

Report

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EXECUTIVE SUMMARY, KEY FINDINGS,
AND POLICY OBSERVATIONS

REALITIES, CHALLENGES, AND OPPORTUNITIES

The Arms Trade Treaty in the Indo-Pacific Region

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Executive summary

The Indo-Pacific region, in all its vastness and diversity, presents many international security challenges. It is also a region with, thus far, limited engagement with the Arms Trade Treaty (ATT). This Report addresses key features of this seeming conundrum.

Through a range of research methodologies, including key informant interviews (KIIs) with policymakers and practitioners in many of the countries and organizations of the region, the Report examines the realities of the conventional arms trade—both licit and illicit—in the Indo-Pacific region. It unpacks differing attitudes to the ATT and identifies key challenges that hinder ATT universalization and compliance in the region. The Report ends with a series of key entry points and opportunities for changing the dynamic of engagement with the ATT in the Indo-Pacific region, which are outlined for the consideration of actors and stakeholders working on the universalization and implementation of the ATT.

The Report identifies the following possible entry points and opportunities for enhancing universalization for consideration for action: targeting signatory states and states showing a willingness to join; deepening understanding of states' security challenges; focusing on particular dimensions of the arms trade in the region, such as maritime and brokering aspects; building national consensus towards the ATT through inter-agency processes; encouraging exchanges on 'lessons learned' between states parties and sceptical states; and fostering subregional processes aimed at overcoming states' doubts and fears.

Possible entry points and opportunities for enhancing compliance include the following: focusing efforts to address implementation and compliance challenges faced by states; supporting the building of sustainable inter-agency processes to assist implementation; targeting Voluntary Trust Fund (VTF) and other donor funding to strengthen the capacity of key national sectors in arms transfer decision-making, monitoring, and enforcement; building partnerships with other stakeholders, including industry and research institutions; and funding and supporting engagement and partnerships with civil society organizations (CSOs), including those working on gender mainstreaming.

Key findings

- Only 11 Indo-Pacific countries are currently states parties to the ATT, including countries that supported the adoption of the Treaty and ratified it as soon as it entered into force, and some of the most recent states parties to the Treaty, such as China. Additionally, nine states from the region have signed the Treaty, but not yet ratified it.
- Arms trade realities vary enormously in the Indo-Pacific region, with some states, including ATT states parties, being major global producers and exporters of conventional arms, and others being primarily importers or being involved in very small volumes of trade.
- Illicit firearms trafficking, although limited, can be destabilizing for security, with South-east Asia and South Asia being the most affected subregions.
- With a few exceptions, Oceania features low levels of armed violence and very limited involvement in the arms trade, but limited capacity and lower perceptions of threat have affected levels of engagement with the ATT.
- South-east Asia, an area of considerable strategic and geopolitical significance, has only one state party to the ATT (the Philippines). While the subregion hosts some regional arms control initiatives, limited regional leadership and awareness of the advantages of ATT membership are challenges to greater ATT universalization.
- In East Asia, three states parties (China, Japan, and South Korea) are major arms producers and exporters that are also active within the ATT framework; North Korea continues, despite UN Security Council (UNSC) sanctions, to be a major player in the illicit arms trade.
- With only one state party in the South Asia subregion (the Maldives) and a range of considerable security concerns, there is scant momentum towards greater involvement with the ATT, with limited capacity also being a factor.
- Key challenges to greater engagement with the ATT and compliance with its provisions include the following: domestic reservations and scepticism; limited appreciation of the benefits of the ATT, and little momentum towards ratification and accession; bureaucratic, financial, or capacity hurdles; competing national priorities; and regional security concerns and political influences.

Policy observations

This section outlines potential entry points and opportunities to address challenges to ATT universalization and compliance in the Indo-Pacific region.

Universalization

1. In line with the Working Group on Treaty Universalization (WGTU) strategy, actors engaged in ATT universalization efforts (such as the WGTU, the ATT Secretariat, national agencies, regional organizations where active, and CSOs) should concentrate efforts on states that have demonstrated a preliminary willingness to join the Treaty. Efforts should include:
 - an assessment of the obstacles to ratification or accession;
 - support to conduct a national self-assessment of national laws and the state's level of compliance with the ATT;
 - a gap analysis at the national level;
 - a national roadmap or strategy towards ATT ratification or accession;
 - updated guidelines and materials on the ATT;
 - activities to re-establish or reinforce momentum; and
 - the development of (particularly for exporting states parties from the region) parallel, targeted strategies to engage non-states parties.
2. Donors and states parties, especially exporting states, should support efforts to establish a stronger evidence base for the security challenges faced by states, and develop strategies for addressing these.
 - Donors should provide specific funding to CSOs, research institutes, and national law enforcement authorities to monitor illicit arms flows.
 - States parties, especially exporting states, should engage more in Working Group meetings and other fora to demonstrate to reluctant importing states the possible benefits of ATT membership.
 - Donors can support and sponsor:
 - efforts to analyse and understand national and subregional realities; and
 - tailored packages in relevant languages, targeting ministries of defence or other actors, that can include experiences from military or defence colleagues from other states.
3. Deepen understanding of the dimensions that characterize the arms trade in the region, particularly maritime and brokering aspects.

