, Turkey, United Republic of Tanzania, United States of America and Zimbabwe.

13. The following four (4) States participated in the work of the Conference as observers in accordance with Rule 3 of the Rules of Procedure: Canada, China, Kazakhstan and Morocco.

14. The following thirteen (13) organisations participated in the work of the Conference as observers in accordance with Rule 4 of the Rules of Procedure: the African Union (AU), the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the European Union (EU), the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Crescent Societies (IFRC), the Organization for Security and Co-operation in Europe (OSCE), the United Nations Institute for Disarmament Research (UNIDIR), the United Nations Mine Action Service (UNMAS), the United Nations Office for Disarmament Affairs (UNODA), the United Nations Office of Internal Oversight Services (UNOIOS), the United Nations Office on Drugs and Crime (UNODC) and the Wassenaar Arrangement.

15. The following twenty-four (24) civil society organizations, including NGOs, international coalitions of NGOs and associations representing industry, participated in the work of the Conference as observers in accordance with Rule 5.1 and 5.2 of the Rules of Procedure: Action Sécurité Éthique Républicaines (ASER), Aerospace and Defence Industries Association of Europe (ASD), Association of European Manufacturers of Sporting Ammunition (AFEMS), Associazione Nazionale Produttori Armi e Munizioni Sportive e Civili (ANPAM), Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA), Centre for Armed Violence Reduction (CAVR), Conflict Armament Research (CAR), the Control Arms Coalition with representatives from the following NGOs: Acronym Institute/Georgetown University; Amnesty International; Amnesty International – Youth Delegation; Amnesty International – Switzerland; Ar Yone Oo Social Development Association; Asociación para Políticas Públicas (APP); Cameroon Youths and Students Forum for Peace (CAMYOSFOP); Caribbean Coalition for Development and the Reduction of Armed Violence (CDRAV); Centro de Estudios Ecuménicos A.C. (CEDAC); Centre for Armed Violence Reduction (CAVR); Centre for Peace, Security and Armed Violence Prevention (CPS-AVIP); Centro de Estudios Ecuménicos AC; Conectas Direitos Humanos; Conectas Direitos Humanos; Control Arms; Forum for Development Environment; Fundación Arias para a Paz y el Progreso Humano (Arias Foundation); Institute of Church and Society, Ibadan Nigeria; International Campaign to Ban Landmines - Cluster Munitions Coalition; International Physicians for the Prevention of Nuclear War (IPPNW); Kingston and St. Andrew Action Forum; Leitana Nehan Women’s Development Agency; Liberia Action Network on Small Arms (LANSA); Meiji University Research Institute; Mozambican Force for Crime Investigation and Social Reintegration (FOMICRES); Mwatana Organization for Human Rights; Oxfam; Parliamentary Forum on Small Arms and Light Weapons; PAX; Pax Christi Institute; Peace Research Institute Frankfurt (PRIF); Permanent Peace Movement; Project Ploughshares; Recherches et Documentation Juridiques Africaines
In reference to Rule 7.4 of the Rules of Procedure, the Secretariat circulated a draft List of Participants to all States Parties on 07 September 2017, contained in document ATT/CSP3/2017/SEC/185/Conf.PartList, informing them of the composition of all delegations that have registered as Participants to the Conference under Rules 1 and 2 as well as those that have registered to attend as observers under Rules 3, 4, and 5, and requesting any possible objection by a State Party against the representation of a delegation of a State Party, Signatory State or observer at the Conference to be presented to the President no later than 10:00 local time, Saturday 09 September 2017. No such objection was presented.

17. At its first session, the High Level Segment, the Conference was opened by His Excellency Mr. Timo Soini, Minister for Foreign Affairs, Republic of Finland. Goodwill messages were delivered to the Conference by His Excellency Mr. Didier Burkhalter, Minister of Foreign Affairs, Swiss Confederation, and His Excellency Mr. Peter Maurer, President, International Committee of the Red Cross. In addition, a testimony was provided by Ms. Radhya Al-Mutawakel, Control Arms.

18. During the High Level Segment, H.E. Ms. Izumi Nakamitsu, Under-Secretary-General and UN High Representative for Disarmament Affairs, delivered a statement on the status of the Treaty.

