

Arms Trade Treaty: Baseline Assessment Questionnaire

State Name:		
Completed by:		
Position / Date:		
The results of this survey may be included in the ATT-BAP database and made publicly available.	X.....	
The results of this survey may be included in the ATT-BAP database, but not made publicly available.	X.....	

Once completed, please return this form to:
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 or by post to
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Arms Trade Treaty-Baseline Assessment Project (ATT-BAP)

The Arms Trade Treaty-Baseline Assessment Project (ATT-BAP) is an initiative developed by Rachel Stohl, Stimson and Paul Holtom, SIPRI. With your input, the ATT-BAP will help to ensure the future success of the ATT in the following ways:

- Give clear guidance on the obligations contained in the ATT for States Parties;
- Increase understanding of measures that can be taken to ensure that states are in a position to ratify the ATT and ensure effective implementation of the Treaty;
- Contribute towards targeted and coordinated international assistance, by providing information to help avoid duplication and ensure that scarce resources are utilized most effectively;
- Deliver a baseline assessment of UN Member States' ability to effectively implement the ATT; and
- Provide indicators for future measurement of the Treaty's impact.

ATT-BAP has developed an ATT Baseline Assessment Survey for States to assist them in understanding the obligations contained in the ATT. It is expected that by completing the Survey States will be able to clearly identify:

- What a State already does to implement the Treaty;
- What a State needs to do to implement the Treaty; and
- What type of assistance a State requires to implement the Treaty.

The ATT-BAP will provide the information contained in every completed ATT Baseline Survey in an online database that will be accessible on the ATT-BAP website (<http://www.armstrade.info/>) in June 2014. This information will assist States, the United Nations, regional organizations, and civil society organizations as they develop implementation projects and programs for capacity-building, legal and legislative assistance, and other measures to effectively implement the ATT.

ATT-BAP website: <http://www.armstrade.info/>

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1 NATIONAL CONTROL SYSTEM AND LIST

A. Does your State maintain a national system for controlling or regulating:
[Articles 3, 4, 5.2, 8, 9, 10]

	<u>Yes</u>	<u>No</u>
i) Export	☐	☐
ii) Import	☐	☐
iii) Transit / Transshipment	☐	☐
a) By land		
b) By sea	☐	☐
c) By air	☐	☐
iv) Brokering	☐	☐

B. For which activities does your State maintain a national control list of conventional arms:
[Article 2.2 and Article 5.2]

	<u>Yes</u>	<u>No</u>
i) Export	☐	☐
ii) Import	☐	☐
iii) Transit / Transshipment	☐	☐
iv) Brokering	☐	☐

C. Does your national control list cover the following:
[Articles 2.1, 3, 4, and 5.2]

	<u>Yes</u>	<u>No</u>
i) Battle tanks [Article 2.1]	☐	☐
ii) Armored combat vehicles [Article 2.1]	☐	☐
iii) Large-caliber artillery systems [Article 2.1]	☐	☐
iv) Combat aircraft [Article 2.1]	☐	☐
v) Attack helicopters [Article 2.1]	☐	☐
vi) Warships [Article 2.1]	☐	☐
vii) Missiles and missile launchers [Article 2.1]	☐	☐
viii) Small arms and light weapons [Article 2.1]	☐	☐
ix) Ammunition / Munitions for the above items [Article 3]	☐	☐
x) Parts and components requiring control for the above items [Article 4]	☐	☐

D. Is/are your national control list(s) publicly available? [Article 5.3]

	<u>Yes</u>	<u>No</u>
	☐	☐

i) If yes, please provide a copy or link to where your control list is made publicly available.

ii) If no, please provide a copy of your control list or provide information on the additional items that are covered.

<u>Yes</u>	<u>No</u>
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E. Are the controlled items defined? [Article 5.3]

☐
☐

i) If yes, which definition(s) do you use? (e.g. Wassenaar, United Nations Register of Conventional Arms, National definitions, etc.)

