



Republic of Zambia

Lessons learned document on the Republic of Zambia's experience in building capacity to fulfil its ATT annual reporting obligations

The Republic of Zambia signed the Arms Trade Treaty (ATT) on 25 September 2013 and deposited its instrument of ratification on 20 May 2016. The treaty entered into force for the Republic of Zambia on 18 August 2016. Under Article 13(3) of the ATT, the Republic of Zambia was due to submit its first annual report on exports and imports of conventional arms covered under Article 2(1) during calendar year 2017—(ATT annual report) by 31 May 2018. As of 13 February 2020, the Republic of Zambia had submitted neither its first annual report nor the subsequent report covering calendar year 2018, which was due by 31 May 2019.

The European Union ATT Outreach Project (EU ATT-OP) introduced the Treaty's reporting obligations to the Republic of Zambia's key stakeholders, but this project's roadmap does not foresee allocating additional time or resources to develop Zambia's capacity to fulfil its ATT reporting obligations. The Government of the Republic of Zambia therefore requested support from the ATT Voluntary Trust Fund (VTF) to build its capacity to establish and maintain national procedures to enable it to fulfil these reporting obligations. The Republic of Zambia asked the Small Arms Survey to provide assistance to developing national procedures for ATT reporting, drawing upon appropriate national experiences and practices, to enable it to compile its first ATT annual report. In 2019, the ATT VTF awarded the Republic of Zambia funding to support the Small Arms Survey's implementation of a project entitled 'Building capacity to fulfil Zambia's ATT reporting obligations'.

This 'lessons learned' document consists of two parts. The first explains why the Republic of Zambia has not submitted any ATT annual reports by outlining the challenges presented by key stakeholders in the country. The second part identifies the key lessons learned and findings of a national stakeholder workshop held in the Zambian city of Livingstone on 13 and 14 February 2020. This part includes issues that the Government of the Republic of Zambia needs to address to enable the timely submission of its ATT annual reports in the future. In addition to this 'lessons learned' document, the workshop enabled the drafting of a document outlining national procedures for the preparation of the Republic of Zambia's ATT annual report (henceforth, 'national procedures document').

1. Why hasn't the Republic of Zambia submitted any ATT annual reports?

Zambian government officials have identified five key factors explaining why the Republic of Zambia did not submit its first or second annual ATT reports by their deadlines.

1. The Republic of Zambia has limited experience of reporting on exports and imports of conventional arms. Since 1993, the Republic of Zambia has made seven submissions to the United Nations Register of Conventional Arms (UNROCA) the most recent of which occurred in 2007. All submissions were 'nil returns', meaning they included no information on imports or exports of the seven categories of conventional arms covered by UNROCA.
2. Key stakeholders said they regard information on exports and imports of conventional arms as 'sensitive'. There had been insufficient 'awareness raising' and 'sensitization' regarding the ATT annual report obligation at high levels in relevant government ministries and agencies. Senior government officials were not aware of the reporting obligation and so did not provide direction for reporting to relevant departments in the ministries and government agencies that maintain records of authorizations and/or actual exports and imports of conventional arms to be used for compiling ATT annual reports.
3. It has taken some time to establish an inter-ministerial committee on ATT implementation to facilitate the sharing of relevant information. Moreover, preparing the first ATT annual report was not a high priority for the committee, which focused rather on drafting new legislation and a control list.
4. Not all records required to compile ATT annual reports are maintained in a format that is easily accessible for such compilation. Further, the information retained in the records does not always correspond with the ATT categories of conventional arms. Zambia's Ministry of Defence, Defence Force (including the Air Force) Police Service, and Revenue Authority all maintain records that can be used to compile ATT annual reports, but these records differ in several regards. For example, the Police Service maintains paper records, while the Revenue Authority has an electronic database of imports and exports. The records of the Revenue Authority use customs commodity classifications for items that cross Zambia's borders which are not currently compatible with the classifications on the ATT reporting template. Furthermore, access to information about items imported for use by the Defence Force—including the Air Force—and the Ministry of Defence is restricted. Therefore, there are currently some capacity constraints for compiling the annual reports.
5. There were insufficient resources to bring together all the relevant national stakeholders to prepare and agree on a process for compiling and submitting the first ATT annual report. National funds to support ATT implementation have been utilized for preparing national legislation and establishing the inter-ministerial and inter-agency committee. The financial resources needed to begin work to prepare the compilation of the ATT annual report only became available with the ATT VTF grant. As the next section shows, several obstacles impede the efficient preparation of ATT annual reports.