III. DECISIONS AND RECOMMENDATIONS


20. At the same plenary session and in accordance with Rule 10 of the Rules of Procedure, the Conference confirmed Mr. Dumisani DLADLA, in his capacity as the Head of the Secretariat, as the Secretary of the Conference.

21. The Conference considered the Ad Hoc ATT Working Group on Effective Treaty Implementation Co-chairs’ Draft Report to CSP3 and its recommendations, contained in document ATT/CSP3.WGETI/2017/CHAIR/158/Conf.Rep, reiterating the importance of the Treaty’s implementation as critical to the realization of the Treaty’s objective and purposes, and decided to establish a standing Working Group on Effective Treaty Implementation to operate under the Terms of Reference contained in Annex A of the Co-chairs’ report. The Conference further endorsed the work plan highlighting priority topics for discussion by the Working Group in the period running up to the Fourth Conference of States
Parties, as contained in Annex B of the Co-chairs report. With due regard to the complexity and the long term nature of Treaty implementation, the Conference directed the Working Group to further refine the order of the priority topics taking into account the suggestions from the working papers.

22. The Conference welcomed the thematic discussion that explored and highlighted the links and synergies between the Treaty and the 2030 Agenda for Sustainable Development with particular reference to Goal 16 of the Sustainable Development Goals (SDGs) – the promotion of peaceful and inclusive societies – and one of its associated Targets, 16.4 – a significant reduction in illicit arms flows by 2030. To further explore how Treaty implementation could contribute to the achievement of the SDGs and strengthen the narrative on the benefits of joining the Treaty, the Conference decided that the programme of work for the three Working Groups should address aspects of the linkages between the Treaty and the SDGs that are relevant to their mandates and report on these to the next Conference of States Parties.

23. The Conference underscored the importance of effective implementation of the Treaty’s transparency and reporting obligations as highlighted in the overview presentation delivered by the Secretariat on the current status of reporting under the Treaty. The Conference considered the ATT Working Group on Transparency and Reporting Co-chairs’ Draft Report to CSP3, contained in document ATT/CSP3.WGTR/2017/CHAIR/159/Conf.Rep, and decided to:


   b. Endorse the tasks for the Working Group in the period between CSP3 and CSP4, in line with proposal contained in Annex A of the Co-chairs’ report.

   c. Include the topic of Compliance with Mandatory Reporting Obligations on the agenda of Conferences of States Parties in order to allow for regular review.


   e. Endorse the document “Reporting Authorized or Actual Exports and Imports of Conventional Arms: Questions & Answers” as an informative and open-ended reference document for States Parties when preparing their mandatory annual report. Proposals for alterations and additional questions and answers may be made at any time and should be considered in the Working Group on Transparency and Reporting. The Conference also instructs the Secretariat to make the document available to all States Parties and to publish it on the public area of its website.

   f. Mandate the Treaty Secretariat to establish and maintain a database of States Parties’ national points of contact, referred to in Article 5 (6) of the Treaty, for the purpose of information exchange on matters related to the implementation of the Treaty and to make it available to States Parties on the restricted section of the ATT website, as a first step to facilitate such information exchange, including to address the prevention of diversion of conventional arms covered under Article 2 (1) of the Treaty to the illicit market.
24. With the understanding that universal adherence to the Treaty is critical to the realization of the Treaty’s object and purpose as set out in Article 1, the Conference acknowledged all Treaty universalization efforts undertaken, in particular those of the President of the Third Conference of States Parties, Ambassador Klaus KORHONEN, and his team. In order to take forward Treaty universalization, the Conference considered the report and recommendations of Co-chairs of the Working Group on Treaty Universalization, contained in document ATT/CSP3.WGTU/2017/CHAIR/160/Conf.Rep, and decided to establish a standing Working Group on Treaty Universalization to operate under the Terms of Reference contained in Annex A of the Co-chairs’ report. The Conference further endorsed the initial work plan of the Working Group, contained in Annex B of the Co-chairs’ report and tasked the Working Group with defining specific tasks and activities in the period between the Third and Fourth Conferences of States Parties, in line with the initial work plan.

25. The Conference agreed that the provisions regarding the holding of closed meetings by any of the Working Groups and the rules applicable to any such closing of meetings will be considered during the informal preparatory process for the Fourth Conference of States Parties with a view to resolving this at the Fourth Conference of States Parties.

