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**ATT Working Group on Treaty Universalization  
Co-chairs' Draft Report to CSP3**

### **Introduction**

1. This Draft Report to CSP3 is presented by the Co-chairs of the Working Group on Treaty Universalization (WGTU) to reflect on the work carried out by the WGTU since its establishment and to make recommendations on steps to be taken with respect to Treaty universalization beyond the Third Conference of States Parties (CSP3).

### **Background**

2. The Second Conference of States Parties (CSP2) established an Informal Working Group on Treaty Universalization with the objective of leading the process of harmonizing thoughts on the issue of universalization with a view to determining the best approach for taking the issue forward.

### **Appointment of WGTU Co-chairs**

3. CSP2 mandated the CSP3 President, Ambassador Klaus Korhonen (Finland), with the responsibility of facilitating the work of the Working Group up until the next annual ordinary session of the Conference (CSP3). On 21st September 2016, the CSP3 President appointed Ambassador Emmanuel Imohe (Nigeria) as the Co-Chair of the WGTU.

### **Preparation for the First Meeting of the WGTU**

4. In order to facilitate the work of WGTU, on 14 January 2017, the Co-chairs issued the draft WGTU Initial Work Plan for comments. On 1 February 2017, the Co-chairs issued a Draft Agenda for the first WGTU meeting and the WGTU Initial Work Plan, including the Annex to the Initial Work Plan (*Working Paper Promotion of Arms Trade Treaty Universalization (ATT/CSP2/2016/WP.4/Rev.1)* ('Working Paper'), which would serve as a basic document for WGTU work. The WGTU Initial Work Plan set out the preliminary work of the WGTU and possible deliberations for the WGTU meetings.

### **First Meeting of WGTU**

5. The WGTU held its first meeting on 09 February 2017 in Geneva, at the WMO building, the premises of the ATT Secretariat. The meeting was attended by representatives of 70 States, 3 international organisations and 12 civil society organisations.

6. The primary purpose of the first WGTU meeting was to discuss Treaty universalization with a view to determining the best approach for taking the issue forward using the Initial Work Plan provided by the Co-chairs as a basis for planning the work ahead. Additionally, an update on the current status

of participation in the ATT – the number of States Parties and Signatories - was provided by the Head of Secretariat.

7. Following the first WGTU meeting, on 15 February 2017, the Co-chairs circulated a Summary Report of the meeting as well as a revised Initial Work Plan, reflecting the meeting discussions.

### **Preparation for the Second Meeting of the WGTU**

8. On 23 May 2017, in anticipation of the second WGTU meeting, the Co-chairs issued a Draft Agenda for the second WGTU meeting and a Draft Discussion Paper, including a Proposal for Terms of Reference for the Permanent Working Group on Treaty Universalization and the revised Initial Work Plan as annexes.

### **Second Meeting of WGTU**

9. The WGTU held its second meeting on 31 May 2017 in Geneva, at the WMO building, the premises of the ATT Secretariat. The meeting was attended by representatives of 43 States, 03 international organisations, 13 civil society organisations and 1 defence industry organisation.

10. The primary purpose of the second WGTU meeting was to address possible terms of reference of WGTU to be considered by CSP3, including its mandate, composition and membership, working methods, duration and budgetary implications. The Group also discussed the development and prioritisation of specific activities and targets based on the Revised Initial Work Plan and the Annex to the Initial Work Plan (Working Paper), to be taken forward by the standing WGTU in its work after the Third Conference of States Parties.

11. Delegations of the Peoples Republic of China and of Fiji gave presentations under agenda item Dialogue with non-State Parties.

### **Outcome of the WGTU meetings**

12. The sense of the first WGTU meeting was that there is continued support for the suggested approaches to promoting ATT universalization outlined in the Working Paper, namely:

- a. Creating a momentum towards more ratifications by setting ratification/accession targets;
- b. Utilising every opportunity for High Level statements on the ATT;
- c. Establishing a working group on universalization;
- d. Rotating the regional focus of universalization each year;
- e. Making universalization materials easily available, and in multiple languages;
- f. Role of Regional Organizations;
- g. Producing region-specific policy resources;
- h. Coordinating with Civil Society.

