

Arms Trade Treaty  
**Second Conference of States Parties**  
**Extraordinary Meeting**  
Geneva, Switzerland, 29 February, 2016

## Final Report

### I. Introduction

1. Article 22.1 of the Arms Trade Treaty (ATT) states that “This Treaty shall enter into force ninety days following the date of the deposit of the fiftieth instrument of ratification, acceptance or approval with the Depositary.” Accordingly, the Arms Trade Treaty entered into force on the 24 December 2014, 90 days after a jointly undertaken deposit of the last eight instruments needed to reach the threshold for entry into force.
2. Article 17.1 of the Arms Trade Treaty provides 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”. Accordingly, the first Conference of States Parties (CSP1) to the ATT was held at Cancun, Mexico on 24-27 August 2015.
3. Article 17.2-3 further provides that “The Conference of States Parties shall adopt by consensus its rules of procedure at its first session” and that “the Conference of States Parties shall adopt financial rules for itself as well as governing the funding of any subsidiary bodies it may establish as well as financial provisions governing the functioning of the Secretariat” and finally that “at each ordinary session, it shall adopt a budget for the financial period until the next ordinary session”. Accordingly, the Conference adopted by consensus, its Rules of Procedure (RoP) issued as ATT/CSP1/CONF.1 and its Financial Rules issued as ATT/CSP1/CONF.2.
4. Pursuant to Article 17.3 and 4 (e) and in recognition of the need to develop a proposal concerning the administrative arrangements of the Secretariat for the consideration of the Conference, the Conference adopted provisional budgets for the Secretariat as well as for the Conference for the financial period up to the next ordinary session as contained in document ATT/CSP/2015/WP.6/Rev.1/Corr., including relevant expenditures foreseen for 2015, as submitted by the provisional Secretariat.
5. With reference to the Final Report of CSP1 issued as ATT/CSP1/2015/6, the Conference further decided, *inter alia*, to
  - designate *Geneva, Switzerland* as the location of the Secretariat,
  - appoint *Mr Dumisani Dladla*, as the first Head of the Secretariat to serve until the second Conference of State Parties,
  - adopt a Directive for the Secretariat issued as ATT/CSP1/CONF.3,
  - establish a Management Committee with Terms of Reference as found in ATT/CSP1/CONF.4, and further to appoint *Cote d'Ivoire, the Czech Republic, France, Jamaica and Japan* as members of the Committee for a period of two years,

- elect Ambassador *Emmanuel E. Imohe, of Nigeria* as President for the Conference's second session and chair of the Management Committee,
  - elect *Costa Rica, Finland, Montenegro and New Zealand* as the four vice-Presidents for the following session of the Conference,
  - note with appreciation, provisional reporting templates and establish an informal working group on reporting, and to
  - hold its next annual ordinary sessions at the seat of the Secretariat, for a duration of up to 5 days in the second half of 2016
6. Further to this, the Conference decided, as an interim measure, to bridge the institutional arrangements between the CSP1 and the time at which the newly appointed Head of the Secretariat take up his duties, to entrust the Management Committee, with the support of UNDP Geneva, to assist with the administrative tasks as necessary, in support of the work of the Conference on cost recovery basis, (ref. Final Report CSP1, § 32). In this context, the Conference further considered actions and activities that could be foreseen in follow up to decisions by CSP1 in the period up to the second ordinary session, as found in the Programme of Work, and as found *inter alia*, in Final Report CSP1, § 35, to pursue:
- furthering the plans for the operationalization of the Secretariat including the development of a workplan for the Secretariat,
  - initiate the assessment of States Parties enabling contributions for the CSP and any subsidiary bodies it may establish and for the Secretariat,
  - establish a programme for the Management Committee,
  - ensure a mechanism for receiving reports under Article 13, and national control lists pursuant to Article 5.4, and national point(s) of contact pursuant to Article 5.6 as well as identifying competent national authorities in accordance with 5.5.
7. Further to the decisions referred to in § 4 and 6 above, the Conference decided to hold an Extraordinary Meeting (EM) early in the new year of 2016 at the seat of the Secretariat, for the duration of one (1) day to review and consider for adoption, the draft proposal concerning the administrative arrangements of the Secretariat and subsequent to this, a revision of the provisional budgets referred to. A draft Provisional Agenda was submitted to the Conference by the President of CSP1, issued as ATT/CSP1/2015/EM.1.
8. Accordingly, and pursuant to Rule 12 of the RoP, a notification of the Extraordinary Meeting together with relevant background documentation was circulated by the Secretariat to all States Parties, signatory States and the Secretary-General of the United Nations in his capacity as depositary of the Treaty on 29 January 2016, specifying the date and venue of the meeting. The information was also made publically available at <http://www.thearmstradetreaty.org/>.
9. At the time of opening of the Extraordinary Meeting on 29 February 2016, the Treaty held 130 signatories whilst two states have acceded directly to the Treaty. Eighty one are States Parties whilst the following 3 States have ratified the Treaty, but for which it has yet to enter into force: Ghana, Lesotho and Peru.