2. Key findings from the Republic of Zambia's national stakeholder workshop to build capacity to fulfil its ATT annual reporting obligations

The Republic of Zambia, with the support of the Small Arms Survey, organized a national stakeholder workshop to build capacity to fulfil its ATT annual reporting obligations which took place on 13 and 14 February 2020 in Livingstone. The workshop brought together participants from Zambia's Ministries of Defence, Finance—including the Revenue

Authority—, Foreign Affairs, and Justice, as well as from the Defence Force—including the Air Force and National Service—and the Police Service.

The first workshop sessions introduced the ATT’s annual report obligation and the reporting templates, before attention turned to the challenges that the Republic of Zambia faces in preparing ATT annual reports. The rest of the workshop focused on preparing key elements of the national procedures document by addressing the following questions:

- What information should be provided in the annual report?
- Where is the relevant information located?
- Who is responsible for contributing to the preparation and submission of the ATT annual report, and at what stages of the process are they involved?
- Does Zambia have what it needs to fulfil its reporting requirements?

The key lessons learned and findings from the workshop include the following:

Sensitization, awareness raising, and decision-making

1. As noted above, a key priority before beginning work to prepare an ATT annual report is to sensitize top officials, such as ministers and permanent secretaries in all relevant ministries and government agencies, about the Republic of Zambia’s ATT reporting obligations.
2. The ATT requires states parties to decide what type of information to include in their ATT annual reports, and whether to make the reports available on the ATT Secretariat’s public website or only to ATT states parties. A national consultation is therefore important to inform all relevant stakeholders of the different options and to reach consensus on the way forward. Every key ministry, government agency, and department that maintains records on imports and exports of conventional arms should have technical representatives at this meeting. The workshop in Livingstone made good progress in this regard, but additional consultations will be needed to address all the following questions:
 - a. Will information regarding commercially sensitive and national security-related issues be withheld from the annual report?
 - b. How will ‘export’ and ‘import’ be defined for reporting purposes?
 - c. Will the annual report be published on the ATT Secretariat website or only made available to states parties?
 - d. Should information on imports and exports of conventional arms include transfers to military, police, and also non-governmental entities including civilians?
 - e. Should *authorized* imports and exports be included or *actual* imports and exports?
 - f. Should the quantity of units and monetary values of exports and imports be included?
 - g. Should information deemed ‘voluntary’ in the reporting template be included? For example:
 - i. Remarks (‘description of items’ and ‘comments on transfer’)
 - ii. Disaggregated information on small arms and light weapons
 - iii. Voluntary categories that go beyond the scope of the items covered by ATT Article 2 (1) but which are defined in the national control list

Procedures

3. Designate focal or contact points for ATT reporting responsibilities in departments that deal with procurement and licensing of conventional arms imports and exports in the relevant ministries and government agencies, including the Revenue Authority. The ATT national contact point must have up-to-date contact details for all these focal and contact points.
4. The workshop provided inputs for the national procedures document that addresses issues raised at the workshop and contains the following sections:
 - a. Purpose of the document
 - b. Sources of information for ATT annual reports
 - c. Calendar for preparing and submitting ATT annual reports: when, what, who?
 - d. Information to be included in the Republic of Zambia's ATT annual reports
 - e. Annexes
 - i. Other useful guidance
 - ii. The ATT Reporting Template: Annual Report in Accordance with Article 13 (3): Exports and Imports of Conventional Arms Covered under Article 2 (1)
 - iii. UN instrument descriptions of small arms and light weapons
5. A calendar that clearly identifies tasks to be undertaken for reporting, those responsible for performing them, and deadlines for completing them, is a very useful tool for coordinating the inter-ministerial and inter-agency operations required to compile and submit ATT annual reports. One of the most significant achievements of the Livingstone workshop was the drafting of such a calendar for the preparation of the Republic of Zambia's ATT annual reports.

Resources

6. A national database for ATT annual reporting would be very useful. At a minimum, guidance should be provided to all relevant ministries and government agencies on the type of information required to be extracted from records and provided for inclusion in the ATT annual report. This could take the form of a spreadsheet with columns for the types of information to be provided for the report (e.g. number of units imported, exporting state, etc.).

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