2 EXPORTS

	Yes	No	Details / reference / Web link /additional comments	Do not know
A) Is the control of arms exports established in national legislation? [Article 5.5]	☐	☐		☐
B) Which Ministry/ies or government agency/ies is/are responsible for implementing controls on arms exports? [Article 5.5]				☐
i) Which Ministry or agency leads this process? [Article 5.5]				☐
C) Does your State take measures to ensure that all authorizations are detailed and issued prior to export? [Article 7.5]	☐	☐		☐
i) If yes, what measures does your State take to ensure that all authorizations are detailed and issued prior to export?				☐
D) Can your State reassess an authorization if your State becomes aware of new and relevant information? [Article 7.7]	☐	☐		☐
E) Does your State maintain records of arms export authorizations? [Article 12.1]	☐	☐		☐
i) For how many years are records maintained? [Articles 12.1, 12.4]				☐
ii) What information do the records contain? [Article 12.3]				☐
a) Quantity	☐	☐		☐
b) Value	☐	☐		☐
c) Model/type	☐	☐		☐
d) Importing State	☐	☐		☐
e) End-User	☐	☐		☐
f) Other (please specify)				
	Yes	No	Details / reference / Web link /additional comments	Do not Know
F) Does your State maintain records of actual arms exports? [Article 12.1]	☐	☐		☐
i) For how many years are records maintained? [Articles 12.1, 12.4]				☐
ii) What information do the records contain?				☐
a) Quantity	☐	☐		☐
b) Value	☐	☐		☐

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c) Model/Type	☐	☐		☐
d) Importing State	☐	☐		☐
e) End-User	☐	☐		☐
f) Transit /transshipment State(s)	☐	☐		☐
g) Other (please specify)				
G) Please provide any other information on export practices you would like to share.				

3 IMPORTS

	Yes	No	Details / reference / Web link /additional comments	Do not Know
A) Is the regulation of arms imports established in national legislation? [Article 8.2]	☐	☐		☐
B) Which Ministry/ies or government agency/ies is/are responsible for regulating arms imports? [Article 5.5]				☐
i) Which Ministry or agency leads this process? [Article 5.5]				☐
C) What measures does your State take to regulate imports? [Article 8.1]				☐
D) Does your State have measures in place to ensure that appropriate and relevant information is available to exporting States as part of their export assessment process? [Article 8.1 and 11.3]	☐	☐		☐
E) Does your State maintain records of arms imports? [Article 12.2]	☐	☐		☐
i) For how many years are records maintained? [Articles 12.2 and 12.4]				☐
	Yes	No	Details / reference / Web link /additional comments	Do not Know
ii) What information do the records contain? [Article 12.3]				☐
a) Quantity	☐	☐		☐
b) Value	☐	☐		☐
c) Model / type	☐	☐		☐
d) Exporting State	☐	☐		☐
e) Transit /transshipment State(s)	☐	☐		☐
f) Other (please specify)				
F) Please provide any other information on import practices you would like to share.				

4 TRANSIT/TRANSHIPMENT

	Yes	No	Details / reference / Web link /additional comments	Do not Know
A) Is the regulation of transit and/or transshipment established in national legislation? [Article 9]	☐	☐		☐

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i) If yes, please provide the definition of transit and/or transshipment in your national legislation.				☐
B) Which Ministry/ies or government agency/ies is/are responsible for regulating arms transit and/or transshipment? [Article 5.5]				☐
i) Which Ministry or agency leads this process? [Article 5.5]				☐
C) What measures does your State take to regulate transit and/or transshipment under its jurisdiction? [Article 9]				☐
D) Does your State maintain records of arms that are authorized to transit and/or transship territory under its jurisdiction? [Article 12.2 and 12.4]	☐	☐		☐
i) For how many years are records maintained? [Article 12.4]				☐
	Yes	No	Details / reference / Web link /additional comments	Do not Know
ii) What information do the records contain? [Article 12.3]				☐
a) Quantity	☐	☐		☐
b) Value	☐	☐		☐
c) Model/Type	☐	☐		☐
d) Exporting State	☐	☐		☐
e) Importing State	☐	☐		☐
f) Transit / transshipment State(s)	☐	☐		☐
g) End-User	☐	☐		☐
h) Other (please specify)				
E) Please provide any other information on transit and/or transshipment practices you would like to share.				

5 ARMS BROKERING

	Yes	No	Details / reference / Web link /additional comments	Do not Know
A) Is the regulation of arms brokering established in national legislation? [Article 10]	☐	☐		☐
i) If yes, please provide the definition of brokering used in your national legislation?				☐
B) Which Ministry/ies or government agency/ies is /are responsible for implementing controls on arms brokering? [Article 5.5]				☐
i) Which Ministry or agency leads this process? [Article 5.5]				☐

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C) Does your State take measures to regulate brokering taking place under your jurisdiction? [Article 10]	☐	☐		☐
i) If yes, what measures does your State take to regulate brokering taking place under your jurisdiction? [Article 10]				☐
D) Please provide any other information on brokering practices you would like to share.				

