

# ATT-BAP REPORTING GUIDANCE NOTES

## MODULE 1 – NATIONAL CONTROL LIST

The Arms Trade Treaty-Baseline Assessment project has developed a series of nine ATT-BAP Guidance Notes to assist States in the completion of their national ATT-BAP Survey and in the preparation of their initial report on measures to implement the Arms Trade Treaty, as required under Article 13 (1). Each of the ATT-BAP Guidance Notes focuses upon a particular topic and ATT commitment. Each Note:

- Identifies the relevant Treaty articles for each topic
- Introduces the ATT-BAP Survey questions and a sample of responses provided by States
- Provides information on potential sources of information for addressing the ATT-BAP Survey questions, highlighting similar questions or relevant responses contained in national reports on transfer control systems for other international instruments

### NATIONAL CONTROL LISTS: RELEVANT ATT ARTICLES

#### Article 2

1. This Treaty shall apply to all conventional arms within the following categories:

- (a) Battle tanks;
- (b) Armoured combat vehicles;
- (c) Large-calibre artillery systems;
- (d) Combat aircraft;
- (e) Attack helicopters;
- (f) Warships;
- (g) Missiles and missile launchers; and
- (h) Small arms and light weapons

2. For the purposes of this Treaty, the activities of the international trade comprise export, import, transit, trans-shipment and brokering, hereafter referred to as "transfer".

3. This Treaty shall not apply to the international movement of conventional arms by, or on behalf of, a State Party for its use provided that the conventional arms remain under the State Party's ownership.

#### Article 3

Each State Party shall establish and maintain a national control system to regulate the export of ammunition/munitions fired, launched or delivered by the conventional arms covered under Article 2 (1), and shall apply the provisions of Article 6 and Article 7 prior to authorizing the export of such ammunition/munitions.

#### Article 4

Each State Party shall establish and maintain a national control system to regulate the export of parts and components where the export is in a form that provides the capability to assemble the conventional arms covered under Article 2 (1) and shall apply the provisions of Article 6 and Article 7 prior to authorizing the export of such parts and components.

**Article 5.2**

Each State Party shall establish and maintain a national control system, including a national control list, in order to implement the provisions of this Treaty

**Article 5.3**

Each State Party is encouraged to apply the provisions of this Treaty to the broadest range of conventional arms. National definitions of any of the categories covered under Article 2 (1) (a)-(g) shall not cover less than the descriptions used in the United Nations Register of Conventional Arms at the time of entry into force of this Treaty. For the category covered under Article 2 (1) (h), national definitions shall not cover less than the descriptions used in relevant United Nations instruments at the time of entry into force of this Treaty

## ATT-BAP SURVEY QUESTIONS

The ATT-BAP Survey contains several questions for States to explain how they fulfill their ATT commitments with regard to the establishment and maintenance of a national control list that covers, at a minimum, the eight categories of conventional arms outlined in Article 2(1) of the ATT, as well as ammunition and components that are used for assembling conventional arms as defined in Articles 3 and 4.

Examples of answers provided by States that completed ATT-BAP Surveys during 2013-2015 are included below to show the types of information that States have included in their Surveys and are indicative of the type of information governments are willing to share publicly on measures taken to implement the ATT. Completed Surveys are available for review via the 'Country Profiles' and 'Database' pages on the Arms Trade Treaty – Baseline Assessment Project Portal at: <http://www.armstrade.info/>

### 1. NATIONAL CONTROL LIST

	Yes	No
Response taken from ATT-BAP Survey completed by Argentina		
B. For which activities does your State maintain a national control list of conventional arms: [Article 2.2 and Article 5.2]		
i) Export	✓	
ii) Import	✓	
iii) Transit / Transshipment	✓	
iv) Brokering	✓	

	Yes	No
Response taken from ATT-BAP Survey completed by France		
C. Does your national control list cover the following: [Articles 2.1, 3, 4, and 5.2]		
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]	✓	

	Yes	No
Response taken from ATT-BAP Survey completed by Slovenia		
D. Is/are your national control list(s) publicly available? [Article 5.3]	✓	
i) If yes, please provide a copy or link to where your control list is made publicly available.	<a href="http://www.mo.gov.si/si/delovna_podrocja/proizvodnja_in_promet_z_obrambnimi_proizvodi/">http://www.mo.gov.si/si/delovna_podrocja/proizvodnja_in_promet_z_obrambnimi_proizvodi/</a>	

	Yes	No
Response taken from ATT-BAP Survey completed by Italy		
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.)	The definitions are derived from the relevant multilateral and European rules (EU Common Position 2008/944/CFSP, the Wassenaar Arrangement, the United Nations Register of Conventional Arms).	

## SOURCES FOR INFORMATION

The information required to answer the questions and sub-questions contained in Section 1 National Control List will be contained in primary and/or secondary legislation or a Presidential decree, as well as policy guidelines. States may be able to find and use relevant information contained within their reports on implementation of the UN Programme of Action (PoA) or UN Security Council Resolution 1540 – specifically with regard to questions on legislation, policy guidelines and procedures.

### RELEVANT QUESTION(S) FROM UNSCR 1540 IMPLEMENTATION REPORT MATRIX:

ATT-BAP SURVEY QUESTION(S)	UN POA REPORTING TEMPLATE QUESTION(S)	UNSCR 1540 IMPLEMENTATION REPORT MATRIX QUESTION(S)
Question 1.C – Does your national control list cover the following: <ul style="list-style-type: none"> <li>i) Battle tanks</li> <li>ii) Armored Combat Vehicles</li> <li>iii) Large-caliber artillery systems</li> <li>iv) Combat aircraft</li> <li>v) Attack helicopters</li> <li>vi) Warships</li> <li>vii) Missiles and missile launchers</li> <li>viii) Small arms and light weapons</li> <li>ix) Ammunition / Munitions for the above items</li> <li>x) Parts and components requiring control for the above items</li> </ul>		OP 6, 7, and 8(d). Control lists, Assistance, Information – Can information be provided on the following issues?: (1) Control Lists – items (goods / equipment / materials / technology); (2) Control Lists - other
Question 1.D – Is/are your national control list(s) publicly available?		Can information be provided on the following issues?: (1) Control Lists – items (goods / equipment / materials / technology); (2) Control Lists - other
Question 1.E – Are the controlled items defined?		Can information be provided on the following issues?: (1) Control Lists – items (goods / equipment / materials / technology); (2) Control Lists - other