

CHAPTER 1: EXPLORING THE ATT'S 'ASIAN FRONTIER'

Despite universalization efforts remaining a high priority for States Parties and civil society, participation in the Arms Trade Treaty (ATT) continues to be regionally uneven. The Japanese presidency of CSP 2018 has helped shift attention to ATT participation in Asia as a region that still maintains relatively low membership. The Head of the ATT Secretariat reported in March 2018 that only 12 per cent of countries in Asia are States Parties, and 63 per cent have yet to join. Comparatively, the ratios are 91 per cent and five per cent in Europe, and 66 per cent and 17 per cent in the Americas.¹

While ATT participation remains low in Asia, it is also interesting to note that the only three countries that opposed the ATT (Iran, Syria, Democratic People's Republic of Korea) are part of this vast region.

This chapter focuses on Northeast Asia,² Southeast Asia³ and South Asia.⁴ Though Central Asia is an important region to consider—with its own importance to the Treaty—Northeast, Southeast and South Asia contain some of the world's largest arms producers and importers, all of which are central to the key challenges to universalization in the region. The focus of this chapter is on these bigger players in the international arms market, whose behaviour is partly fuelled by potentially destabilizing territorial and maritime disputes in the region.

This analysis finds that though there is acknowledgement over the Treaty's importance for curtailing the illicit trade of arms, there are key impediments to participation in the ATT by Asian countries. These include a combination of political caution, ambitious industrial and technological policy goals, and an overall lack of trust toward a process that is largely perceived as biased in favour of traditional arms exporting countries.



**AIR FORCE PARARESCUEMEN
PERFORM A HOIST INTO AN
HH-60 PAVE HAWK AT CLARK
AIR BASE, PHILIPPINES, DURING
A U.S.-PHILIPPINE MILITARY
TRAINING EXERCISE.**

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STAFF SGT. JACKIE SANDERS

- 1 ATT Secretariat (2018). 'Arms Trade Treaty: Status of Participation'. ATT. 7 March 2018. http://thearmstradetreaty.org/images/CSP4/CSP4_preparatory_process/March_WG_Prep_Meetings/180307_-_ATT_Secretariat_-_Status_of_Participation.pdf. Regional analysis based on Analysis based on UN Statistics Division regional groupings. <https://unstats.un.org/unsd/methodology/m49/>.
- 2 China, Democratic People's Republic of Korea, Japan, Mongolia and Republic of Korea.
- 3 Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Timor-Leste and Vietnam.
- 4 Bangladesh, Bhutan, India, Maldives, Marshall Islands, Nepal, Pakistan, Sri Lanka.

GROWING REGIONAL TENSIONS IN ASIA

Asia is marked by simmering disputes and fast-evolving security threats linked directly to rising defence spending.⁵ The widening gap in military power between China and its neighbours is creating demand for arms imports, defence technology development and industry cooperation throughout the region.⁶ For example, from 2013 to 2017, India was the world's largest importer of major arms and accounted for 12 per cent of the global total.⁷ Its imports increased by 24 per cent between 2008 to 2012 and 2013 to 2017. Also during this time period, Indonesia increased its arms imports by 193 per cent.⁸ On the whole, Vietnam, Indonesia and Cambodia more than doubled their spending on the military between 2005 and 2015. In Thailand and the Philippines, military expenditure also rose sharply.⁹

The increased flow of arms in the region has led to concerns over the impact on international peace and security.¹⁰ Implementing international mechanisms such as the ATT is necessary to address both the increased flow of arms and security concerns. This is all the more required given geopolitical tensions in the region, particularly in the Indian subcontinent, the Korean peninsula, the Taiwan Strait, and the East and South China Seas.¹¹ All have the potential of catalysing systemic, high-intensity armed conflicts and influencing directly the level of defence spending of countries in the region and their commitment to arms control mechanisms.



THE INCREASED FLOW OF ARMS IN THE REGION HAS LED TO CONCERNS OVER THE IMPACT ON INTERNATIONAL PEACE AND SECURITY. IMPLEMENTING INTERNATIONAL MECHANISMS SUCH AS THE ATT IS NECESSARY TO ADDRESS BOTH THE INCREASED FLOW OF ARMS AND SECURITY CONCERNS.

5 Duchatel, M. (2018). 'China's military build-up may be a game changer for European arms transfers'. South China Morning Post. 5 February 2018. <http://www.scmp.com/news/china/diplomacy-defence/article/2131937/chinas-military-build-may-be-game-changer-european-arms>.

6 Ibid.

7 'SIPRI (2018). 'Asia and the Middle East lead rising trend in arms imports, US exports grow significantly, says SIPRI'. Stockholm International Peace Research Institute. 12 March 2018. <https://www.sipri.org/news/press-release/2018/asia-and-middle-east-lead-rising-trend-arms-imports-us-exports-grow-significantly-says-sipri>.

8 Ibid.

9 Heiduk, F. (2018). 'An Arms Race in Southeast Asia? Changing Arms Dynamics, Regional Security and the Role of European Arms Exports'. Stiftung Wissenschaft und Politik Research Paper 10. August 2017. https://www.swp-berlin.org/fileadmin/contents/products/research_papers/2017RP10_hdk.pdf.

10 SIPRI (2018). op. cit.

11 See, for example, Hellendorff, B. and Kellner, T. (2017). 'Crise nord-coréenne : diplomatie, menace nucléaire et défense antimissile'. Brussels: Group for Research and Information On Peace And Security (GRIP), GRIP's Reports. 13 February 2017. <https://www.grip.org/fr/node/2250>; Kristensen, H. M. and Norris, R. S. (2018). 'North Korean nuclear capabilities, 2018'. Bulletin of the Atomic Scientists. 74(1), pp. 41-51; The New York Times (2017). 'Arms race in the making as North Korea's alarmed neighbours consider deploying deadlier weapons'. The Straits Times. 9 August 2017. <https://www.straitstimes.com/asia/east-asia/arms-race-underway-in-asia-as-north-koreas-alarmed-neighbours-consider-deploying>; Benjamin Schreer, 'The DoubleEdged Sword of Coercion: CrossStrait Relations After the 2016 Taiwan Elections', Asian Politics & Policy, 9(1), 2017, pp. 50-65; 'The New 'Normal' in the East China Sea'. The Diplomat. 24 February 2017. <https://thediplomat.com/2017/02/the-new-normal-in-the-east-china-sea/>; Pham, T. N. (2018). 'A Sign of the Times: China's Recent Actions and the Undermining of Global Rules'. Center for International Maritime Security. 6 March 2018. <http://cimsec.org/sign-times-chinas-recent-actions-undermining-global-rules-pt-2/36168>; Hellendorff, B. (2018). 'Mer de Chine méridionale : érosion de la règle de droit ou renforcement de la diplomatie?'. Note d'Analyse du GRIP. 5 April 2018. <https://www.grip.org/fr/node/2539>; Vuving, A. (2017). 'Force Buildup in the South China Sea: The Myth of an Arms Race'. Center for Strategic and International Studies (Asia Maritime Transparency Initiative). 16 October 2017. <https://amti.csis.org/force-buildup-scs-myth/>; Heiduk, F. (2018). 'Is Southeast Asia really in an arms race?'. East Asia Forum. 21 February 2018. <http://www.eastasiaforum.org/2018/02/21/is-southeast-asia-really-in-an-arms-race/>.