## **II. Organization of the Extraordinary Meeting of States Parties 29 February**

10. Pursuant to Articles 17.1 and 18.1 and 3 (d) of the Treaty, and in cooperation with the Government of Switzerland as the host, and UNDP, the Secretariat together with the Management Committee made arrangements and provided the necessary services for the meeting, including the preparation of this procedural Report.

11. The Extraordinary Meeting in the intersessional period between the first and second ordinary session of the Conference of States Parties to the Arms Trade Treaty was held in Geneva, Switzerland on 29 February 2016 and was attended by 77 States, a number of international and regional intergovernmental organisations and representatives of civil society, including NGOs, and industry.
12. The following fifty (50) States Parties to the Arms Trade Treaty participated in the work of the Conference in accordance with Rule 1 of the Rules of Procedure: Argentina, Australia, Austria, Bahamas, Belgium, Bosnia and Herzegovina, Bulgaria, Costa Rica, Cote d'Ivoire, Croatia, Czech Republic, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Mauritius, Mexico, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, Republic of Moldova, Romania, , Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland and Uruguay.
13. The following two (2) States that have ratified or acceded to the Arms Trade Treaty, but in respect of which it is not yet in force, participated in the work of the Conference in accordance with Rule 2 of the Rules of Procedure: Ghana and Peru.
14. The following twenty-two (22) States signatories to the Arms Trade Treaty participated in the work of the Conference in accordance with Rule 2 of the Rules of Procedure: Angola, Bangladesh, Brazil, Colombia, Cyprus, Georgia, Greece, Guatemala, Haiti, Honduras, Israel, Libya, Malaysia, Mozambique, Philippines, Republic of Korea, Thailand, Turkey, United Arab Emirates, United States of America, Zambia and Zimbabwe.
15. The following three (3) States also attended the Conference as observers in accordance with Rule 3 of the Rules of Procedure: Canada, China, and Kazakhstan.
16. The following organisations participated in the work of the Conference as observers in accordance with Rule 4 of the Rules of Procedure: European Union, the International Committee of the Red Cross, United Nations Development Programme, United Nations Institute for Disarmament Research, and United Nations Office for Disarmament Affairs.
17. The following international coalitions of NGOs and associations representing industry, as well as representatives of civil society, including NGOs, and industry participated in the work of the Conference as observers in accordance with Rule 5.1 and 5.2 of the Rules of Procedure: Associazione Nazionale Produttori Armi e Munizioni Sportive e Civili, Control Arms Coalition (Amnesty International; Asociación para Políticas Públicas; Caribbean Coalition for Development and the Reduction of Armed Violence, Center for Development for Ex-Combatants (CEDAC), Centre for Peace, Security and Armed Violence Prevention, Centre for Trust, Peace and Social Relations, Coventry University; Conectas Direitos Humanos, Conflict Prevention Centre, Control Arms, Femme des Medias Pour la Justice au Congo, International Peace Information Service, International Physicians for the Prevention of Nuclear War, Permanent Peace Movement, Radio Publique Africaine, Reaching Critical Will of WILPF, Recherches et Documentation Juridiques Africaines, Saferworld, Seguridad Humana en Latinoamérica y el Caribe, Small Arms Survey, Stimson Centre, Women for Peace and Democracy Nepal), Dynamit Nobel Defence GmbH, Geneva Centre for Security Policy, National Rifle Association of America Institute for Legislative Action, Stockholm International Peace Research Institute, World Forum on Shooting Activities.
18. In reference to Rule 7.4 of the Rules of Procedure, a draft List of Participants was circulated to all States Parties on 19 February 2016, and subsequent to this, updated as of Friday 26 February, informing of the compositions of all delegations that have registered as Participants to this Extraordinary meeting under Rule 1 and 2 as well as those that have

registered to attend as Observers under Rule 3, 4, and 5, requesting any possible objection by a State Party against the representation of a delegation of a State Party, signatory State or observer at the Extraordinary meeting to be presented to the President no later than 10:00 local time, Saturday 27 February 2016. No such objection was presented. To this end, a procedural decision under Rule 7.4 was not required.