6 PROHIBITIONS

	Yes	No	Details / reference / Web link /additional comments	Do not know
A) Does your State prohibit transfers of conventional arms:				
i) If the transfer would violate obligations under measures adopted by the United Nations Security Council acting under Chapter VII, in particular arms embargoes. [Article 6.1]	☐	☐		☐
ii) If the transfer would violate relevant international obligations under international agreements to which you are a party, in particular those relating to the transfer of, or illicit trafficking in, conventional arms. [Article 6.2]	☐	☐		☐
a) Please provide a list of the relevant international agreements to which you are a party. [Article 6.2]				☐
iii) If you have knowledge at the time of authorization that the arms or items covered by your State's legislation would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which you are a Party. [Article 6.3]	☐	☐		☐
a) Please provide a list of the relevant international agreements to which you are a party. [Article 6.3]				☐
B) Please provide any other information on prohibitions you would like to share.				

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7 RISK ASSESSMENT

	Yes	No	Details / reference / Web link /additional comments	Do not know
A) Does your State always conduct a risk assessment prior to authorization of an arms export? [Article 7.1]	☐	☐		☐
i) If no, please specify under which conditions a risk assessment is not required. [Article 7.1]				☐
B) Does your State require that the following criteria are included in your national assessment prior to granting an export authorization: [Article 7.1]				☐
i) Whether the arms would contribute to or undermine peace and security?	☐	☐		☐
ii) Whether the arms could be used to commit or facilitate a serious violation of international humanitarian law?	☐	☐		☐
iii) Whether the arms could be used to commit or facilitate a serious violation of international human rights law?	☐	☐		☐
iv) Whether the arms could be used to commit or facilitate an act constituting an offence under international conventions or protocols relating to terrorism to which your State is a party?	☐	☐		☐
v) Whether the arms could be used to commit or facilitate an act constituting an offence under international conventions or protocols relating to transnational organized crime to which your State is a party?	☐	☐		☐
C) Are additional criteria considered in addition to the above prior to authorizing a transfer:				
i) Risk of diversion [Article 11.2]	☐	☐		☐
ii) Acts of gender based violence? [Article 7.4]	☐	☐		☐
iii) Other (please specify)				
D) Does your State consider risk mitigation measures as part of its authorization process? [Article 7.2]	☐	☐		☐
	Details / reference / Web link /additional comments			Do not know

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i) If yes, what risk mitigation measures does your State consider / practice? [Article 7.2] (i.e confidence building measures or jointly developed and agreed programs.)		☐
E) Please provide any other information on risk assessment and / or mitigation practices you would like to share.		

8 DIVERSION

	Yes	No	Details / reference / Web link / additional comments	Do not know
A) Does your State take preventative measures to mitigate the risk of diversion? [Article 11.2]	☐	☐		☐
i) If yes, what preventative measures does your State take to mitigate the risk of diversion?				☐
B) Does your State cooperate and exchange information with States to mitigate the risk of diversion? [Article 11.3].	☐	☐		☐
C) Does your State take appropriate measures when it detects a diversion of transferred conventional arms?	☐	☐		☐
i) If yes, what appropriate measures does your State take when it detects a diversion of transferred conventional arms?				☐
D) Is your State willing to share information on effective measures to address diversion?	☐	☐		☐
i) If yes, what information is your State willing to share?				☐

9 ENFORCEMENT

	Details / reference / Web link / additional comments	Do not know
A) Which agency/ies is/are responsible for enforcing arms transfer controls? [Article 5.5]		☐
i) Which Ministry or agency leads this process? [Article 5.5]		☐
B) What measures does your State take to enforce national laws and regulations that implement the provisions of the Treaty? [Article 14]		☐
C) Please provide any other information on enforcement practices you would like to share.		

10 TRANSPARENCY

	Yes	No	Details / reference / Web link / additional comments	Do not know
A) Will your State provide an initial report within one year of entry into force on measures undertaken in order to implement that ATT? [Article 13.1]	☐	☐		☐
B) Does your State produce an annual report on: [Article 13.3]				

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i) Authorized arms exports	☐	☐		☐
ii) Authorized arms imports	☐	☐		☐
iii) Actual arms exports	☐	☐		☐
iv) Actual arms imports	☐	☐		☐
C) Are their legal impediments to the reporting requirements under the ATT? [Article 13.3]	☐	☐		☐
D) Can your State report on measures taken to address the diversion of transferred conventional arms? [Article 13.2]	☐	☐		☐
E) Has your State designated a national contact point for the ATT? [Article 5.6]	☐	☐		☐
i) If yes, please provide contact information.				☐
F) Please provide any other information on transparency practices you would like to share.				