***BOX 1: SITUATION IN THE PHILIPPINES**

Despite violent internal conflicts, arms imports by the Philippines have been modest in the last two decades due to financial constraints. However, imports increased eight-fold in 2013-2017 compared with imports from 2007-2012. Most imports to the Philippines between 2013 and 2017 were from the United States (40 per cent), Republic of Korea (24 per cent) and Indonesia (18 per cent).¹² Many of the imports from the United States were military aid supplies.¹³

Concerns about territorial disputes in the South China Sea have been one reason for the procurement of warships and combat aircraft. However, some of the newly procured major arms have seen actual use in combat, mainly against Abu Sayyaf and other IS-affiliated groups in the south of the country,¹⁴ but also in the country-wide war against the New People's Army (NPA).¹⁵ In these conflicts, small arms play an important role and have been supplied mainly by the United States, China, according to the Philippines last UNROCA report in 2008.

Soon after his election in 2016, President Rodrigo Duterte started a crackdown in which thousands of civilians have been killed by police and security forces.¹⁶ The campaign has faced international criticism,¹⁷ but only in a few instances have countries refused to authorize export licences for arms to the Philippines. For example, in 2016 the United States halted a planned sale of 26,000 rifles to the Philippine police.¹⁸ However, these restraints did not mark a broader shift in policy. As Russia and China began providing military aid, including small arms, the United States made clear its continued support for the Philippines through, for example, the United States-Philippines Mutual Defense Treaty.¹⁹ Despite the violence brought about by the government's war on drugs, exports of major weapons continue. Even countries with relatively restrictive arms export policies continue to market arms to the Philippines. For example, the Saab Group, a Swedish company, opened an office in Manila in 2017 after making known its intention to supply combat aircraft and other military equipment to the Philippines.²⁰

12 SIPRI (2018). 'Arms Transfer Database'. <https://www.sipri.org/databases/armstransfers>.

13 Ibid.

14 South China Morning Post (2017). 'Philippines use Korean-made fighter jets in combat for first time to target terror suspects'. 29 January 2017. <https://www.scmp.com/news/asia/southeast-asia/article/2066352/philippines-use-korean-made-fighter-jets-combat-first-time>.

15 Asia Foundation (2017). 'The State of Conflict and Violence in Asia'. 29 December 2017. https://asiafoundation.org/wp-content/uploads/2017/10/The_State_of_Conflict_and_Violence_in_Asia-12.29.17.pdf, pp. 142-155.

16 HRW (2018). 'Philippines: Duterte's "Drug War" Claims 12,000+ Lives'. 18 January 2018. <https://www.hrw.org/news/2018/01/18/philippines-dutertes-drug-war-claims-12000-lives>.

17 Kine, Phelim (2017). 'Philippine President Rodrigo Duterte's "War on Drugs"'. Human Rights Watch. 7 September 2017. <https://www.hrw.org/news/2017/09/07/philippine-president-rodrigo-dutertes-war-drugs>.

18 Zengerle, P. (2016). 'Exclusive: U.S. stopped Philippines rifle sale that senator opposed'. Reuters. 31 October 2016. <https://www.reuters.com/article/us-philippines-usa-rifles-idUSKBN12V2AM>; South China Morning Post (2017). 'Philippines use Korean-made fighter jets in combat for first time to target terror suspects'. 29 January 2017. <https://www.scmp.com/news/asia/southeast-asia/article/2066352/philippines-use-korean-made-fighter-jets-combat-first-time>.

19 Mogato, M. and Stewart (2017). 'U.S. touts military ties in Philippines as Duterte courts Russia, China'. Reuters. 24 October 2017. <https://www.reuters.com/article/us-asia-mattis-philippines/u-s-touts-military-ties-in-philippines-as-duterte-courts-russia-china-idUSKBN1CToTH>; South China Morning Post (2017). 'Philippines use Korean-made fighter jets in combat for first time to target terror suspects'. 29 January 2017. <https://www.scmp.com/news/asia/southeast-asia/article/2066352/philippines-use-korean-made-fighter-jets-combat-first-time>.

20 Mabasa, R. (2017). 'Saab opens Philippine office'. Manila Bulletin. 12 March 2017. <https://business.mb.com.ph/2017/03/12/saab-opens-philippine-office/>.

Yet, there were some positive shifts towards diplomacy and de-escalation in the region in 2017 and 2018.²¹ In April 2018, a third and historic inter-Korea summit was held in Panmunjom, leading to promises on the part of Democratic People's Republic of Korea to work toward the goal of a denuclearized peninsula.²² In the wake of this summit, Taiwan's President Tsai confirmed its willingness to engage China for the sake of peace and stability.²³ Further, Chinese incursions into Japanese airspace dropped by 41 per cent in 2017 compared to 2016.²⁴ Diplomacy between China and the Association of Southeast Asian Nations (ASEAN) is progressing on the basis of a Framework for the Code of Conduct of Parties in the South China Sea.²⁵ However, there are no signs that this de-escalation will translate into immediate and radical shifts in defence spending in the region. Structural conditions remain largely unchanged. Sovereignty conflicts are never far from the surface, nationalist discourses are gaining momentum everywhere and political disagreements, historical and present, show no sign of lessening.

Further compounding these trends are the relative under-development of regional institutions and a generalized lack of trust in international processes seeking to monitor defence trade behaviour. In this sense, the region could benefit greatly from cooperation and assistance activities in support of ATT universalization. There are very few regional forums in South Asia that effectively address security issues. Meanwhile, East Asia is home to overlapping institutions concerned with security affairs, including the East Asia Summit, the ASEAN Regional Forum (ARF) and the ASEAN Defence Ministers Meeting Plus. However, none have a decisive role in driving regional cooperation on conventional arms control.²⁶ There are regional strategies and declarations pertaining to transnational crime and counter terrorism,²⁷ but they are not as yet influential in the region.

