CHAPTER 1: CHALLENGES, OPPORTUNITIES AND PROSPECTS FOR FURTHERING ATT UNIVERSALIZATION

INTRODUCTION

The Arms Trade Treaty (ATT) is the first treaty regulating the international trade in conventional arms. The United Nations process leading to the ATT began in 2006, with the approval of General Assembly Resolution 61/89.1 Further General Assembly resolutions in 20082 and 20093 enabled the preparatory work and established the first diplomatic conference that initiated Treaty negotiations in 2012. A final resolution in December 20124 allowed for the conclusion of the process in 2013.5

The Treaty was adopted by the UN General Assembly on 2 April 2013 by an overwhelming majority of UN members and it entered into force on 24 December 2014 when the 50th ratification instrument was deposited. At the time of writing, there are 111 ATT States Parties and 30 Signatories to the Treaty, while 54 countries have neither signed nor ratified.

Since the Treaty entered into force, efforts to universalize the ATT have been conducted by numerous stakeholders. Under the formal Treaty regime, the 2nd Conference of States Parties established the Working Group on Treaty Universalization (WGTU), which became a standing Working Group of the Conference in 2017. The Voluntary Trust Fund (VTF) and the Sponsorship Programme,6 both administered by the ATT Secretariat in Geneva, also support universalization efforts. The European Union ATT Outreach Project, the UN Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR), the UN Office for Disarmament Affairs (UNODA) and a variety of civil society organizations have also in recent years contributed to efforts to universalize the Treaty.7 Nevertheless, Treaty uptake remains low in some parts of the world, most notably in the Asia-Pacific region and in the Middle East and North Africa. To expand its membership, ATT State Parties and institutions, together with civil society, can support efforts to promote universalization of the ATT in these regions, including by pointing to how its growing membership is building the relevance and international legitimacy of the Treaty.

This chapter provides a comprehensive picture of the challenges and opportunities that countries face to align their national systems and become States Parties to the ATT. It lays out the political, strategic, systemic and institutional challenges that thus far have complicated pathways to ATT membership in different regions. The chapter includes case studies of the experience of Colombia, Kenya and Malaysia in their efforts to join the ATT, and it also considers the experience of the Philippines, which ratified the ATT in March 2022. It concludes with recommendations to continue promoting universalization and effective implementation of the ATT, while improving inclusiveness and compliance.

TO EXPAND ITS MEMBERSHIP, ATT STATE PARTIES AND INSTITUTIONS, TOGETHER WITH CIVIL SOCIETY, CAN SUPPORT EFFORTS TO PROMOTE UNIVERSALIZATION OF THE ATT IN THESE REGIONS, INCLUDING BY POINTING TO HOW ITS GROWING MEMBERSHIP IS BUILDING THE RELEVANCE AND INTERNATIONAL LEGITIMACY OF THE TREATY.

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KEY FINDINGS

- As of June 2022, 56 per cent of UN member states were ATT States Parties, across a variety of regions and economic or political blocs.

- Membership of the ATT surged in the first three years following its adoption and has since slowed down significantly. Between 2020 and 2022, just six states ratified or acceded to the ATT.

- The main challenges to ATT universalization include a combination of political, security, strategic and systemic factors that form the root of an individual state’s decision not to ratify or accede to the Treaty. For this reason, initiatives to promote Treaty universalization require a nuanced and balanced approach that takes into account the broad range of challenges that states face and that pays particularly close attention to national and regional contexts.

- The examples of Colombia, Kenya and Malaysia provide valuable insight into the variety of obstacles to ratification and accession. Despite these countries’ initial support of the ATT, a combination of political, security, legal, procedural and systemic factors have thus far precluded their ATT membership. Understanding the particularities of each country’s historic, political, social and cultural dynamics is crucial to assessing why the ratification or accession process has been fraught with challenges for them and what prospects are for such states when it comes to the Treaty.

- In supporting Treaty universalization, states must also maintain a balance between the benefits of an increase in the quantity of States Parties in the Treaty with the quality of each membership, which is measured by a state’s compliance with its provisions. Focusing narrowly on increasing membership, ratifications and accessions could undermine the strength of the Treaty if compliance with its requirements is not also emphasized.

DEFINING ATT UNIVERSALIZATION

Not only does the ATT not define the term universalization, it seldom makes specific reference to it. The most immediate reference can be found in its preamble, which mentions ‘Emphasizing the desirability of achieving universal adherence to this Treaty’. Article 17.4 also mandates the Conference of States Parties to ‘[c]onsider and adopt recommendations regarding the implementation and operation of this Treaty, in particular the promotion of its universality’. More broadly, the establishing of the highest possible common international standards for the regulation of the international trade in weapons is one of the Treaty’s main objectives, which is underpinned by the need to universalize the Treaty as much as possible.

The WGTU, established in 2016, developed a working definition for universalization: ‘expanding the membership of the Treaty to ensure there are as many States Parties as possible’. Fundamentally, it is important to ensure that as many states as possible join the ATT because an international regulatory system only works if enough subscribe to it. However, when assessing a Treaty’s universality, the number of its members is not the only consideration that should apply. A further conceptualization adds to the WGTU definition by suggesting that ‘universalization means both expanding the number of States Parties and ensuring that they live up to their obligations’. As these definitions are complementary, this chapter embeds both into its analysis.

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12 Ibid.
ATT UNIVERSALIZATION – STATE OF PLAY

The current status of ATT membership (111 States Parties, 30 Signatories and 54 non-signatories) means that 56 per cent of all UN member states are full members of the Treaty, a proportion that would grow to 73 per cent if all Signatory countries were to ratify it.14

While membership of the Treaty surged in the first three years following its adoption, it has slowed down considerably since then (see Table 1.1).15

Whereas the number of new State Parties to international treaties generally tends to slow down over time, the downward trend with regard to the ATT points back to some of the original fault lines that emerged during the diplomatic negotiations of the Treaty.16 These relate to the adoption of norms and standards of state behaviour that are prevalent primarily in the Global North, the universal promotion of existing rules that govern Western arms exporters and the prioritization of the needs and concerns of exporting states over those of importing states. There is a need to carefully consider these issues in the context of ongoing and future efforts to promote greater adherence to and implementation of, the ATT.