13. Participants agreed that these elements should inform the development of the work plan for the Group. There was also a sense among meeting participants of a need for the WGTU to unpack the elements and identify and prioritize outreach activities to be carried out at the international, regional and national levels. This includes identifying relevant partners and agencies to engage in universalization activities, such as UN agencies, regional organisations, parliamentarians, and civil society. It also involves identifying states that have not ratified the Treaty, and their priorities regarding the ATT and designing and implementing universalization outreach activities and strategies according to interests identified.

14. The discussions during the first meeting of the WGTU highlighted the need to factor into its work and deliberations consideration of how to ensure the continuity and sustainability of universality efforts throughout the life of the Treaty.

15. The sense of the second WGTU meeting was that there is support for the establishment of a standing Working Group on Treaty Universalization to continue work on universalization of the Treaty and to develop specific activities and targets to guide and inform the work of the Group.

#### **WGTU Recommendations**

16. On the basis of WGTU mandate issued by CSP2 and on the strength of the exchange of views and discussions during the WGTU's first two meetings, the Co-chairs recommend that CSP3 adopts the following recommendations of the WGTU:

- a. The re-establishment of WGTU as a working group to operate under the Terms of Reference contained in Annex A.
- b. The endorsement of the Initial Work Plan (Rev 3) in Annex B and tasking the Group with defining specific tasks and activities in the period between CSP3 and CSP4, in line with the Plan.

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**ANNEX A****TERMS OF REFERENCE FOR THE WORKING GROUP ON TREATY UNIVERSALIZATION**

1. On 31 May 2017, during the second meeting of the Informal Working Group on Treaty Universalization (WGTU) established by CSP2, the Co-chairs of the Working Group - the CSP3 President, Ambassador Klaus Korhonen of Finland, and the CSP2 President, Ambassador Emmanuel Imohe of Nigeria – recommended that CSP3 establishes a standing working group on Treaty universalization. The Co-chairs proposed that the working group operate under a set of terms of reference detailing the mandate of such a group based on the Revised Initial Work Plan and its Annex (*Working Paper Promotion of Arms Trade Treaty Universalization* (ATT/CSP2/2016/WP.4/Rev.1) as well as the outcomes of the WGTU meetings held in 2017.

2. Rule 42.2 of the ATT Rules of Procedure provides that “the Conference shall determine the matters to be considered by each subsidiary body, including its mandate, officers, composition, size, duration and budgetary issues and may authorise the President to make appropriate adjustments in the allocation of work”. In line with these procedural requirements, the following terms of reference are proposed for the standing Working Group on Treaty Universalization.

**Mandate**

3. The Working Group shall generate and share views and implementation measures on Treaty universalization and where appropriate, place in context vital lessons from other Treaties and Conventions. The Working Group will develop specific activities and targets to realise the Treaty universalization objectives, and submit/recommend them to CSP3 for consideration. The Working Group shall undertake tasks defined by the Conference of States Parties on the basis of recommendations from the Working Group. As a rule, the purpose of the Group’s work shall be to prepare materials and proposals for the Conference of States Parties.

**Composition and Membership**

4. The Working Group shall be under the chairmanship of the President of the current Conference of States Parties. In addition, a Co-chair of the Working Group may be appointed by the President for a period until the conclusion of the following CSP.

5. Meetings of the Working Group shall be public.

6. At the request of one or more States Parties, on an exceptional basis, and in accordance with Rule 43, a particular session or part of a session of the Group may be limited to States Parties and Signatory States only. Experts may be invited to attend such a session or part of a session, pursuant to Rule 42.2 of the Rules of Procedure.

**Working Methods**

7. The standing Working Group shall operate in accordance with the ATT Rules of Procedures with particular reference to Rule 42 and 43.