The issue of SALW regulation is being discussed within the ARF, mostly through the lens of fighting transnational crime. Additionally, the forum promotes eventual participation of all ARF members in the UN Register of Conventional Arms (UNROCA).²⁸ Non-official mechanisms exist that allow for such issues to be discussed, like the Council for Security Cooperation in the Asia-Pacific. However, the degree to which the results of their deliberations affects policy is limited. No common position on arms export control is to be found in Asia, as it is in Europe, West Africa or elsewhere. India, Republic of Korea and Japan are the only Asian members of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies. As explained by the Japanese academic Tsutomu Kikuchi, 'Given the uncertainty and unpredictability of the future shape of international relations in the region, all the states in the region want to maintain a variety of institutional choices to respond to their uncertain futures. They avoid making firm commitments to any specific institution and keep other options open so as to hedge against future risks.'²⁹

CHALLENGES AND BARRIERS TO THE ATT

Amidst growing regional tensions, a key barrier to ATT universalization is the perception by several countries of the Treaty as an emanation of the West and as biased in favour of traditional arms exporting states. For some Asian countries, this perceived bias surfaces in the balance between obligations of exporting and importing states set forth in the ATT. The overall concern is about the potential effect of this imbalance on national sovereignty and the legitimate right to self-defence. For Asian countries locked in potentially destabilizing disputes with their neighbours and a fast-changing security environment, the security and predictability of their weapons supplies is a strategic priority.

21 A third and historic inter-Korea summit was held in April 2018, leading to promises by Democratic People's Republic of Korea to work toward the goal of a denuclearized peninsula. See Kim, C. et al. (2018). 'Korean leaders set 'denuclearization' goal, Trump says will maintain pressure'. Reuters. 26 April 2018. <https://www.reuters.com/article/us-northkorea-southkorea/korean-leaders-set-denuclearization-goal-trump-says-will-maintain-pressure-idUSKBN1HX2I6>.

22 Ibid.

23 AFP (2018). 'Taiwan leader Tsai Ing-wen willing to meet Xi Jinping 'for peace and stability''. South China Morning Post. 28 April 2018. <http://www.scmp.com/news/china/policies-politics/article/2143820/taiwan-leader-tsai-ing-wen-willing-meet-xi-jinping>.

24 Gady, F. (2018). 'Japan Air Self Defense Force: Intercepts Down 23 Percent'. The Diplomat. 17 April 2018. <https://thediplomat.com/2018/04/japan-air-self-defense-force-intercepts-down-23-percent/>.

25 Storey, I. (2017). 'Assessing the ASEAN-China Framework for the Code of Conduct for the South China Sea'. ISEAS Yusof Ishak Institute Perspective. No. 62. 8 August 2017. https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_62.pdf.

26 See, for example, Beeson, M. (2018). 'Asia's competing multilateral initiatives: quality versus quantity'. The Pacific Review. 15 May 2018. Doi 10.1080/09512748.2018.1470556.

27 Including the South Asian Association for Regional Cooperation's Colombo Declaration (2000), the ASEAN Declaration on Transnational Crime (1997), the ASEAN Plan of Action to Combat Transnational Crime (1999), the ASEAN Convention on Counter-Terrorism (2007), the ASEAN Comprehensive Plan of Action on Counter-Terrorism (2009) and the Kuala Lumpur Declaration on Combating Transnational Crime (2015).

28 Chairman's Statement at the First ASEAN Regional Forum Bangkok, Thailand. 25 July 1994.

29 Kikuchi, T. (2017). 'ASEAN-led Regional Institutions in the Era of 'the Rest of Asia''. In ASEAN at 50 - A Look at its External Relations. Singapore: Konrad Adenauer Stiftung, September 2017. <http://www.kas.de/politikdialog-asien/en/publications/49989/>. pp. 70-71.

An additional concern for some Signatories to the ATT, like Cambodia or Thailand, relates to the breadth and scope of regulatory adjustment. Bringing domestic legislation in line with ATT provisions is not seen as a political priority, and resources and staff may be lacking at the working level when it is.³⁰

In Asia, numerous countries are hoping to transition from the status of arms importers to that of arms exporters. This is due in part to their ambitious industrial and technological policies. Through offsets – provisions attached to a contract that outline additional investments a foreign contractor must make in the local economy – many of them hope to build up their defence and technology industrial base.³¹

Countries like China, Japan and Republic of Korea have mature industries and compete in multiple segments of the world market (aerospace, automotive, maritime, weaponry, information and communication technology). In Southeast Asia, the landscape is one of diversity. Singaporean companies have grown prominent in several niche areas where they can supply high-end equipment and services. Starting from a much lower base, Malaysia, Indonesia, Vietnam,³² Thailand³³ and the Philippines³⁴ have ambitious plans for industry developments, even if they are hindered by budgetary constraints.³⁵ Laos and Cambodia, with fewer resources, and Brunei, rich with

oil, display different priorities for their industrial future and their defence acquisition programmes. In India and Pakistan, domestic industries are a priority but suffer from an important lack of capacity and integration into global supply chains.³⁶

In such countries as China,³⁷ India³⁸ or Indonesia³⁹ – each a big player in its respective sub-region – stabilizing and regulating the defence sector appears to be a priority not only in macro-economic policy but also for nation-building.

The global defence sector has undergone major transformations over the last decade, with its production chains now more globalized and more integrated with commercial markets than ever.⁴⁰ Regulating the flow of defence products and technologies has grown more difficult, while international standards are still being developed. Given the security dynamics in Asia, this has had a unique effect on the region, and explains in part why there is 'considerable interest in the ATT across the region from public servants' while 'political resistance and lack of political will' remain key impediments to ATT universalization.⁴¹

The ATT can make a contribution to regional confidence-building measures.⁴² Asia should therefore stand out as the ATT's 'next frontier', even if, or perhaps because, resistance to ATT membership varies through important sub-regional differences and unique contexts.