There are also considerable regional and sub-regional variations in ATT membership. In the Americas, 27 of 35 countries (77 per cent) are States Parties.17 However, there are only 28 States Parties among the 55 members of the African Union (50.9 per cent).18 but 14 States Parties among the 15 members (93 per cent) of the Economic Community of West African States (ECOWAS).19 Whereas 13 of the 15 members

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**Table 1.1 – Status of ATT Ratifications**

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</thead>
<tbody>
<tr>
<td></td>
<td>9</td>
<td>52</td>
<td>18</td>
<td>12</td>
<td>3</td>
<td>6</td>
<td>5</td>
<td>5</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

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14 It should be noted that two ATT States Parties (Niue and the State of Palestine) are not UN member states; hence, the number of States Parties, Signatories and non-signatories totals 195 countries and there are 193 UN member states.
17 Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Brazil, Canada, Chile, Costa Rica, Dominica, Dominican Republic, El Salvador, Grenada, Guatemala, Guyana, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago and Uruguay.
19 Benin, Burkina Faso, Cabo Verde, Côte d’Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo. The one remaining ECOWAS member (The Gambia) has declared its intention to accede to the ATT in the coming months.
(86.7 per cent) of the Caribbean Community (CARICOM) and all 27 members of the European Union are States Parties, only one of the ten members of the Association of South-East Asian Nations (ASEAN) is a State Party, although a further four are Signatories. Only six of the 16 members of the Pacific Islands Forum are States Parties, while two more are Signatories. Finally, Asia, which includes 25 per cent of all countries of the world, accounts for a mere 9 per cent (11 countries) of States Parties. These numbers underscore the need to intensify efforts to expand the ATT’s reach in those underrepresented regions and sub-regions.

MEMBERSHIP AMONG ARMS EXPORTERS AND IMPORTERS

Membership of the ATT is high among the top 20 arms exporters, 13 of which are States Parties and five are Signatories. These 18 countries accounted for 36.2 per cent of all arms exports between 2017 and 2021. Of these Signatories, four accounted for 4.4 per cent of all arms exports but the remaining one (the United States) was the largest arms exporter, responsible for more than the cumulative total of the next three largest exporters. Russia, the second-largest exporter in the world, has not joined the Treaty in any capacity.

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20 Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago. Haiti is a Signatory.
22 Philippines.
23 Cambodia, Malaysia, Singapore and Thailand.
24 Australia, New Zealand, Niue, Palau, Samoa and Tuvalu are States Parties. Kiribati, Nauru and Vanuatu are Signatories.
27 In 2019, President Donald Trump announced that the United States had ‘unsigned’ the ATT. As Rachel Stohl points out, ‘a country cannot “un-sign” a treaty [and this] simply confirmed that the United States did not intend to ratify the treaty or act in ways bound by the object and purpose of the treaty’. The ATT Secretariat continues to consider the United States a Signatory. Stohl, R. (2022). ‘Why is the Biden Administration Still Silent on Arms Trade Treaty?’. April 27, 2022. Stimson Center, Technology and Trade Commentary. https://www.stimson.org/2022/why-is-the-biden-administration-still-silent-on-arms-trade-treaty/.
### TABLE 1.2 – TOP 20 ARMS EXPORTERS AND THEIR ATT MEMBERSHIP STATUS

<table>
<thead>
<tr>
<th>Exporter</th>
<th>Percentage of global arms exports 2017–2021</th>
<th>ATT membership status</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td>39</td>
<td>Signatory</td>
</tr>
<tr>
<td>Russia</td>
<td>19</td>
<td>non-signatory</td>
</tr>
<tr>
<td>France</td>
<td>11</td>
<td>State Party</td>
</tr>
<tr>
<td>People’s Republic of China</td>
<td>4.6</td>
<td>State Party</td>
</tr>
<tr>
<td>Germany</td>
<td>4.5</td>
<td>State Party</td>
</tr>
<tr>
<td>Italy</td>
<td>3.1</td>
<td>State Party</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>2.9</td>
<td>State Party</td>
</tr>
<tr>
<td>Republic of Korea</td>
<td>2.8</td>
<td>State Party</td>
</tr>
<tr>
<td>Spain</td>
<td>2.5</td>
<td>State Party</td>
</tr>
<tr>
<td>Israel</td>
<td>2.4</td>
<td>Signatory</td>
</tr>
<tr>
<td>Netherlands</td>
<td>1.9</td>
<td>State Party</td>
</tr>
<tr>
<td>Turkey</td>
<td>0.9</td>
<td>Signatory</td>
</tr>
<tr>
<td>Sweden</td>
<td>0.8</td>
<td>State Party</td>
</tr>
<tr>
<td>Ukraine</td>
<td>0.7</td>
<td>Signatory</td>
</tr>
<tr>
<td>Switzerland</td>
<td>0.7</td>
<td>State Party</td>
</tr>
<tr>
<td>Australia</td>
<td>0.6</td>
<td>State Party</td>
</tr>
<tr>
<td>Canada</td>
<td>0.5</td>
<td>State Party</td>
</tr>
<tr>
<td>United Arab Emirates</td>
<td>0.4</td>
<td>Signatory</td>
</tr>
<tr>
<td>South Africa</td>
<td>0.3</td>
<td>State Party</td>
</tr>
<tr>
<td>Belarus</td>
<td>0.3</td>
<td>non-signatory</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>98.9</strong></td>
<td></td>
</tr>
</tbody>
</table>

The membership status among the major arms importers is in stark contrast to the high levels of ATT membership among major arms exporters. The three largest importers between 2017 and 2021 (India, Saudi Arabia and Egypt) have neither signed nor ratified or acceded to the Treaty. Non-signatories accounted for 40.9 per cent of arms imports during the period while States Parties accounted for 22.3 per cent and Signatories for 10 per cent (see Table 1.3).