11 INTERNATIONAL COOPERATION

	Yes	No	Details / reference / Web link / additional comments	Do not know
A) Is your State involved in cooperative measures that will help to implement the ATT? [Article 15.1]	☐	☐		☐
B) Is your State currently involved in:				
i) Exchange of information on conventional arms transfers [Articles 15.2 and 15.3]	☐	☐		☐
ii) Cooperative measures to prevent diversion [Article 15.4]	☐	☐		☐
iii) Widest measure of assistance in investigations, prosecutions and judicial proceedings [Article 15.5]	☐	☐		☐
iv) Measures to prevent corruption [Article 15.6]	☐	☐		☐
v) Development of best practices and lessons learned [Article 15.7]	☐	☐		☐
C) Does your State intend to pursue cooperation in:				
i) Exchange of information on conventional arms transfers [Articles 15.1, 15.2 and 15.3]	☐	☐		☐
ii) Cooperative measures to prevent diversion [Article 15.4]	☐	☐		☐

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iii) Widest measure of assistance in investigations, prosecutions and judicial proceedings [Article 15.5]	☐	☐		☐
iv) Measures to prevent corruption [Article 15.6]	☐	☐		☐
v) Development of best practices and lessons learned [Article 15.7]	☐	☐		☐

12 INTERNATIONAL ASSISTANCE	Yes	No	Details / reference / Web link / additional comments	Do not know
A) Does your State require assistance to implement the provisions of the Arms Trade Treaty? [Article 16.1] If yes, please answer B. If no go straight to C. [Article 16.2]	☐	☐		☐
B) Does your State require: [[Article 16.1]				
i) Legal assistance	☐	☐		☐
ii) Legislative assistance, including model legislation	☐	☐		☐
iii) Assistance for institution building	☐	☐		☐
iv) Technical assistance	☐	☐		☐
v) Financial assistance	☐	☐		☐
vi) Material assistance	☐	☐		☐
vii) Stockpile management assistance	☐	☐		☐
viii) Disarmament, demobilization, or reintegration assistance	☐	☐		☐
ix) Assistance with effective practices for implementation	☐	☐		☐
x) Other (please specify)	☐	☐		☐
C) Is your State in a position to provide assistance to other States to enable implementation of the provisions of the Arms Trade Treaty? [Articles 16.1, 16.2 and 16.3] If yes, please answer D. If no, please go straight to E.	☐	☐		☐
	Yes	No	Details / reference / Web link / additional comments	Do not know
D) Is your State in a position to provide:[Article 16.1]				
i) Legal assistance	☐	☐		☐
ii) Legislative assistance, including model legislation	☐	☐		☐
iii) Assistance for institution building	☐	☐		☐
iv) Technical assistance	☐	☐		☐

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v) Financial assistance	☐	☐		☐
vi) Material assistance	☐	☐		☐
vii) Stockpile management assistance	☐	☐		☐
viii) Disarmament, demobilization, or reintegration assistance	☐	☐		☐
ix) Assistance with effective practices for implementation	☐	☐		☐
x) Other (please specify)	☐	☐		☐
E) Please provide information on any additional needs required to implement the ATT, particularly with regards to legal, licensing, customs, awareness raising and enforcement of sanctions, reporting, and transparency. [Articles 16.1 and 16.2]				
F) Please provide information on any specific assistance programs that your State has provided that may help others implement the ATT, particularly with regards to legal, licensing, customs, awareness raising and enforcement of sanctions, reporting, and transparency. [Articles 16.1 and 16.2]				
G) Please provide information on specific assistance your State has received through the United Nations, international, regional, subregional or national organizations, non-governmental organizations, or on a bilateral basis that could be considered relevant for ATT implementation. [Article 16.2]				

13 THE ARMS TRADE TREATY

	Yes	No	Details / reference / Web link /additional comments
A) Has Your State already signed the Arms Trade Treaty?	☐	☐	
B) Has your State already ratified the Arms Trade Treaty?	☐	☐	
C) Is your State preparing to sign the Arms Trade Treaty in the next two years?	☐	☐	
D) Is your State preparing to ratify the Arms Trade Treaty in the next two years?	☐	☐	
E) Will/Has your State formulate/d one or more reservations upon ratification? [Article 25.1]	☐	☐	
i) If yes, please provide a description of your reservation (s).			