- 30 Persi Paoli, G. and Kytomaki, E. (2016). 'Towards a Universal Arms Trade Treaty: Understanding barriers and challenges in South-East Asia'. Santa Monica: RAND. https://www.rand.org/pubs/research_reports/RR1779.html.
- 31 The Economist (2013). 'The defence industry: Guns and sugar'. 25 May 2013. <https://www.economist.com/business/2013/05/25/guns-and-sugar>.
- 32 Abuza, Z. and Nguyen, N. A. (2016). 'Vietnam's Military Modernization'. The Diplomat. 28 October 2016. <https://thediplomat.com/2016/10/vietnams-military-modernization/>.
- 33 Grevatt, J. (2017). 'Moving up the value chain: Thai military modernisation'. IHS Markit. 14 November 2017. <https://ihsmarkit.com/research-analysis/moving-up-the-value-chain-thai-military-modernisation.html>.
- 34 Binici, E. (2018). 'Turkey's story of defense industry development inspires Philippines'. Daily Sabah. 7 February 2018. <https://www.dailysabah.com/defense/2018/02/08/turkeys-story-of-defense-industry-development-inspires-philippines>.
- 35 See, for example, Jaipragas, B. (2017). 'How China Is Helping Malaysia's Military Narrow The Gap With Singapore, Indonesia'. South China Morning Post. 20 August 2017. <http://www.scmp.com/week-asia/geopolitics/article/2107408/how-china-helping-malysias-military-narrow-gap-singapore>; Parameswaran, P. (2017). 'What's in the New China-Philippines Defense Industry Pact?'. The Diplomat. 20 November 2017. <https://thediplomat.com/2017/11/whats-in-the-new-china-philippines-defense-industry-pact/>.
- 36 Bitzinger, R. A. (2017). 'India needs to grow its defence industry to grow its global clout'. Asia Times. 2 October 2017. <http://www.atimes.com/does-india-matter/>; Gidda, M. (2017). 'Why India Is Building Up Its Arms Industry'. Newsweek. 6 March 2017. <http://www.newsweek.com/india-defense-arms-trade-narendra-modi-pakistan-china-modi-f-35-564542>; The Indian Express (2017). 'Pakistan defence industrial base better than ours: Army vice chief'. 25 July 2017. <https://indianexpress.com/article/india/pakistan-defence-industrial-base-better-than-ours-army-vice-chief-4766949/>.
- 37 Bitzinger, R. A. and Popescu, N. (eds) (2017). 'Defence industries in Russia and China: players and strategies'. Paris: European Union Institute for Security Studies (Report 38). 6 December 2017. <https://www.iss.europa.eu/content/defence-industries-russia-and-china-players-and-strategies>.
- 38 Malhotra, A. (2017). 'India as an Arms Exporter: Changing Trends'. IFS Insights 2/2017. [https://brage.bibsys.no/xmlui/bitstream/handle/11250/2453435/IFS%20Insights_2_2017_Malhotra%20\(003\).pdf?sequence=1&isAllowed=y](https://brage.bibsys.no/xmlui/bitstream/handle/11250/2453435/IFS%20Insights_2_2017_Malhotra%20(003).pdf?sequence=1&isAllowed=y).
- 39 Hellendorff, B. (2015). 'L'industrie de défense indonésienne : la clef de la puissance ?'. GRIP's Analysis. 12 January 2015. <https://www.grip.org/fr/node/1453>.
- 40 Gilli, A. and Gilli, M. (2017). 'European defence cooperation in the second machine age'. Paris: European Union Institute for Security Studies. Issue Brief 14. 26 April 2017. <https://www.iss.europa.eu/content/european-defence-cooperation-second-machine-age>.
- 41 Stohl, R. and Holtom, P. (2017). 'Reporting Challenges and Assistance Needs in the Asia-Pacific Region'. Arms Trade Treaty Baseline Assessment Project. p. 1. <https://www.stimson.org/content/reporting-challenges-and-assistance-needs-asia-pacific-region>.
- 42 For more on the importance of confidence-building, see Control Arms Secretariat (2017). 'ATT Monitor 2017'. 11 September 2017. https://attmonitor.org/en/wp-content/uploads/2017/09/EN-ATT_Monitor-Report-2017_ONLINE-1.pdf, pg. 28.

***BOX 2: CASE OF SINGAPORE**

Singapore was the twelfth-largest arms importer in the world during from 2008 to 2017.⁴³ It imported major conventional arms from Sweden (warships), United States (combat aircraft), Germany (battle tanks and warships) and France (warships). As such it has contributed to a discussion on a possible arms race in the region.⁴⁴ It regularly reports its imports and exports of major conventional arms to UNROCA, though some imports seem to have been omitted by Singapore in this reporting. For example Germany reported to the register the export of battle tanks to Singapore in 2016 and 2017, while Singapore did not report their import.⁴⁵ Priorities for Singapore's military force are territorial defence and ensuring that Singapore's lines of communication, in particular shipping lanes, are secured.

Singapore began manufacturing arms in 1967 with an ammunition factory that grew into Singapore Technologies Engineering Ltd (ST Engineering). According to SIPRI, in 2016 Singapore was the fifty-first largest arms producer globally, producing and marketing small arms, armoured vehicles, artillery, warships and a variety of components for major weapons systems.⁴⁶ Singapore has a well-established arms export control system,⁴⁷ which in recent years has licensed exports to a variety of destinations. This includes, however, licenses to countries involved in violent conflict. For example, Singapore reported to the UNROCA that it exported to Nigeria and the United Arab Emirates mortars in 2014 and 2015.



**SOLDIERS OPEN UP AND
PREPARE A CRATE OF M1A3
BANGALORE TORPEDOES.**

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43 SIPRI (2018). 'Arms Transfer Database'. <https://www.sipri.org/databases/armstransfers>.

44 Heiduk, F. (2018). 'An Arms Race in Southeast Asia? Changing Arms Dynamics, Regional Security and the Role of European Arms Exports'. Stiftung Wissenschaft und Politik Research Paper 10. August 2017. https://www.swp-berlin.org/fileadmin/contents/products/research_papers/2017RP10_hdk.pdf.

45 Germany and Singapore UNROCA submissions for 2016 and 2017.

46 SIPRI (2017). 'The SIPRI Top 100 Arms-producing and Military Services Companies, 2016'.

https://www.sipri.org/sites/default/files/2017-12/fs_arms_industry_2016.pdf; <https://www.stengg.com/en/singapore-technologies-engineering/>.

47 Singapore Customs (2016). 'A Handbook on the Strategic Trade Scheme'. November 2016.

<https://www.customs.gov.sg/-/media/cus/files/business/strategic-goods-control/2016-02-04-sts-handbook.pdf>.

SOUTH ASIA

In South Asia, India's longstanding confrontation with Pakistan and its security posture in relation to China have a determining effect on the shape and parameters of regional security. India and Pakistan oppose each other explicitly on the issue of terrorism, as India insists on the importance of instituting strong checks on illegal transfers of weapons and ammunition to non-state actors. Though standards are needed on the conventional arms trade, it is important to both countries that international agreements on such issues reinforce the legitimate right of arms importing states to ensure their security through legal defence trade.