- The Working Group on Effective Treaty Implementation (WGETI) session on brokering should seek participation from states still outside the Treaty and include contributions from experts who are able to share ideas and propose effective solutions that have been and could be implemented within the framework of the ATT.
 - Donors could support the design and implementation of dedicated courses that could be led by different national experts from countries that have developed good practices for the effective regulation of arms brokering. These courses could also draw on the involvement of law enforcement officials and authorities at the national and subregional level.
4. Actors engaged in ATT universalization efforts (such as the WGTU, the ATT Secretariat, national agencies, regional organizations where active, and CSOs) should promote inter-agency cooperation from the outset of national considerations of the ATT through Treaty implementation processes.
 - Universalization activities should continue to include meetings and activities that target different national actors.
 - National CSOs can create memos for different ministries highlighting the potential benefits of the Treaty for each of them.
 - Donors can support activities to enable states to develop a joint roadmap towards the Treaty, led by a coordinating agency with the involvement of all relevant national agencies and stakeholders, including CSOs.
 5. The WGETI and actors implementing outreach activities should continue to share the experiences of states that are fully part of the ATT to increase understanding of how to overcome challenges to universalization and compliance.
 - Outreach activities should continue to include lessons learned from other countries and to involve different actors such as port and customs authorities.
 - Implementers can continue to share, during side events, the experiences of states that have received assistance.
 - The new WGETI Sub-working Group on Exchange of National Implementation Practices should continue to enable such exchanges and seek participation from signatory states and non-states parties.
 - The ATT Secretariat should share states' presentations in the WGETI Sub-working Group on Exchange of National Implementation Practices in advance of the meetings, and create a repository of state experiences on the ATT website.
 6. Donors and actors engaged in ATT universalization efforts (such as the WGTU, the ATT Secretariat, national agencies, and regional organizations where active) should foster subregional processes aimed at overcoming states' doubts and fears.

- Donors should support and promote subregional processes, where existing, to increase momentum towards Treaty ratification or accession and compliance.
- States parties should include the ATT in international, regional, subregional, and national conversations about other arms control instruments.

Compliance

1. States parties and other ATT stakeholders should focus efforts on those states that face challenges in meeting Treaty implementation obligations.
 - CSOs could continue to develop specific activities, such as workshops and clinics, in the margins of ATT fora to focus on ways to overcome particular national challenges to implementation, such as reporting and the establishment of national control systems.
 - States should develop a roadmap for implementation to allow them to measure the extent to which they are meeting their Treaty obligations and to articulate the kind of assistance they might require.
 - The WGETI should consider identifying and using ‘regional champions’ to support individual governments’ implementation challenges.
2. States parties and other ATT stakeholders should focus in particular on inter-agency mechanisms.
 - States should promote an active and constant exchange of information among different agencies at the national level.
 - States parties and CSOs can highlight the synergies of the ATT with other arms control instruments.
 - Regional organizations can support ATT implementation as part of regional approaches.
 - Donors, CSOs, and other actors supporting ATT implementation can link the ATT to other, more pressing, priorities of a state.
 - During Conferences of States Parties, working group meetings, and outreach activities, states can share lessons for improving inter-agency cooperation.
 - States can develop and streamline processes to collect and share information and further engage industry stakeholders.
 - States can develop a permanent inter-agency mechanism at the national level for national implementation monitoring and actions for interacting with national point(s) of contact.
3. Donors should continue to support capacity building for key national sectors responsible for arms transfer decisions, monitoring, and enforcement.

- Donors should focus in particular on the development of sustainable mechanisms to support these sectors.
 - Donors should continue to target VTF and other funding for specific compliance areas such as for technical support, the building of institutions, and the analysis of gaps in legal frameworks.
4. States, donors, and other ATT stakeholders should recognize, encourage, and support contributions by CSOs and parliamentarians in overcoming challenges to various aspects of state engagement with the ATT, including compliance.
- Donors should regularly fund CSOs from the region to allow them to design projects that are targeted to a specific context.
 - Implementers of outreach activities should include and involve national or regional CSOs to ensure continuity in national efforts and dialogue.
 - Donors should financially support CSOs and their numerous advocacy and oversight activities.
 - CSOs and parliamentarians should collaborate to ensure support to parliamentarians in their oversight and enabling roles.
 - The WGETI and exporters should engage more on ensuring that the ATT effectively prevents gender-based violence and violence against women and children in order to earn buy-in and support from CSOs working on gender equality in the areas of universalization and compliance.
5. States should foster and maintain a broader group of civil stakeholders and interlocutors, including industry.
- States should maintain an active dialogue with industry and the private sector to devise effective measures and good practices in support of ATT compliance and responsible international arms transfers.
 - States can engage with institutes, think tanks, and research organizations working on security, defence, and arms control to facilitate dialogue with hesitant national stakeholders, receive advice on the Treaty, and tap into their expertise on specific topics related to national implementation.



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<https://www.smallarmssurvey.org/resource/realities-challenges-and-opportunities-arms-trade-treaty-indo-pacific-region>

Cover photo: After a rehearsal ahead of Independence Day celebrations, a member of the Sri Lanka armed forces stands next to a towed field gun, Colombo, Sri Lanka, 31 January 2019. Source: Reuters/Dinuka Liyanawatte



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The Survey is an associated programme of the Geneva Graduate Institute, located in Switzerland, and has an international staff with expertise in security studies, political science, law, economics, development studies, sociology, criminology, and database and programme management. It collaborates with a network of researchers, practitioners, partner institutions, non-governmental organizations, and governments in more than 50 countries.

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