19. The Conference welcomed Mr. *Dumisani Dladla* as he commences his role of interim Head of the Secretariat.

### III. Decisions and recommendations

20. The Conference adopted the Agenda as contained in document ATT/CSP2/2016/EM.1, approved by the Conference at CSP1 and circulated again on 28 January 2016.
21. In accordance with § 31 and 33 of the Final Report of CSP1 and, per Agenda item 2, the Conference considered and adopted, by consensus, the draft proposal for the administrative arrangements of the Secretariat, as contained in Annex A of document ATT/CSP2/2016/EM/WP.1/Rev.1, submitted by the President on behalf of the Management Committee. The administrative arrangements will be issued as two documents, to be signed by the Head of Secretariat, and hereafter referred to as 1) *the Agreement between Switzerland and the ATT Secretariat* and, 2) *the Headquarters Agreement between Switzerland and the ATT Secretariat*, under the understanding that the former, i.e. *the Agreement between Switzerland and the ATT Secretariat*, will be subject to silence procedure per Rule 41.3, with a deadline set at 20 days.
22. In accordance with § 33 of the Final Report of CSP1 and, per Agenda item 3, the Conference considered and adopted, by consensus, as amended, the draft revised budget for the Secretariat for the financial period up to 31 December 2016, and the draft revised budget for the Conference, including a cost estimate for its second session as contained in Annex B of document ATT/CSP2/2016/EM/WP.1/Rev.2, submitted by the President on behalf of the Management Committee. The revised budgets will be issued as ATT/CSP2/2016/EM/3 (forthcoming). The Conference further decided that future budgets for the approval of the Conference should contain budget lines that clearly identify the overhead paid to DCAF by Switzerland.
23. Pursuant to Agenda item 4, the Conference considered and adopted, by consensus, and as orally amended, the proposal on the structure of the Secretariat, including the confirmation of staff positions as contained in Annex C of document ATT/CSP2/2016/EM/WP.1/Rev.2, submitted by the President on behalf of the Management Committee but also that job descriptions for the P2 and P3 positions need to be drawn up. Other amendments agreed included; the specification of staff contracts to be issued for four (4) years, renewable once, with the approval of the Management Committee, in the case of HoS; and subject at least three months prior to the initial expiry and subject to favourable staff review, with an initial probationary period of three months, and with a three month break clause which can be invoked by the incumbent, by the HoS or by a decision of States Parties, where the incumbent is the Head of Secretariat; that the profile and level of staff positions should be subject to review on needs basis; thereafter, the positions would be advertised, for an open competitive process; Effort should be made to ensure not all members of the Secretariat conclude at the same time. Serving Secretariat staff should make every effort to cover for vacant positions that are in the process of being filled. Lastly, also that in developing the Secretariat's Human Resource policy, efforts should be made to tailor the UN staff policy to that of DCAF as well as to the size and needs of the Secretariat, and should apply to all Secretariat staff.

24. In reference to the subsequent process of staffing the Secretariat, the Conference specifically mandated the Secretariat in cooperation with the Management Committee, to proceed with the elaboration of the UN remuneration package together with an insurance arrangements and the Human Resource policy for staff, and to present the proposal for silence procedure by end of April, with a set deadline of 20 days.
25. In reference to decisions by the Conference at CSP1 as contained in § 29 of ATT/CSP1/2015/6, the Conference further mandated an Evaluation Committee consisting of members of the Management Committee and the Bureau to proceed with a merit based recruitment processes to secure a candidacy for the Head of Secretariat, to serve from 1 December 2016, for consideration by the Conference at CSP2. To this end, it was decided to request UNDP to extend the contract of the interim Head of Secretariat until 30 November, effectively adding two months to the contract duration decided for at CSP1, with the objective to bridge the gap
26. With reference to the further work needed in securing the other two staff of for the Secretariat it was decided to request the support of UNDP, on cost recovery basis, and within existing budgetary resources, to assist the Head of Secretariat and the Management Committee until regular staff is in place, with the elaboration of a remuneration package including insurance arrangements; and a Human Resource policy for staff; preparations for CSP2, including conference services, and the necessary procurement and the administration of a sponsorship programme.
27. Under Agenda item 5 - and pursuant to the discussions held at the Meeting on the issue of the preparations for CSP2, the Conference noted that the draft provisional Agenda for CSP2, per Rule 15.1 shall be drawn up by the Secretariat in consultation with the President, on the basis of Article 17.4 of the Treaty, and shall include other items agreed upon by the Conference in previous sessions as well as items proposed by States Parties. The conference further decided to create a preparatory process for CSP2 consisting, due to cost considerations, of two (2) informal preparatory meetings in Geneva in the period running up to the Conference.
28. Under Agenda item 5 - and pursuant to the discussions held at the Meeting with reference to the issue of the operationalization of the informal working group on reporting which was established by CSP1, the Conference decided to entrust Sweden with the responsibility to continue to facilitate the work of the informal working group on reporting. Further to this, the Conference agreed on a set of Terms of Reference for the informal working group, as contained in ATT/CSP2/2016/EM/WP.2/Rev.1.
29. The Conference decided to hold its second annual ordinary session, the CSP2, from 22 – 26 August, 2016 in Geneva, at the seat of the Secretariat, at the World Trade Organization, a venue generously provided by Switzerland as Host of the Seat of the Secretariat.
30. The Conference adopted its Final Report as contained in document ATT/CSP2/2016/EM/WP.3, as orally amended, which is now to be issued as document ATT/CSP2/2016/EM/6.