India was an active participant in the ATT negotiations, and at the time of the Treaty's adoption India asserted its view that the ATT did not ensure a balance of obligations between exporting and importing states. It abstained from signing it on the grounds that it 'cannot accept that the Treaty be used as an instrument in the hands of exporting states to take unilateral force majeure measures against importing states parties without consequences'.⁴⁸ India argued that the text involved an imbalance between the interests of importers and exporters and that the process would affect its national sovereignty.⁴⁹ Several Indian commentators pointed at India's status as the world's largest arms importer. For one of them, the ATT was perceived as instituting impunity for exporting countries wishing to unilaterally cut strategic supplies in case of diplomatic disagreements.⁵⁰

India also wanted an explicit prohibition on arms transfers to non-state actors. Elaborating on India's position, a former senior member of its military explained that the Treaty failed to address its concern over the channeling of Chinese and Pakistani arms into conflict areas like Jammu and Kashmir

or the Northeastern provinces.⁵¹ There was not majority support for the inclusion of non-state actors in the Treaty text and an explicit prohibition on transfers to non-state actors was not included in the final text of the Treaty. However, proper implementation of the ATT text as is would severely circumscribe the legal ability of States Parties to transfer arms to non-state actors where a high risk of violations of international human rights and humanitarian law exists.

Though India's position endures since the negotiations,⁵² it has increased international engagement in export control and shifted to align its policies with international norms in related contexts. It is a member of three export control regimes that work to check weapons of mass destruction: the Missile Technology Control Regime, the Wassenaar Arrangement, and the Australia Group.⁵³ It is currently in discussions to join the fourth, the Nuclear Suppliers Group.⁵⁴

Pakistan has stated that it sees the ATT as 'a first step towards regulating trade and transfer of conventional weapons'⁵⁵ while insisting that it should not be considered an arms control instrument. Its Ambassador to the UN argued that, 'The treaty may be seen by many as essentially a product of and by the exporters only. It falls short of striking an appropriate balance of interests and obligations among the exporters and importers as well as the affected states'.⁵⁶ While Pakistan voted in favour of the ATT at the UN General Assembly,⁵⁷ it did not sign it, arguing that 'the ATT's success, effectiveness and universality will be assessed on its non-discriminatory implementation, in particular its criteria and strict adherence by its States Parties to the treaty principles'.⁵⁸ Pakistan's stance is thus one of carefully monitoring the progress of the ATT to ensure that its implementation does not have repercussions for its core security interests.

48 Sujata Mehta (2013). 'Why India abstained on Arms Trade Treaty'. The Hindu. 3 April 2013.

<https://www.thehindu.com/opinion/op-ed/why-india-abstained-on-arms-trade-treaty/article4573882.ece>.

49 Rajagopalan, R. (2013). 'From Defensive to Pragmatic Multilateralism and Back: India's Approach to Multilateral Arms Control and Disarmament'. In Sidhu, W. P. S. et al (eds). 'Shaping the Emerging World: India and the Multilateral Order'. Washington D.C.: Brookings Institution Press. pp. 203-204.

50 Mrinal Suman (2013). 'Arms Trade Treaty: A wake-up call for India'. Defence and Security Alert. August 2013.

<http://www.dsalert.org/arms-trade-treaty-and-india-russia-relations/659-arms-trade-treaty-a-wake-up-call-for-india>.

51 Kanwal, G. (2013). 'India abstains and exposes the Arms Trade Treaty'. IDSA. 8 April 2013.

https://idsa.in/idsacomments/IndiaabstainsandexposestheArmsTradeTreaty_gkanwal080413.

52 Jain, Sangeet (2018). 'Why India's Position on the Arms Trade Treaty Endures'. Small Wars Journal.

<http://smallwarsjournal.com/jrnl/art/why-indias-position-arms-trade-treaty-endures>.

53 The Economic Times. (2018). 'India's inclusion in NSG will boost global export control system: Germany'. 16 April 2018.

54 Ibid.

55 Statement by Ambassador Tehmina Janjua, Permanent Representative of Pakistan to the United Nations in Geneva and the Conference on Disarmament at the First Committee Thematic Debate On Conventional Weapons. 26 October 2015, New York.

<http://statements.unmeetings.org/media2/7653881/pakistan-26th-rev.pdf>.

56 First Post. (2013). 'UN Arms Trade Treaty: Pakistan backs India's stand'. 30 March 2013.

<https://www.firstpost.com/world/un-arms-trade-treaty-pakistan-backs-indias-stand-679336.html>.

57 Khan, T. (2013). 'Pakistan votes in favour of UN arms trade treaty'. News Pakistan. 3 April 2013.

<http://www.newspakistan.pk/2013/04/03/pakistan-votes-favour-arms-trade-treaty/>.

58 Ibid.

Bangladesh is the only South Asian Signatory to the ATT. Its representative before the Disarmament Commission said in 2016 that 'Our political leadership remains positively disposed towards our possible ratification of the Treaty following our signature in 2013. We are currently looking into possible means to enhance our capacity for compliance with the Treaty provisions.'⁵⁹ However, ratification seems to be anything but a political priority for Bangladesh's leaders.⁶⁰

By and large, it seems that resistance to ATT accession in South Asia is primarily framed as a concern over the security of arms supplies, as well as the effect of strategic rivalries in hindering the trust-building needed for international partners and institutions to buy-in to the process. It has also been argued that 'without India playing a role as a trailblazer, progress within South Asia seems to remain complicated'.⁶¹

NORTHEAST ASIA

In Northeast Asia, Japan and Republic of Korea are States Parties. For Japan, the control of the arms trade has long been a sensitive issue. From 1949 onwards, it retained strict arms export rules that were formally institutionalized in 1967 as the 'three principles' (meaning, no arms sales to communist countries, embargoed countries, and conflict zones) and then converted in 1976 to a general ban on arms exports. Throughout the Cold War, Japan was an active member of the Coordinating Committee for Multilateral Export Controls,

which became the Wassenaar Arrangement in the 1990s. In 2014, Japan lifted most of its self-imposed restrictions as part of an overall bid to normalize its international status.⁶² Export control regulation appears as an intrinsic part of its foreign policy identity and interest. Japan, one of the original 'co-authors' of pro-ATT Resolutions, characterized its participation in the process as a success of its own brand of 'proactive multilateralism'⁶³ and what its own government termed its 'proactive contribution to peace'.⁶⁴ In its bid for election as non-permanent member of the UN Security Council for 2016-2017, Japan promoted its 'co-sponsoring of the ATT' as a prime achievement of its diplomacy.⁶⁵ It is notable, however, that the ATT's provisions are considerably less stringent than Japan's own regulatory framework, even amended. In this context, there has been some domestic concern that the government's sponsoring of the Treaty could serve 'as a legitimization to weaken national policies on arms transfers'.⁶⁶

For Republic of Korea, regulating sensitive goods and technologies has long been an important part of its effort to prevent Democratic People's Republic of Korea from acquiring weapons of mass destruction and their means of delivery. It is actively taking part in most multilateral export control regimes and developed the view that a streamlined regulatory framework would be conducive to its export goals. Republic of Korea established in 2007 the Korea Strategic Trade Institute to support implementation of export controls for the sake of promoting international trade.⁶⁷

59 'General Exchange of Views at the 2016 Substantive Session of the UN Disarmament Commission, Monday, 03 April 2017'. <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2017/04/Bangladesh.pdf>.