26. Pursuant to Article 16 (3) of the Treaty, the Conference emphasized the importance of the ATT Voluntary Trust Fund, a facility established to give effect to international implementation assistance, through the deposit and disbursement of funds, to support requesting States in implementing obligations under the Treaty. The Conference welcomed the progress made by the ATT Voluntary Trust Fund Selection Committee and the Treaty Secretariat in putting the Fund into full operation after its establishment by the Second Conference of States Parties in August 2016. The Conference further welcomed the work of the Voluntary Trust Fund, as reflected in the document ATT/VTF/2017/CHAIR/163/Conf.Rep, with respect to the establishment of an initial VTF administrative infrastructure, the call for and receipt of financial contributions, the call for and consideration of project proposals, and the approval of 17 projects for funding. The Conference expressed appreciation to the States that have made voluntary financial contributions to the Fund and encouraged all other States in a position to do so, to contribute to the Fund in furtherance of effective national Treaty implementation.

27. With due regard to the initial lessons learnt and the desire to further improve the effectiveness of the VTF, the Conference:

a. Approved the execution of the VTF proposed outreach activities linked to Treaty implementation, starting with an event in New York during the 72nd session of the United Nations’ First Committee.

b. Mandated the VTF Selection Committee to consider, in consultation with the President, the Secretariat and the Management Committee, the most appropriate option to strengthen the capacity of the VTF administration, as outlined in paragraphs 30-31 of this Final Report.
28. Furthermore, the Conference mandated the VTF Selection Committee to consider and, after open-ended consultations, make a recommendation to re-evaluate its Terms of Reference, as foreseen in ATT/CSP2/2016/WP.3.Rev1.

29. In accordance with Article 17 (3) of the Treaty, the Conference adopted the budget for the Fourth Conference of States Parties, submitted by the Secretariat as contained in document ATT/CSP3/2017/SEC.FIN/141/Conf.2018Bud including costs for the informal preparatory meetings and meetings for the established Working Groups. In so far as the costs for the informal preparatory and Working Groups’ meetings are concerned, the Conference decided that such costs shall include costs for document translation and in-session interpretation. The Conference noted that any indirect meeting costs, such as for travel and accommodation, shall be borne by participants. The Conference highlighted that the approved budget for the Fourth Conference of States Parties, its informal preparatory meetings and the Working Groups’ meetings is based on the assumption that such meetings will be held in Geneva. The Conference welcomed the interest expressed by Japan to hold the Fourth Conference of States Parties in Japan. Contingent on confirmation that the Fourth Conference shall be held in Japan, the Conference accepted the commitment by Japan to cover the difference between the approved budget for the Fourth Conference of States Parties and the actual conference costs occasioned by holding the Fourth Conference of States Parties in Japan.

30. The Conference highlighted the important role of the ATT sponsorship programme in facilitating participation in Conferences of States Parties and meetings of the Working Groups, and emphasized the need for the sponsorship programme to support the participation of States in Conferences held other than in Geneva, including the hosting of the Fourth Conference of States Parties in Japan.

31. The Conference welcomed the activity report submitted by the Secretariat contained in document ATT/CSP3/2017/SEC/154/Conf.SecRep. Noting that the current responsibilities assigned to the Secretariat present capacity challenges, the Conference mandated the Secretariat to, in consultation with the President, Management Committee and the VTF Selection Committee, investigate possibilities of addressing the staff capacity challenges in relation to the VTF, and to identify a workable solution. Subject to thorough evaluation, options that the President, Secretariat and the Management Committee could consider include, but are not limited to, the following:

   a. Consideration by the VTF Selection Committee of a possibility for a percentage of the VTF contribution to be used for staff capacity.

   b. Approach the EU with a project proposal to promote universalization and implementation of the Treaty that includes VTF administration and outreach activities.

   c. Consideration of the possible increase of the Secretariat’s staff capacity from the current three people to four people.

32. The President will seek the approval of States Parties via silence procedure during the intersessional period in accordance with Rule 41 of the Rules of Procedure for any workable solution identified.

33. The States Parties expressed deep concern regarding the unpaid contributions of States and called on States that have not done so to address their financial obligations in a prompt and timely manner.
States Parties also expressed concern about the impact of a potential shortage of funds for the organization of any future meetings.