### TABLE 1.3 – TOP 20 ARMS IMPORTERS AND THEIR ATT MEMBERSHIP STATUS

<table>
<thead>
<tr>
<th>Importer</th>
<th>Percentage of global arms imports 2017 – 2021</th>
<th>ATT membership status</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td>11</td>
<td>non-signatory</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>11</td>
<td>non-signatory</td>
</tr>
<tr>
<td>Egypt</td>
<td>5.7</td>
<td>non-signatory</td>
</tr>
<tr>
<td>Australia</td>
<td>5.4</td>
<td>State Party</td>
</tr>
<tr>
<td>People’s Republic of China</td>
<td>4.8</td>
<td>State Party</td>
</tr>
<tr>
<td>Qatar</td>
<td>4.6</td>
<td>non-signatory</td>
</tr>
<tr>
<td>Republic of Korea</td>
<td>4.1</td>
<td>State Party</td>
</tr>
<tr>
<td>Pakistan</td>
<td>3</td>
<td>non-signatory</td>
</tr>
<tr>
<td>United Arab Emirates</td>
<td>2.8</td>
<td>Signatory</td>
</tr>
<tr>
<td>Japan</td>
<td>2.6</td>
<td>State Party</td>
</tr>
<tr>
<td>Algeria</td>
<td>2.6</td>
<td>non-signatory</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>2.5</td>
<td>State Party</td>
</tr>
<tr>
<td>United States</td>
<td>2.4</td>
<td>Signatory</td>
</tr>
<tr>
<td>Israel</td>
<td>1.9</td>
<td>Signatory</td>
</tr>
<tr>
<td>Indonesia</td>
<td>1.7</td>
<td>non-signatory</td>
</tr>
<tr>
<td>Norway</td>
<td>1.6</td>
<td>State Party</td>
</tr>
<tr>
<td>Turkey</td>
<td>1.5</td>
<td>Signatory</td>
</tr>
<tr>
<td>Singapore</td>
<td>1.4</td>
<td>Signatory</td>
</tr>
<tr>
<td>Netherlands</td>
<td>1.3</td>
<td>State Party</td>
</tr>
<tr>
<td>Viet Nam</td>
<td>1.3</td>
<td>non-signatory</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>73.2</strong></td>
<td></td>
</tr>
</tbody>
</table>

Membership in the ATT thus remains very uneven between the largest arms-exporting and arms-importing states. While the ATT was not designed to represent only exporters’ interests, the impression has grown since its negotiations that it has benefited exporters more than importers, as the following section on challenges to ATT universalization will show.

On the positive side, over the past three years there have been notable new States Parties, each of whom could serve as a catalyst to further accessions within their respective regions. The most significant of these – in terms of its role in the international arms trade and its global reach – is the People’s Republic of China, which acceded to the ATT in July 2022.

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2020. In March 2022, the Philippines became the first country from Southeast Asia to ratify the Treaty, which has raised hopes that the remaining four ASEAN signatories (Cambodia, Malaysia, Singapore and Thailand) could follow suit. In the Pacific, the recent ratifications by Niue and Palau further elevate the potential positive impact of the Treaty within a sub-region where more membership is urgently needed. While engagement with the ATT has been even lower in the Middle East and North Africa, Lebanon’s ratification in 2019 represents an important step in furthering engagement between countries in the sub-region concerning the Treaty’s core tenets.

PRIORITIZING UNIVERSALIZATION OF THE ATT
Since the Second Conference of States Parties (CSP2), efforts to promote universalization of the ATT have been a consistent part of the work and discussions during the Conference of States Parties and the Working Group on Treaty Universalization. Efforts include: targeted outreach activities that included visits from the Presidents of CSP3 and CSP4 to Africa, Asia, and the Americas to promote universalization of the ATT; the development of universalization materials in multiple languages; the creation of a troika mechanism to make ‘universalization efforts more coherent over the longer term’; and the provision of assistance through the ATT Voluntary Trust Fund (see below) and the ATT Sponsorship Programme, among others.

The role of co-chair of the WGTU falls to the sitting CSP President. As the holder of the CSP8 Presidency (2021–2022) and co-chair of the WGTU, Germany has made universalization one of its key priorities. The CSP8 Presidency developed and initiated an active engagement process in the first half of 2022 focused on the 17 countries that have signed the Treaty but have not yet ratified it. Two preliminary findings have emerged from this outreach effort. First, the failure of some of the largest arms-exporting states to join the Treaty creates and reinforces a negative cycle for other states to join. Second, Signatories and non-signatories continue to identify informational and technical assistance needs that are barriers to their joining the Treaty.

While the ATT Voluntary Trust Fund (VTF) was established in 2017 to support national implementation of the Treaty, to date, just 9 out of 55 projects have been implemented in non-signatory and Signatory states. This underscores the need to intensify efforts to prioritize ATT universalization through funding and support mechanisms. In this regard, the ATT Secretariat has launched a new project with the support of the EU to establish an expert’s roster to improve technical capacity by ‘training the trainers’ to continue furthering ATT universalization and implementation in six regions.

CHALLENGES TO ATT UNIVERSALIZATION – THE GAP BETWEEN SIGNATURE AND RATIFICATION
As the pace of ATT universalization has slowed down in recent years, questions have arisen around the challenges associated with membership of the ATT. These challenges can be grouped as political, security-related and strategic on one side and procedural and systemic on the other. However, as the March 2022 ratification of the Philippines demonstrates, progress toward universalization is possible despite challenging political, diplomatic and institutional dynamics (see Text Box 1). This section explores some of these challenges to ratification and accession and identifies lessons and drivers that can serve to accelerate the universalization process.

AS THE PACE OF ATT UNIVERSALIZATION HAS SLOWED DOWN IN RECENT YEARS, QUESTIONS HAVE ARISEN AROUND THE CHALLENGES ASSOCIATED WITH MEMBERSHIP OF THE ATT. THESE CHALLENGES CAN BE GROUPED AS POLITICAL, SECURITY-RELATED AND STRATEGIC ON ONE SIDE AND PROCEDURAL AND SYSTEMIC ON THE OTHER.
In March 2022, the Philippines – the first Southeast Asian country to sign in 2013 – ratified the Arms Trade Treaty. The government’s ability to address a variety of diplomatic, political and strategic considerations shows that progress is possible, even in challenging contexts, like the one created by the coronavirus pandemic.

As a Signatory, the Philippines participated in every ATT CSP and consistently signalled its intent to ratify. During this period, the country’s government, Senate and relevant line agencies were engaged in a process of strengthening interagency cooperation, clarifying institutional responsibilities and tightening legislation to ensure that the national control system was in compliance with the ATT.\(^{34}\)

The Strategic Trade Management Act (STMA) of 2015 provided the legislative framework to guide and clarify the regulation of arms and ammunition transfers by the Philippines.\(^{35}\) The Strategic Trade Management Office (STMO), under the Department of Trade and Industry, is responsible for the day-to-day implementation of this law. Together with the Office of the Special Envoy on Transnational Crime, the Strategic Management Office coordinated diplomatic engagements at the regional and international level covering the ATT and related issues of transnational organized crime. The STMA is broadly compliant with the requirements of Article 5 of the ATT in that it contains a national control list – the National Strategic Goods List – and identifies a national control authority. The STMA also defines key concepts such as import, export, transit, trans-shipment and brokering that align with corresponding definitions in the ATT.