60 Weiss, M. (2017). 'The Arms Trade Treaty in the Asia-Pacific'. *The Diplomat*. 22 December 2017. <https://thediplomat.com/2017/12/the-arms-trade-treaty-in-the-asia-pacific/>.

61 Ibid.

62 Hagström, L. and Gustafsson, K. (2015). 'Japan and identity change: why it matters in International Relations'. *The Pacific Review*. 28(1), pp. 1-22; Hellendorff, B. 'Le Japon, Nouvel Exportateur D'armements. Histoire, régulations et perspectives stratégiques'. Brussels: Les Rapports du GRIP 2016/5. <https://www.grip.org/fr/node/2057>.

63 Yasutomo, D. T. and Ishigaki, T. (2017). 'Japan's Proactive Multilateralism: The UN Arms Trade Treaty of 2013'. *Asian Survey*. 57 (5), pp. 956-979.

64 'The 13th IISS Asian Security Summit -The Shangri-La Dialogue - Keynote Address by Prime Minister Abe'. 30 May 2014. https://japan.kantei.go.jp/g96_abe/statement/201405/0530kichikoen.html.

65 'Japan, Candidate for the United Nations Security Council 2016-2017'. Leaflet published by the government of Japan. <https://www.mofa.go.jp/mofaj/files/000050422.pdf>.

66 Natsuki, M. (2014). 'ATT should not be used as a legitimization to weaken national policies on arms transfers: Japan's ratification and its abandonment of the ban on arms exports'. *Control Arms Blog*. 9 May 2014. <https://controlarmsblog.wordpress.com/2014/05/09/japan-ratification/>.

67 Lee, J. (2013). 'South Korea's Export Control System'. Stockholm International Peace Research Institute Background Paper. November 2013. <https://www.sipri.org/sites/default/files/files/misc/SIPRI1311.pdf>.

China did not sign the Treaty, but its diplomatic position changed considerably during the negotiations, positioning it more in line with ATT provisions, such that by the time of adoption China stated its reason for refusing to sign was not substantive but was based on a preference for adoption by consensus rather than vote.⁶⁸

China's defence industry has grown tremendously over the last two decades. From a prime importer of weapons, the country has rapidly become a top arms exporter, with South and Southeast Asia as its main markets.⁶⁹ Chinese exports to Thailand, for example, as well as military assistance provided to the Philippines, suggest that 'China is using arms exports as an instrument of its foreign policy to project power and influence to create strategic dependencies in areas that are vital to China's interests.'⁷⁰ This would partly explain why the People's Liberation Army has been more reluctant to endorse ATT provisions than the Ministry of Foreign Affairs.⁷¹ China's export behaviour⁷² is therefore influential in how the ATT is viewed by countries in the region.⁷³



BY AND LARGE, IT SEEMS THAT RESISTANCE TO ATT ACCESSION IN SOUTH ASIA IS PRIMARILY FRAMED AS A CONCERN OVER THE SECURITY OF ARMS SUPPLIES, AS WELL AS THE EFFECT OF STRATEGIC RIVALRIES IN HINDERING THE TRUST-BUILDING NEEDED FOR INTERNATIONAL PARTNERS AND INSTITUTIONS TO BUY-IN TO THE PROCESS.



**AIR FORCE F-22 RAPTORS
SIT ON THE FLIGHTLINE
AT YOKOTA AIR BASE, JAPAN.**

CREDIT: © U.S. AIR FORCE /
YASUO OSAKABE

68 Stavrianakis, A. and He, Y. (2014). 'China and the Arms Trade Treaty: Prospects and challenges'. Saferworld. May 2014. <https://www.saferworld.org.uk/downloads/pubdocs/china-and-the-att.pdf>.

69 Huang, K. (2017). 'The weapons sales making China a big gun in Southeast Asia'. South China Morning Post. 5 October 2017. <http://www.scmp.com/news/china/diplomacy-defence/article/2114172/weapons-sales-making-china-big-gun-southeast-asia>; Zaugg, J. (2017). 'Les ventes d'armes chinoises explosent en Asie'. Le Temps. 11 October 2017. <https://www.letemps.ch/monde/ventes-darmes-chinoises-explosent-asie>.

70 Raska, M. (2017). 'Strategic Contours of China's Arms Exports'. S. Rajaratnam School of International Studies. Commentary (N'165). 11 September 2017. https://www.rsis.edu.sg/rsis-publication/rsis/co17165-strategic-contours-of-chinas-arms-exports/#.Wu1P6y_pM6U. See also Huang, K. (2018). 'China's arms sales rise as it vies with US for influence on the world stage'. South China Morning Post. 12 March 2018. <http://www.scmp.com/news/china/diplomacy-defence/article/2136877/chinas-arms-sales-rise-it-vies-us-influence-world-stage>.

71 Stavrianakis, A. and He, Y. (2014). op. cit.

72 Timm, L. (2018). 'As China Increases Arms Exports, More Weapons End up in the Hands of Terrorists and Dictators'. The Epoch Times. 12 January 2018. https://www.theepochtimes.com/as-china-increases-arms-exports-more-weapons-end-up-in-the-hands-of-terrorists-and-dictators_2412798.html.

73 For more information on Chinese export regulation practices, see Control Arms Secretariat (2016). 'ATT Monitor 2016'. New York. p. 48. <https://armstretymonitor.org/en/wp-content/uploads/2017/06/ATT-Monitor-2016-English-April-17.pdf>.

*BOX 3: CASE OF CHINA

According to SIPRI, China was the fifth-largest arms exporter in the world between 2013 and 2017.⁷⁴ During this period, it exported arms to 48 countries. Exports were to Asia and Oceania (72 per cent), Africa (21 per cent), the Americas (5 per cent) and the Middle East (2 per cent). Pakistan was the main recipient of China's arms exports (35 per cent), followed by Bangladesh (19.2 per cent), Algeria (10 per cent), Myanmar (8 per cent), Venezuela (4 per cent), Thailand (3 per cent), Turkmenistan (3 per cent), Indonesia (3 per cent), Cameroon (2 per cent), Tanzania (2 per cent), Sudan (2 per cent) and Nigeria (1 per cent).⁷⁵

'The Regulations of the People's Republic of China on Administration of Arms Export',⁷⁶ put into effect in 1997 and revised in 2002, set out the country's administrative regulatory framework in the field of arms export. China defines arms exports as 'export for trade of equipment, special production facilities and other materials, technology and related services which are used for military purposes'.⁷⁷ An arms export administration list was also issued in 2002 to supplement the revised regulations.⁷⁸ It is meant to be regularly adjusted. Three fundamental principles for arms export are: conduciveness to the capability for just self-defence of the recipient country; no injury to the peace, security and stability of the region concerned and the world as a whole; and no interference in the internal affairs of the recipient country.