## **LIST of DOCUMENTS**

ATT/CSP2/2016/EM.1

*Draft provisional Agenda – Extraordinary Meeting, submitted by the President of CSP1.*

ATT/CSP2/2016/EM.2	<i>Draft provisional annotated Agenda – Extraordinary Meeting, submitted by the President of CSP2</i>
ATT/CSP2/2016/EM/WP.1	<i>Draft Proposals, in Annexures A, B and C respectively, for the consideration at the Extraordinary Meeting of the Conference, on the administrative arrangements, structure of the Secretariat, —including the confirmation of staff positions, as well as revised budgets for both the Secretariat, and the Conference, submitted by the President, on behalf of the Management Committee.</i>
ATT/CSP2/2016/EM/WP.1/Rev.1	<i>Revised Draft Proposals, in Annexures A, B and C respectively, for the consideration at the Extraordinary Meeting of the Conference, on the administrative arrangements, structure of the Secretariat, —including the confirmation of staff positions, as well as revised budgets for both the Secretariat, and the Conference, submitted by the President, on behalf of the Management Committee.</i>
ATT/CSP2/2016/EM/WP.1/Rev.2	<i>Second Revised Draft Proposals, in Annexures A, B and C respectively, for the consideration at the Extraordinary Meeting of the Conference, on the administrative arrangements, structure of the Secretariat, —including the confirmation of staff positions, as well as revised budgets for both the Secretariat, and the Conference, submitted by the President, on behalf of the Management Committee.</i>
ATT/CSP2/2016/EM/WP.2	<i>Further Work on Reporting Templates, submitted by Sweden – facilitator on reporting</i>
ATT/CSP2/2016/EM/WP.2/Rev.1	<i>Further Work on Reporting Templates, submitted by Sweden – facilitator on reporting</i>
ATT/CSP2/2016/EM/WP.3	<i>Draft Final Report, to be issued as ATT/CSP2/2016/EM/4.</i>
ATT/CSP2/2016/EM/WP.4	<i>Draft List of Participants, Extraordinary Meeting, 29 February 2016.</i>
n/a	<i>DRAFT Agreement between Switzerland and the Conference of States Parties on the administrative arrangements for the ATT Secretariat</i>
n/a	<i>DRAFT 4 - Headquarters Agreement between the ATT Secretariat and the Swiss Federal Council in view of determining the legal status of the Secretariat in Switzerland</i>

ATT/CSP2/2016/EM/3	<i>(Forthcoming), Agreement between Switzerland and the Conference of States Parties on the administrative arrangements for the ATT Secretariat.</i>
ATT/CSP2/2016/EM/4	<i>(Forthcoming), Headquarters Agreement between the ATT Secretariat and the Swiss Federal Council in view of determining the legal status of the Secretariat in Switzerland.</i>
ATT/CSP2/2016/EM/5	<i>Revised Budgets for the Secretariat for the financial period up to 31 December 2016, and, for the Conference, including a cost estimate for its second session.</i>
ATT/CSP2/2016/EM/6	<i>Final Report - Extraordinary Meeting, 29 February 2016.</i>
ATT/CSP2/2016/EM/7	<i>List of Participants, Extraordinary Meeting, 29 February 2016.</i>
ATT/CSP/2015/CONF.1	ATT - Rules of Procedure
ATT/CSP/2015/CONF.2	ATT - Financial Rules
ATT/CSP/2015/CONF.3	ATT - Directive to the Secretariat
ATT/CSP/2015/CONF.4	ATT - ToR for Management Committee