During the process of ratification, procedural deadlock proved a significant challenge, including the issue of overlapping mandates between the STMO and the Firearms and Explosives Office of the National Police when it came to specific arms listed in the National Strategic Goods List. The challenge was overcome through a collaborative approach between the Department of Trade and Industry, the national police, and the armed forces. As a result of allocating ownership over different aspects of the control list across these different stakeholders (for example, small arms and light weapons to the national police and major conventional weapons systems to the military), each government agency maintains responsibility for the categories of arms under their respective operational mandates. Technical support provided by partners such as the EU, through its ATT Outreach Project was also key to ensuring coherence between the firearms law and the existing control list under the STMA.

The regular turnover of civil servants in key agencies also had an impact on the timeline for the Philippines to ratify the ATT. Each time a key official moved on to a new role, the momentum toward ratification dissipated and required concerted effort to rebuild. This affected levels of influence among government agencies in the ratification process, and exacerbated capacity constraints within these agencies. However, civil society organizations, like Non-Violence International Southeast Asia, consistently engaged with critical government agencies to ensure that momentum for ratification remained strong. This kind of external advocacy and engagement by civil society was a key driver in mitigating the impact of staff turnover and institutional capacity constraints in order to push forward with the ratification process.

Another factor that slowed the ATT ratification process was the Philippines’ emphasis on achieving compliance prior to ratification, an objective to which the government attached great importance.\(^{36}\) Despite the delay, its focus on developing a compliant control system prior to ratification places the Philippines in a strong position to comply with ATT requirements from the outset.

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POLITICAL, SECURITY AND STRATEGIC CHALLENGES:

PRIORITIZATION

In certain contexts, arms transfer control is not a major priority among the variety of security threats that are of concern to governments and legislatures. For example, countries at the forefront of the climate change crisis concentrate their political, legislative, financial and bureaucratic efforts on mitigating its negative impacts. For instance, while Fiji has undertaken efforts to accede to the Treaty with support from the VTF and UNSCAR funding facilities, as an island state, climate change remains its primary international political focus.37 It is likely that this necessary prioritization of climate change is a factor that slows Fiji’s progress toward ATT accession.38 This reflects the prioritization that many countries must implement in order to tackle the myriad of threats they face. This reality highlights the need for flexible, long-term, contextual and consistent support to move ATT universalization efforts forward in all regions of the world.

ACCESS

Another long-standing challenge to universalization is the Geneva-centric approach of diplomatic and outreach activities. As with many international processes that consistently centralize operations in the Global North, meaningful inclusion and participation across regions remains a major issue, especially for those countries typically facing the greatest implementation challenges. Interessional meetings of the annual Conference of States Parties are usually held in Geneva because it is the seat of the ATT Secretariat, which simplifies cost and logistical expediency. Even when meetings were held virtually during the COVID-19 pandemic, the schedule linked directly to the Geneva time zone. This resulted in limited engagement from those in different time zones where meetings took place outside of working hours. Even without the meeting and travel restrictions imposed due to the COVID-19 pandemic, many countries do not have permanent missions in Geneva and others have only small delegations there. Some countries must rely on an individual diplomat in Geneva who covers a wide range of thematic and political issues. And, particularly important for technical treaties like the ATT, many national technical experts are based in their respective capitals rather than in Geneva and therefore face substantial resource challenges related to meeting attendance. For example, only eight of the 18 countries of the Pacific Island Forum have permanent missions in Geneva.39 Of these, only three are ATT States Parties (Australia, New Zealand and Samoa).

EXPORTER FOCUS

Since its inception, the standards for overall compliance with the ATT have been set largely by the existing systems and practices of arms-exporting states. Most of the existing best practices relating to the ATT are focused on and drafted by exporting states, while the availability of guidance directly addressing the interests and concerns of arms-importing states is limited. States can address this imbalance by providing meaningful opportunities within the ATT CSP structure to explore and incorporate perspectives of importing states. Until such balance is achieved, efforts to socialize the ATT as a necessary universal norm for all states regardless of their position in the arms trade will remain uneven.

COMPLIANCE

To encourage a state to commit to the obligations set out in the ATT, the most persuasive universalization tool is clear and consistent compliance by all States Parties. However, some of the largest arms exporters are involved with arms transfers that are in violation of the Treaty. To this end, citizen groups have taken governments – including those of Canada, Germany, Italy and the United Kingdom – to court within their national jurisdiction in an effort to bring a halt to arms sales into contexts of heightened concern.40 Exports by Signatories such as Israel, Turkey and the United States to similar contexts also create challenges to the achievement of overall ATT compliance, as Signatories must comply with the Treaty’s object and purpose. The optics of these ongoing engagements in arms transfers that do not comply with the obligations or the object and purpose of the ATT remains a major political challenge to universalization.

37 See ‘Fiji Climate Change & National Designated Authority (NDA)’. https://fijiclimatethechangeportal.gov.fj/
39 They are Australia, Fiji, Marshall Islands, Nauru, New Zealand, Samoa, Solomon Islands and Vanuatu. The remaining ten members are Cook Islands, Federated States of Micronesia, French Polynesia, Kiribati, New Caledonia, Niue, Palau, Papua New Guinea, Tonga and Tuvalu.
REGIONAL DYNAMICS
Regional dynamics in particular can have a significant impact on ATT universalization. In some regions and sub-regions, mutual support and cooperation has played an enabling role in the development, universalization and implementation of the ATT. For example, CARICOM and ECOWAS were very active and influential regional blocs during the negotiations. The states in these regional groups continued to support the ATT with high numbers of early signatures and ratification. At this time, these regions are nearly fully represented within the membership of the ATT. Conversely, ASEAN countries have a long-standing commitment to the principle of non-interference in the internal affairs of states. They are also reluctant to behave in ways that may be perceived as being out of step with the rest of their fellow members or to support agreements that may be perceived as interference with the national security of other ASEAN countries. Countries from the Middle East and North Africa were largely sceptical of the Treaty during its negotiation and this sentiment has continued to date. These long-held positions can explain in part why ATT membership is so low in the region to date.