Only a limited number of companies are authorized for arms export activities. Companies are required to submit proposals for exports for approval from the State

Administration for Science, Technology and Industry for National Defence (SASTIND) before they can submit a contract for export with valid certification documents from the recipient country for approval also from SASTIND, and finally apply for an arms export license for the approved contract. Decisions to grant licenses can also be made in consultation with the Central Military Commission and the Foreign Ministry.

China is in the review process of its legal framework for export controls. A draft Export Control Law was published by the Ministry of Commerce for public comments in June 2017. It contains a clear definition of items and technologies, as well as of activities that are subject to controls. It also contains an explanation of licensing procedures, with reference to the verification of end-users and end-use certificates, and the establishment of a blacklist of foreign importers and end-users in violation of the law. It also introduces concepts such as re-export controls and has provisions in relation to re-export transactions. The competent authorities are granted with broad investigative powers. Stronger penalties are also introduced.

The draft Export Control Law was revised after public comments and submitted to the State Council for consideration. It has been listed into the legislative work plan for the Standing Committee of the National People's Congress for 2018 and is likely to be 'reviewed and considered in 2018 or the coming year'.⁷⁹ Once adopted, it will be the first comprehensive law in China that has integrated references to export controls that until now can only be found in various existing laws, administrative regulations and guidelines.

74 SIPRI (2018). 'SIPRI: Trends in international arms transfers, 2017'. March 2018.

<https://www.sipri.org/publications/2018/sipri-fact-sheets/trends-international-arms-transfers-2017>.

75 Statistics for 2013-2017 are generated from SIPRI Arms Transfers Database. <https://www.sipri.org/databases/armstransfers>. These figures are SIPRI Trend Indicator Values.

76 'Regulations of the People's Republic of China on Administration of Arms Export'. http://www.npc.gov.cn/englishnpc/Law/2007-12/14/content_1384262.htm.

77 Ibid.

78 The list contains 14 categories of military items that are subject to regulations, including: 1) light weapons; 2) artillery and other launching devices; 3) ammunition, landmines, aquatic mines, bombs, anti-tank missiles and other explosive devices; 4) tanks, armoured cars and other military vehicles; 5) military engineering equipment and facilities; 6) military vessels and their special equipment and facilities; 7) military aircrafts and their special equipment and facilities; 8) rockets, missiles, military satellites and their auxiliary facilities; 9) electronic products for military purposes and devices for fire control, range finding, optics, guiding and controlling; 10) explosives, boosters, incendiary agents and related compounds; 11) training aids; 12) protective equipment and facilities against nuclear, biological and chemical weapons attacks; 13) logistic equipment, military supply and other auxiliary equipment; and 14) other products. 'The arms export administration list (2002)'. http://www.china.com.cn/zhuanti2005/txt/2002-11/25/content_5237298.htm.

79 'The legislative work plan for the Standing Committee of the National People's Congress for 2018'. http://www.npc.gov.cn/npc/xinwen/2018-04/27/content_2053820.htm.

SOUTHEAST ASIA

In Southeast Asia, the landscape is split between Signatories to the Treaty that have so far shown limited progress in ratifying it (Cambodia, Malaysia, the Philippines, Singapore and Thailand) and other countries in the region. Overall, however, there seems to be a convergence of views among ASEAN members on the important contribution that the ATT can play in preventing diversion and illegal arms flows. Speaking on behalf of ASEAN at the UN in 2017, Thailand's Ambassador, Virachai Plasai, said, 'ASEAN recognizes the legitimate right and authority of sovereign nations to use conventional weapons to maintain internal security and to defend territorial integrity. At the same time, the international community must recognize the growing illicit proliferation of conventional weapons which hampers economic and social progress and threatens peace and security'.⁸⁰

Indonesia, which is not an ATT Signatory, has been subject to arms embargos before, and in 2012 it enacted a defence industry law rejecting any form of conditionality imposed by a foreign partner on arms deals. While involved in Treaty discussions, Indonesia was concerned that the inclusion of human rights provisions would provide 'an unfair advantage to major arms exporters like the United States, Russia and China'.⁸¹

A reluctance to join the ATT can also be the result of an uneven understanding of its terms. While specialized units within ministries of foreign affairs seem to be favourable to the ATT overall, other ministries and, to a degree, military and political staff appear less willing to engage with the subtleties of the text.⁸²



BELT-FED AMMUNITION FOR AN MG-42 MACHINE GUN USED BY A COMMUNITY MILITIA AT THE RUBBER SUN PLANTATION, KACHIN STATE, MYANMAR.

CREDIT: © CONFLICT ARMAMENT RESEARCH

⁸⁰ 'Statement delivered by H.E. Mr. Virachai Plasai, Ambassador and Permanent Representative of the Kingdom of Thailand to the United Nations at the General Debate of the First Committee (2nd Meeting of the First Committee), Seventy-second Session of the United Nations General Assembly', 2 October 2017, New York. <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2017/10/statement-by-thailand-on-behalf-of-the-association-of-southeast-asian-nations-asean-pdf>.

⁸¹ Sinurat, D. L. (2013). 'Indonesia Abstains From UN Arms Trade Vote, Calling Treaty 'One-Sided''. Jakarta Globe. 4 April 2013. <http://jakartaglobe.id/news/indonesia-abstains-from-un-arms-trade-vote-calling-treaty-one-sided/>.

⁸² Persi Paoli, G. and Kytomaki, E. (2016). op. cit.