34. The Conference tasked the Management Committee to present a proposal to the Fourth Conference of States Parties that would address the root causes of the problems caused by (1) unpaid contributions; and (2) liquidity related issues (e.g. caused by different national budget cycles), and to present (i) potential solutions to resolve these problems; and (ii) recommendations for ways to ensure improved financial stability for the ATT (e.g. by investigating the possibility of a capital reserve, including its parameters). The Conference also requested the Presidency to allocate sufficient time to discuss these proposals during the informal preparatory process of the Fourth Conference of States Parties.


37. Having considered the Management Committee’s recommended financial option to address the accumulated ATT uncommitted funds, contained in document ATT/CSP3.MC/2017/MC.FIN/155/Conf.Rec, the Conference decided to commit part of the accumulated funds (USD 150 000) to supplement the current IT budget of USD 100 000. The balance, estimated at USD 250 000, will be rolled-over to the next financial period and will reduce proportionately the next financial contributions of the States that have contributed to the accumulated but uncommitted funds. To effect the rollover to the said States, the Conference decided to amend Rule 8.4 of the Financial Rules for the Conferences of States Parties and the Secretariat to provide for the roll-over of the uncommitted funds to be restricted only to those States that have contributed to the accumulated but uncommitted funds.

38. Pursuant to Rule 9.1 of the Rules of Procedure, the Conference elected, by acclamation, Ambassador Nobushige TAKAMIZAWA of Japan as the President of the Fourth Conference of States Parties.

39. The Conference decided to hold its next formal annual session, the Fourth Conference of States Parties, in Japan in the period 20–24 August 2018, subject to final confirmation by Japan.

40. The informal preparatory meetings and the meetings of the Working Groups, with dates to be confirmed by the President of the Fourth Conference of States Parties, will be held in Geneva, Switzerland.

41. Pursuant to Rule 9.1, the Conference elected, by acclamation, Argentina, Georgia, France and South Africa as the four (4) vice-Presidents for the Fourth Conference of States Parties.

42. Pursuant to Article 17 (4) (f) of the Treaty and Rule 42 of the Rules of Procedure, the Conference mandates that the Chair(s) of the established standing Working Groups shall be appointed by the President of the Fourth Conference of States Parties for a period until the conclusion of the following Conference of States Parties.
43. Pursuant to Section 3 of the Management Committee’s Terms of Reference, the Conference appointed the following State Party representatives designated by each UN regional group, as members of the Management Committee to serve for a period of two years up to the Fifth Conference of States Parties: Côte d’Ivoire, Czech Republic, Cyprus, and Panama; and appointed Sweden to serve for a period of one year up to the Fourth Conference of States Parties, and the Netherlands to serve for a period of one year from the Fourth Conference of States Parties to the Fifth Conference of States Parties.

44. The Conference noted that the Rules of Procedure do not have any provision on regional representation with regard to the vice-Presidents, and that the Terms of Reference of the Management Committee have a provision that states “The Management Committee shall comprise the President of the Conference of States Parties and a State Party representative designated by each UN regional group.”

45. The Conference recognised that the difference in approaches to regional representation in the appointment of vice-Presidents and the Management Committee requires further discussion and clarification during the informal preparatory process leading up to the Fourth Conference of States Parties with a view to resolving this and other issues related to the Terms of Reference of the Management Committee at the Fourth Conference of States Parties. The Conference also requested the Presidency to allocate sufficient time to these discussions during the informal preparatory process of the Fourth Conference of States Parties.

46. The Conference warmly thanked Ambassador Klaus KORHONEN of Finland for his dedication and for the outstanding work done by the President and his team in advancing the interests of the Treaty, supporting States, and skilfully leading the intersessional work, which, together with his chairmanship, resulted in a successful Third Conference of States Parties.


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**Information**

Report on the Management Committee’s activities for the period 2016/2017, submitted by the Management Committee

Report on the Work of the ATT Voluntary Trust Fund (VTF) for the Period August 2016 to August 2017, submitted by the Chairperson of the VTF Selection Committee

Report on the ATT Sponsorship Programme, submitted by UNDP as administrator of the ATT sponsorship programme


Working Paper on Article 7(4) and Gender Based Violence Assessment, submitted by Ireland

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