PROCEDURAL AND SYSTEMS CHALLENGES
In order to gain a deeper understanding of the dynamics of ATT universalization, it is essential to consider the steps required on the national level to implement procedures and systems that will move the ratification or accession process forward. In many states, challenges to developing, implementing and sustaining these procedures and systems need to be addressed before ratification or accession can be achieved. These challenges include:

Legislative alignment: Several governments have identified the need to bring national firearms and arms-transfer legislation into alignment with the requirements of the Treaty. As the ATT Monitor illustrated in its Annual Report of 2021, many African, Asian and Pacific countries inherited at independence colonial-era legislation dating at best back to the 1950s and 1960s, and most have been slow in fundamentally changing these laws. Placing the necessary legislative amendments onto the parliamentary agenda often requires significant time, technical expertise and political support, all of which are often unavailable. It is these challenges that slow the pace of Signatories and non-signatories in making their legislative framework compliant with the ATT.

Regulatory and systems compliance: Several countries possess a strong legislative arms control framework but their national systems require extensive overhaul to complete the core tasks of the ATT, including a comprehensive need for training and capacity-building for officials. These core tasks include developing record-keeping systems and processes, compiling reports, and undertaking risk assessments. The technical and financial resources to support an increase in capacity and compliance can be both significant and variable across countries and regions.

Regular rotation of civil servants: The rotation of officials, politicians and diplomats is also a key challenge to ATT universalization efforts. Each time an official, parliamentarian or government member who is central to efforts to drive forward universalization moves on to a different role, there is an immediate gap in institutional memory, personal incentive and procedural clarity. Election cycles can have a debilitating effect on furthering ATT. Ratification or accession as politicians leading or supporting these efforts may lose their seats, necessitating further rounds of sensitization for newly elected decision-makers. Such changes slow universalization efforts and require renewed momentum, sometimes from the very beginning depending on the number or seniority of those leaving their roles.

SEVERAL COUNTRIES POSSESS A STRONG LEGISLATIVE ARMS CONTROL FRAMEWORK BUT THEIR NATIONAL SYSTEMS REQUIRE EXTENSIVE OVERHAUL TO COMPLETE THE CORE TASKS OF THE ATT, INCLUDING A COMPREHENSIVE NEED FOR TRAINING AND CAPACITY-BUILDING FOR OFFICIALS.

CASE STUDIES

With the challenges mentioned above in mind, the following case studies focus on countries that have been working for some years toward accession or ratification of the ATT. Colombia, Kenya and Malaysia have engaged with the process toward ATT membership in markedly different ways. Each was a supporter of the ATT process throughout the UN negotiations in 2012 and 2013. Their experiences since then show why this process can drag on for years, even for those that initially supported the development of the Treaty and had active involvement in the negotiations. The aim in sharing these case studies is to identify the specific blockages to ratification or accession in each context and how these challenges can be overcome. Each case study ends with an assessment of the prospects of accession or ratification specific to each context.

CASE STUDY 1: COLOMBIA

BACKGROUND

Colombia’s long history of armed violence and protracted civil conflict has made the availability, proliferation and diversion of weapons – particularly small arms and light weapons – an issue of persistent concern. Weapons have been diverted through multiple channels throughout the five decades of conflict that Colombia has endured. While the paramilitary groups M-19, AUC (United Self-Defence Forces of Colombia) and FARC (Revolutionary Armed Forces of Colombia) officially demobilized in 1990, 2003 and 2016 respectively, this led to a transformation of existing illicit economies that once revolved around these armed groups and their activities toward a more fractured set of networks controlled by various criminal groups and a thriving illicit market in SALW.

Colombia’s contributions during the ATT negotiation process were informed by its experience of armed violence and conflict, and of the impact of arms on its society. From Colombia’s perspective, issues such as diversion, the
prohibition of transfers to non-state armed actors, the inclusion in the scope of the ATT of SALW, ammunition and explosives, and the exchange of information to prevent diversion were all fundamental pieces of a robust Treaty.\textsuperscript{46}

Its legacy of decades of violence cemented Colombia’s commitment to the maintenance of peace and security at the national, regional and international levels. The country has ratified several international instruments, including the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction (the Ottawa Treaty). Colombia is a State Party to the Convention on Certain Conventional Weapons and four of its protocols as well as to the Convention on Cluster Munitions. However, Colombia’s active participation during the ATT negotiation process and the signing of the Treaty in 2013 has yet to translate into ratification.

CURRENT ARMS CONTROL POLICIES

Colombia’s legislation on arms control is covered by Decree 2535 of 1993 and its amending laws on Arms, Ammunition and Explosives. Article 57 of the decree assigns to the national government sole responsibility for the import and export of arms, ammunition, explosives, and their accessories in accordance with the regulations issued by the National Government, through the Ministry of National Defense.\textsuperscript{47} Decree 1809 of 1994 on Firearms Regulations gives the state-owned military weapons manufacturer, INDUMIL, the responsibility to import and export firearms, ammunition and explosives on behalf of individuals and legal persons.\textsuperscript{48}

Because the government is ultimately responsible for the import and export of arms, there are no brokering regulations in Colombia. However, Article 19 of Decree 1809 regulates end-use and end-users of imports of weapons, while Decree 2535 contains provisions on storage, stockpile management and the transit of arms, ammunition and explosives.

Colombia actively participates in international initiatives on disarmament and arms control issues. For example, the negotiation and adoption of the United Nations Programme of Action on Small Arms and Light Weapons (UN PoA) in 2001 was chaired by a Colombian diplomat.\textsuperscript{49} To ensure it maintains its commitment to reporting on the implementation of the UN PoA in a variety of areas, in 2006, Colombia created an internal inter-sectoral team led by the Ministry of Foreign Affairs to prevent the illicit export, import, transit and diversion of SALW.\textsuperscript{50}

Colombia has also actively participated in the framework of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA, a cooperation project of the Organization of American States), and of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, which supplements the United Nations Convention against Transnational Organized Crime.

\textsuperscript{50}Programme of Action on Small Arms and Light Weapons. Country Profiles ‘Implementation status of the Programme of Action – Colombia’. https://smallarms.un-arm.org/country-profiles/COL.
OBSTACLES TO RATIFICATION

Colombia has made an attempt to ratify the ATT. The process began as early as 2014 with Bill 059, which started in the Second Commission of the Congress, which has responsibility for international and diplomatic affairs. After two years of debate, the Congress approved ratification of the ATT by means of Law 1782 in 2016. However, in the following year, the Constitutional Court declared this law unconstitutional. The court ruled in February 2017 that the procedural and legislative requirements undertaken by the Congress were not accredited for the approval of an international treaty.