***BOX 4: CASE OF INDONESIA**

Two arms embargoes have been imposed on Indonesia – one by the United States from 1991 to 2006, and another by the EU from 1999 to 2000. These embargoes were imposed in reaction to serious violations of human rights and international humanitarian law by the Indonesian military in East Timor.⁸³ However, Indonesia has seen rapid democratic development, a decrease in armed conflict and improvements in human rights after leaving East Timor in 2002. In the past 10 years, therefore, there have been few international and national restrictions on arms exports to the country. A rare example occurred in 2012 when Netherlands blocked the sale of battle tanks to Indonesia due to concerns about the risk they would be used in problematic military operations, particularly in West Papua. Indonesia then turned to Germany instead, which authorized the sale of the same type of battle tanks.⁸⁴

From 2008 to 2017, Indonesia has imported significant quantities of weapons from a diverse group of suppliers. Top suppliers were Russia, Netherlands, United States, Republic of Korea, United Kingdom, France, Germany, China, Switzerland and Spain. Its imports of major conventional arms almost tripled between 2008-2012 and 2013-2017. In the latter period, it was the tenth-largest arms importer in the world.⁸⁵

Indonesia's arms industry is gradually expanding and produces small arms, armoured vehicles, warships and ammunition, mainly under licence or based on imported technology.⁸⁶ These weapons are mainly for internal use. Efforts to find export markets have yielded some results. The Indonesian company Pindad has exported small numbers of assault rifles each year for decades. Some of these have turned up on the illegal market in the Philippines, illustrating the need for tighter export controls.⁸⁷ In recent years, Indonesia expanded its arms exports selling warships and light transport aircraft to countries in South East Asia.⁸⁸

The fact that ATT Signatories in Southeast Asia (Cambodia, Malaysia, the Philippines, Singapore and Thailand) still have not ratified the Treaty points toward a common concern over domestic regulation adjustment. Electoral cycles have obstructed swift ratification processes because they generated a turn-over at the higher levels of administration and at the political level, and also because contested campaigns and party politics impacted the agenda of policymakers. When joining the ATT was reiterated as a priority, as is the case in the Philippines, further delays were attributed to a lack of capacity.⁸⁹



WHEN JOINING THE ATT WAS REITERATED AS A PRIORITY, AS IS THE CASE IN THE PHILIPPINES, FURTHER DELAYS WERE ATTRIBUTED TO A LACK OF CAPACITY.

83 Morrissey, S. (2006). 'U.S. Lifts Indonesia Arms Embargo'. Arms Control Association. 1 January 2006. https://www.armscontrol.org/act/2006_01-02/JANFEB-Indonesia; SIPRI (2012). 'EU arms embargo on Indonesia'. 21 November 2012. https://www.sipri.org/databases/embargoes/eu_arms_embargoes/indonesia.

84 Schramade, K. (2013). 'De Leopard-soap'. Follow the Money. 10 December 2013. <https://www.ftm.nl/artikelen/leopard-soap?share=1>.

85 SIPRI (2018). 'Arms Transfer Database'. <https://www.sipri.org/databases/armstransfers>.

86 Cochraine, J. (2014). 'Indonesian Arms Industry Seeks to Drum up Business'. New York Times. 13 February 2014. <https://www.nytimes.com/2014/02/14/business/international/indonesian-arms-industry-seeks-to-drum-up-business.html>.

87 Vining, M. (2017). 'Indonesian SS1-V1 self-loading rifle in the Philippines'. Armament Research Services. 16 October 2017. <http://armamentresearch.com/ss1-v1-philippines/>.

88 SIPRI (2018). 'Arms Transfer Database'. <https://www.sipri.org/databases/armstransfers>.

89 Kytömäki, E. 'Arms Trade Treaty Signatory States – Gaps and Possibilities for Treaty Universalization'. Saferglobe. n.d. https://www.saferglobe.fi/wp-content/uploads/2017/09/att_universalization_web.pdf.

CONCLUSION

As CSP 2018 is held in Japan, Asia appears to be the Treaty's 'next frontier'. In East Asia, its strong supporters are Japan and Republic of Korea. Signatories like Bangladesh, Cambodia, Malaysia, the Philippines, Singapore or Thailand have publicly stated their intention to ratify the Treaty⁹⁰ but domestic politics and lengthy regulatory adjustment processes have had an overbearing effect on their capacity to do so.

After a successful start, the challenge for the ATT is to maintain momentum. Asia is a very diverse region. When it comes to acceding to the ATT or ratifying it, resistance displayed by countries in the region varies considerably. In South Asia, the strategic rivalry between India and Pakistan pushes toward inflexible stances on the rights of arms importing states as well as on Treaty provisions on terrorism and non-state actors. Clearer terminology was cited as conditions for accession, for fear that the ATT would grant traditional weapon exporters an additional leverage over the defence policies of importers.

In East Asia, as sophisticated arms exporting countries that are already members of other multilateral export control mechanisms, Japan and Republic of Korea are strong supporters of the ATT. Both countries recognize the benefits of ATT risk assessment obligations, seeing compliance with Treaty obligations as going hand-in-hand with industry success. China has become a major arms exporter and is increasingly relying on such exports for strategic purposes in the region.⁹¹

In Southeast Asia, a common thread has been the insistence on balancing the interests of importers and exporters of defence equipment and technologies. Most countries in the region have also demanded clearer terminology. Yet, half of ASEAN members are Signatories to the Treaty, implying that



**AFTER A SUCCESSFUL START,
THE CHALLENGE FOR THE ATT IS TO
MAINTAIN MOMENTUM.**

many countries do subscribe to the spirit of the ATT, although ratification processes have been slow due to electoral cycles, changing political priorities and limited resources.

The relative reluctance of many countries in the Asian region to join the ATT may still be largely attributable to specific issues raised during negotiations. Asian countries believe these concerns were not addressed in the final text of the Treaty, and they continue to fear that it confers traditional exporters important leverage over their defence and security policies. Their governments tend to be cautious in matters of defence cooperation and transparency, and no regional institution has clearly been able to generate concrete changes. Several Asian countries also have ambitious industrial development plans, making them more cautious over the possible constraints that an ATT could put on their industry.

Ultimately, many Asian countries appear to be adopting a 'wait and see' approach to the Treaty. Therefore further efforts geared toward ATT universalization should include emphasis on political dialogue mechanisms in the region in addition to capacity-building programmes.

⁹⁰ See, for example, Kytömäki, E. 'Arms Trade Treaty Signatory States – Gaps and Possibilities for Treaty Universalization'. op. cit.; Raksaseri, K. (2017). 'Thailand preparing to ratify Arms Trade Treaty'. The Bangkok Post. 16 April 2017; 'Statement by Singapore'; First Conference of States Parties to the Arms Trade Treaty. 24-27 August 2015, Cancun, Mexico. <http://www.thearmstradetreaty.org/images/Singapore.pdf>; Persi Paoli, G. and Kytomaki, E. (2016). op. cit.

⁹¹ Li, L. and Matthews, R. (2017). 'Made in China': an emerging brand in the global arms market'. Defense & Security Analysis. 33 (2), pp. 174-189.



**A MUNITIONS SYSTEMS TECHNICIAN
ADJUSTS A 105-MM TARGET PRACTICE
ROUND ON HURLBURT FIELD, FLA.**

CREDIT: © U.S. AIR FORCE /
SENIOR AIRMAN JOSEPH PICK