8. The Working Group shall as a rule hold its meetings in Geneva, where the meetings can be supported by the Secretariat of the Treaty. When possible, the Working Group shall hold its meetings back to back with other ATT meetings for cost saving purposes and to ensure maximum participation.

9. Consultation on any documentation submitted to or under consideration/development by the Working Group shall be conducted by its Chair(s) by posting it on the ATT website and circulation by email, in addition to any consultation held during the Group's meetings, to ensure maximum participation in the work of the Working Group. Material that is related to a topic that is treated by the Working Group in closed session should be posted to the website's restricted area and circulated among States Parties only.

**Budgetary Implications**

10. Direct meetings costs, such as for technical support, documentation, and any translation and/or interpretation services shall be covered by the resources allocated for the conduct of meetings in the budget of the Conference of States Parties as well as any voluntary contributions that are made available for this purpose. Indirect meeting costs, such as travel and accommodation, shall be borne by participants except to the extent that sponsorship funding is available.

**ANNEX B****Working Group on Universalization****Initial Work Plan, Rev. 3****Introduction**

1. The Arms Trade Treaty (ATT) is a legally-binding instrument which seeks to establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms. The ATT came into force on 24 December 2014 when the ratification threshold of 50 signatories set for its entry into force was attained. As of June 2017, the Treaty has 92 States Parties ratifications or accessions and a further 41 Signatories whose ratifications are still pending. Considering that the Treaty has been in force for just over two years, these numbers are impressive. However, if the Treaty is to be truly universal, the current level of membership needs to increase through the creation of a momentum towards more ratification, accessions or acceptance.

**Mandate**

2. CSP3 established a standing Working Group on Treaty Universalization (WGTU) with the objective of leading the process of harmonizing thoughts on the issue of universalization with a view to determining the best approach for taking the issue forward. The Working Group shall generate and share views and implementation measures on Treaty universalization and where appropriate, place in context vital lessons from other Treaties and Conventions.

**WGTU Framework for discussion**

3. The Working Paper *Promotion of Arms Trade Treaty Universalization* (ATT/CSP2/2016/WP.4/Rev.1) will serve as a basic document for WGTU work at least until CSP4. Stakeholders will be invited to present other working papers and documents to facilitate the deliberations.

4. In order to realise the Treaty universalization objectives set out above, the Working Group will develop specific activities and targets based on the following framework in the period leading up to the Fourth Conference of States Parties [and beyond]:

**Review membership status**

- 1) Review the status of ratifications, accessions, and signatures.
- 2) Assess ATT membership level and outreach activities by region/sub-region (possibility of specific study groups for regions/sub-regions).

**Outreach activities****A. International level**

- 3) Receive reports on recent and relevant events (Conferences, Workshops, etc.).
- 4) Receive presentations of:
  - a. relevant activities of other WGs;
  - b. relevant activities of the VTF;
  - c. relevant research and policy reports; and

- d. relevant research and other project plans.
- 5) Conduct expert hearings.
- 6) Share lessons learned on universalization of other treaties and conventions.
- 7) Develop cooperation and outreach with relevant UN agencies.
- 8) Exchange of views with relevant global and regional parliamentary organizations and parliamentarians.
- 9) Exchange of views with Civil Society on cooperation to promote ATT Universalization.

*B. Regional level*

- 10) Develop cooperation with UN Regional Centres for Peace and Disarmament.
- 11) Exchange of views with regional/sub-regional organizations on cooperation to promote ATT universalization in their area.

*C. National level*

- 12) Identify states for universalization outreach.
- 13) Identify possible entities to conduct outreach activities (e.g. ATT Presidency, WGTU Co-Chair, Vice Presidents, regional and sub-regional organizations, States, civil society representatives).
- 14) Report, as appropriate, on consultations with non-State Parties on the prospects of their ratification of/accession to the Treaty.

Annex. Working paper *Promotion of Arms Trade Treaty Universalization* (ATT/CSP2/2016/WP.4/Rev.1).

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