Since then, the review of the ATT has resumed in the Ministry of Defence and the Ministry of Foreign Affairs, but the successor government to that which originally signed and pledged Colombia’s support for the ATT has not yet prioritized ratification. This loss of momentum has caused the ratification process to stagnate within governmental institutions.

CHALLENGES AND PROSPECTS FOR ATT RATIFICATION

Whereas the process of ratification of the ATT was initially delayed due to procedural matters, the current challenge to ratification is political.

In 2021, civil society organizations such as the Colombian Campaign to Ban Landmines alongside the Latin American and the Caribbean Human Security Network issued a letter to President Iván Duque Márquez calling for the reactivation of the procedure for the ratification of the ATT. In addition, civil society has advocated its position to members of Congress, the government and specific ministries such as the ones of foreign affairs and defence to promote ratification of the ATT. The election of leftist candidate Gustavo Petro to the presidency in June 2022 could present new opportunities to bring the issue of ratification back to the table. Petro’s campaign was founded on calls to combat inequality and fight for social justice, eliciting widespread support from civil society.

Colombia has also received assistance from Germany’s Federal Office for Economic Affairs and Export Control, the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC) and the VTF for activities related to building capacity for implementation of, and compliance with, the ATT, as well as to the prevention and detection of the diversion of conventional arms. Finally, Colombia is implementing a VTF-funded project titled ‘Build capacity to prevent, detect, and respond to the diversion of conventional weapons in line with Article 11 of the ATT in Chile and Colombia’, which is aimed at developing and implementing training for their respective security forces on the prevention and detection of diversion of conventional weapons.

WHEREAS THE PROCESS OF RATIFICATION OF THE ATT WAS INITIALLY DELAYED DUE TO PROCEDURAL MATTERS, THE CURRENT CHALLENGE TO RATIFICATION IS POLITICAL.

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59 Ibid., p. 21.
AUSTRALIAN ARMY SPECIAL OPERATIONS SOLDIERS ROPE OUT OF A US MV-22 OSPREY DURING EXERCISE DIAMOND STORM IN THE NORTHERN TERRITORIES.

CREDIT: © COMMONWEALTH OF AUSTRALIA, DEPARTMENT OF DEFENCE / CPL RODRIGO VILLABLANCA
Civil society in Kenya has also had an active role in supporting ATT-related activities. Some civil society organizations have been involved in the ATT process since its negotiations and have provided their expertise to government agencies in the ongoing public awareness and participation campaigns on the ATT. They have also complemented government efforts toward SALW control and management initiatives across the country.

**CURRENT ARMS CONTROL POLICIES**

Kenya has a wide range of national laws and policies that regulate small arms. The most significant legislation includes the Firearms Act, the Defence Forces Act, the Police Act and the Penal Code. The Kenyan legislative framework includes provisions that are consistent with ATT requirements, including the regulation of the possession of weapons and the trade in firearms and ammunition as well as penalties for related human rights violations. Kenya has also adopted a national peacebuilding and conflict management policy that commits government resources to activities aimed at reducing the proliferation of illicit small arms and ammunition.

Kenya is a member of, and is actively implementing, several regional arms control instruments. Foremost is the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes and the Horn of Africa. It also hosts the Regional Centre on Small Arms in the Great Lakes, the Horn of Africa and Bordering States, which is the body charged with coordinating the implementation of the Protocol. The protocol provides mechanisms for inter-state cooperation to stem the flow of illicit arms across borders. It also provides measures for mitigating arms diversion and for

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61 The other six co-authors were Argentina, Australia, Costa Rica, Finland, France and Japan. Resolution 61/89 sought to establish ‘common international standards for the import, export and transfer of conventional arms’ and requested the UN Secretary-General to establish a group of governmental experts to examine the feasibility, scope and draft parameters for such a legal instrument, and to transmit the report of the group of experts to the General Assembly for consideration. The final report of this group of experts, which included a representative from Kenya, in 2008 formed the basis for the ATT.


70 Regional Center on Small Arms website: https://recsasec.org/index.php/page/listdownloads.
physical security and stockpile management, among other initiatives, all of which align with the provisions of the ATT.\textsuperscript{71} Kenya is a Signatory to the Pact on Security, Stability and Development in the Great Lakes Region, a legally binding treaty signed in 2006 by member states of the International Conference on the Great Lakes Region (ICGLR).\textsuperscript{72} The ICGLR implements a regional programme for fighting the proliferation of SALW and it oversees regional cooperation on ATT-related initiatives.\textsuperscript{73}

OBSTACLES TO RATIFICATION

Despite Kenya’s strong engagement in efforts to control the proliferation of SALW, political barriers to ATT accession remain. Observers have claimed that, since Kenya has recently become a small-arms manufacturer, there could be uneasiness, particularly from the country’s Ministry of Defence, that the ATT provisions may work against its national interests in respect of arms production and sales. However, such a concern is unfounded since the provisions of the ATT clearly underline respect for ‘the legitimate interests of States to acquire conventional arms […] and to produce, export, import and transfer conventional arms.’\textsuperscript{74}

Administrative challenges also go some way to explaining why Kenya remains outside of the ATT. For instance, the high turnover of senior officials within the relevant Ministries of Interior, Defence, Foreign Affairs, and the Office of the Attorney General could have hampered efforts to move the necessary bureaucratic processes forward toward accession. A final challenge could relate to its prioritization of international instruments on conventional weapons. Kenya’s sustained engagement and recent leadership in the UN PoA process, including holding the Chair position at its Seventh Biennial Meeting of States held in July 2022, demonstrates its interest and commitment to issues concerning the illicit proliferation of SALW, but may have eclipsed the ATT from its focus.

CHALLENGES AND PROSPECTS FOR ATT RATIFICATION

In recent years, Kenya has shown increasing interest in engaging with the Treaty. Through funding from the VTF, in 2021 the Kenya National Focal Point on Small Arms and Light Weapons conducted ATT sensitization meetings across the country to comply with the constitutional requirement for public participation.\textsuperscript{75} In addition, the government attended the informal preparatory meetings leading to the Conference of States Parties (CSP7) in Geneva and participated as observers during CSP7. In 2022, the government also attended CSP8 preparatory meetings in Geneva.

These are clear signs of the government’s interest in joining the ATT. The fact that Kenya recently received funding from the VTF to support preparations to join the Treaty points to its positive working relationship with ATT institutions and to goodwill on both sides. However, with a presidential election scheduled for the second half of 2022, there is no guarantee that government interest will remain. Political commitment will be key to sustaining and furthering momentum toward ATT accession.
CASE STUDY 3: MALAYSIA

BACKGROUND

Considering its strategic position on one of the world’s busiest sea lanes, the international regulation of conventional arms transfers is highly relevant to Malaysia's security interests. With these interests in mind, Malaysia has engaged positively with the Arms Trade Treaty process since its beginnings.

During the ATT negotiations in 2012, a Malaysian diplomat served as facilitator of a subject area of key concern for the ASEAN countries – transit and trans-shipment – later to be covered by Article 9 of the ATT. Malaysia highlighted that the Treaty should “regulate the trade of conventional arms and prevent the diversion of legal arms to illegal markets”. Malaysia also publicly supported the “7+1 arrangement”, which called for the inclusion of the seven categories of major weapons along with small arms and light weapons into the scope of the ATT.

In its plenary statement to the Final UN Conference on the Arms Trade Treaty in March 2013, Malaysia further stressed the importance of transit and trans-shipment, recognizing it as an issue of national importance. But, despite its consistent support of the Treaty culminating in its signature in September 2013, Malaysia has yet to ratify the ATT.

CURRENT ARMS CONTROL POLICIES

Malaysia’s legislative framework is already largely aligned with the objectives and requirements of the ATT. There are three key pieces of legislation in this regard: the Arms Act of 1960, the Firearms Act of 1971, and the Strategic Trade Act of 2010 (STA). While the Arms Act and the Firearms Act are largely focused on controlling domestic transfers, the STA is “aimed at establishing controls to curb the proliferation and trafficking of weapons of mass destruction (WMD)-related materials and associated delivery systems [sic] in direct response to the UN Security Council Resolution 1540 on the non-proliferation of weapons of mass destruction. In addition to WMD-related materials, the STA provides controls for the export, brokering, transit and trans-shipment of a broader set of strategic goods, including arms and related materiel, and covers both individuals and companies acting as exporters, traders, manufacturers or brokers. Its definitions are largely consistent with those provided in the ATT, including definitions of ‘export’, ‘transit’, ‘trans-ship’ and ‘brokers’. The STA includes a comprehensive national control list that meets the requirements set out in Article 5.4 of the ATT and is consistent with the scope of the ATT (Articles 2, 3 and 4).

The Ministry of International Trade and Industry (MITI) has primary responsibility for the implementation of the STA. However, matters relating to the ATT are still under the
OBSTACLES TO RATIFICATION

The ATT is not a high priority on Malaysia's political agenda at this time – in large part due to the belief that existing systems are fit for its present purpose and generally compliant with the ATT's requirements. In fact, Malaysia has stated in the past that before taking the final step of ratification, it might be useful for Malaysia to see how the ATT's implementation commences in other states and how its participation base and impact develop.86

Regional dynamics of ASEAN countries, as well as the country’s relationship with other regional powers such as the People’s Republic of China, Japan, the Philippines and the Republic of Korea are also challenges for Malaysia in ratifying the ATT. With the accession of the People’s Republic of China in 2020, and the ratification of the Philippines in 2022, the regional security calculus may have changed such that membership to the ATT is no longer considered a provocative move in Southeast Asia. Given that one of the likely main obstacles to Malaysia’s ATT ratification is its reluctance to step outside of long-held regional positions, the presence of two new regional States Parties, in particular the Philippines (see Text Box 1), could help to positively influence Malaysia’s ratification prospects.

CHALLENGES AND PROSPECTS FOR ATT RATIFICATION

In 2019, Malaysia again shared with ATT States Parties that it is working toward ratification of the Treaty and, as such, is strengthening existing national mechanisms and exploring other initiatives to support its compliance with the Treaty’s provisions.87 One such mechanism is the STA, which as noted above, covers a number of relevant elements related to the ATT. More recently, Malaysian officials have also identified the need to find ‘a lead agency to implement the ATT and the integration of import controls in the current Malaysian strategic trade legislation framework’.88

In partnership with the Malaysian government, a number of actors have provided cooperation and technical assistance activities in recent years to facilitate Malaysia’s ATT ratification. Included among these are technical support from the European Union’s ATT Outreach Project, the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, the United Nations Institute for Disarmament. Interpol, the Parliamentary Forum on Small Arms and Light Weapons, the International Committee of the Red Cross, and trusted civil society partners such as Control Arms, Non-Violence International Southeast Asia, and the Geneva Centre for Security Policy. The EU project is focused on building a whole-of-government approach and brings together national ATT stakeholders from the Attorney General’s Chamber, Customs Department, Malaysian Maritime Enforcement Agency, Malaysian National Security Council, Ministry of Defense, Ministry of Foreign Affairs, Ministry of Home Affairs, Ministry of International Trade and Industry, and Royal Malaysia Police.89

Other projects supporting Malaysia’s engagement with the ATT, including those led by civil society partners, highlight the Treaty’s benefits (such as its relationship with other international processes such as the Sustainable Development Goals). Still others suggest ways in which Malaysia and other states can build a broad base of support for ratification among government officials, parliamentarians and community leaders.


UNIVERSALIZATION: NO END IN ITSELF

COMPLIANCE AS THE KEY TO EFFECTIVE ATT UNIVERSALIZATION

The case studies above set out challenges, obstacles and prospects for ATT accession or ratification in three distinct contexts. To make strides toward ATT ratification or accession in these specific contexts requires a clear understanding of the general objectives of universalization. As noted above, universalization can be defined as work undertaken to expand the number of States Parties, or to ensure that States Parties can fulfill their obligations under the Treaty – or both. There exists a tension between these two approaches. One is focusing purely on increasing the number of States Parties (quantity) and the other targets efforts toward strengthening implementation and adherence to the ATT (quality). Striking the right balance between these universalization approaches can have substantial impact on the overall success of Treaty implementation.

There is no evidence to suggest that merely increasing the number of States Parties will make adherence to the ATT stronger. Instead, a singular focus on ratifications and accessions without strengthening national systems could serve to undermine the Treaty’s object and purpose. The key to the Treaty’s strength is building and implementing both a legal and political framework with sustained support on both national and regional levels. Without such a foundation, ongoing compliance with Treaty provisions cannot be assured. As the case studies in this chapter reflect, one method to ensure universalization efforts support Treaty compliance is to prepare for and build this legal and political framework before joining the Treaty.

For some states, joining the ATT will require the creation of a national arms control system that has never existed. For others, joining the ATT will require a fundamental shift from, for example, an arms-export risk-assessment mechanism that privileges profit and economic gain to one that prioritizes human rights and international humanitarian law. For states to fully commit to this type of policy shift without a formal accountability mechanism within the ATT structure to rely on, a strong record of compliance by a majority of States Parties is critical. States Parties must lead by example if universalization is to be achieved. Continued failure to comply – and inconsistent compliance – perpetuates the view that the ATT is merely a mechanism to support unilateral arms transfer decisions made by exporting countries. It is views like these that can undermine ATT universalization and implementation efforts.

GAUGING ATT COMPLIANCE

Compliance is critical to both the ATT’s universalization and its overall impact on the conventional arms trade. While measuring the effects of universalization and compliance upon one another is an inherently complex task, some metrics can help us to gain insight into how this dynamic plays out.

One such metric used to gauge compliance with the ATT is States Parties’ adherence to reporting obligations. Initial reports, for example, offer good insights about national systems that can be of great significance to implementation. Research by the Arms Trade Treaty-Baseline Assessment Project shows that initial reports provide benefits as they: indicate how States Parties interpret and implement the Treaty’s obligations; provide an opportunity for reporting States Parties to assess their national control systems, identify gaps, and make adjustments as needed; help to identify good practices and offer insights into common definitions and patterns in control measures; and identify assistance needs in advancing implementation and States Parties that might be in a position to provide it. Initial reports contain key information that can help to determine the extent to which the Treaty is meeting its potential.90 However, the recent increase in the submission of confidential initial reports, including by large exporters such as the People’s Republic of China, limits the utility of the required reporting mechanism, thereby weakening the ability to assess compliance. Without visibility with regard to compliance, states are less likely to join the Treaty or to consistent comply with its provisions.

Similarly, as set out in this ATT Monitor Report, the steady decrease in annual reporting rates combined with an increase in confidential reporting raise concerns about effective implementation of the Treaty (See Chapter 2.1). There are also increasing concerns about the paucity and
While measuring the effects of universalization and compliance upon one another is an inherently complex task, some metrics can help us to gain insight into how this dynamic plays out.

CONCLUSION AND RECOMMENDATIONS

As the rate of universalization slows, there are still many challenges to achieving a universal and effective ATT. This chapter reviews the main trends in universalization and offers insights that may provide some explanation for the gap between signature and ratification of the Treaty. The case studies also show that even those countries that with strong early commitments to the ATT face political, strategic and administrative challenges to ratification and accession. International assistance and support from other ATT stakeholders can help, but more is needed.

This chapter also reflects on the connection between increasing the number of States Parties to the ATT and its effective implementation. As argued, Treaty universalization does not guarantee the quality of its implementation. Universalization could even serve to undermine the Treaty’s value if it is sought at all costs, regardless of the true commitments and ability of States Parties to effectively implement Treaty provisions. Rather, a more balanced approach is needed – one that encourages ATT universalization while emphasizing the importance of implementation and the need for support mechanisms to assist States Parties with compliance. This approach also entails holding existing States Parties, including major arms exporters in the Global North, to account when they breach their Treaty obligations.

Treaty universalization should be driven by the imperative of furthering the effective implementation of the ATT around the world. Below are recommendations to continue promoting universalization and effective implementation of the ATT, while improving inclusiveness and compliance.

Recommendations for States Parties:

• **Lead by example:** States Parties share a major responsibility in ensuring that the Treaty is implemented in line with its object and purpose. One way to improve compliance is to share effective implementation practices, such as risk assessments, publicly in ATT working groups and CSP meetings and by submitting comprehensive and detailed reports.

• **Support South-South cooperation:** One way to tackle perceptions of Global North bias is to develop and support meaningful South-South technical support systems. This could take the form of providing additional funding to the VTF and ensuring that a percentage of funds is earmarked for South-South cooperation initiatives. The example of Chile and Colombia’s joint application for VTF sponsorship is a good example of such cooperation and could provide a blueprint for other initiatives.

• **Capture best practice for universalization:** Thus far, there has been little focus on how States Parties have worked to overcome obstacles to ratification and accession at the national level, making it difficult to capture the creativity and ingenuity that has led to meaningful innovation in tackling persistent problems such as transnational organized crime, arms trafficking and illegal brokering. States Parties should use forums such as the WGTU to share their experiences and support the Presidency in keeping discussions on universalization at the top of the CSP agenda.

Recommendations for the ATT Secretariat, the Conference of States Parties and the WGTU:

• **Consider more frequent opportunities to hold official meetings outside of Geneva:** The CSP rules of procedure establish that ‘the venue for each ordinary session shall be decided by the Conference at its preceding ordinary session, taking into consideration the importance of promoting the universalization of the Treaty’. So far, only two CSPs have been held outside of Geneva: in Cancún, Mexico in 2015 and in Tokyo, Japan in 2019. With universalization rates slowing each year, the CSP should consider moving its meetings around the world with a specific focus on the Global South. A rotation of meeting locations that is more inclusive of developing states and regions should be prioritized, following the examples of the CSPs to the Anti-Personnel Landmines Convention and the Convention on Cluster Munitions. The next CSP Presidency should consider moving the upcoming CSP9 cycle to a different location to get this process started.

• **Strengthen synergies with regional initiatives:** UNODA’s regional centers and regional organizations like the African Union, CARICOM and the EU are engaged in many of the ATT universalization outreach efforts conducted to date. By empowering these organizations to dig deeper into substantive issues of direct relevance to countries in their regions, the ATT can strengthen its links to a wide variety of national and regional contexts, thereby helping to enhance its relevance at the regional level.

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To that end, the ATT Secretariat project supported by the EU is a positive first step toward ensuring that technical capacity is strengthened on the ground in different regions. More focus on regional organizations, including a potential expansion of their role in the ATT process, would be welcome.

- **Strengthen partnerships between States Parties and civil society and research organizations:** As shown in the case studies, civil society and research organizations are fundamental stakeholders in promoting universalization of the Treaty. Providing these organizations with more opportunities to share their experiences and expertise will ensure that the realities, constraints and opportunities relating to universalization are better understood.

Recommendations for Signatories and non-signatories:

- **Capitalize on available resources:** Signatories and non-signatories alike should make use of the multiplicity of resources developed since the ATT came into force that can help to align their national control processes with ATT requirements. Mechanisms such as the VTF, the EU ATT Outreach Project and the wide range of materials developed by the ATT Secretariat, the Working Groups, States Parties and civil society organizations can all be used to enhance alignment with the ATT so as to facilitate the accession or ratification process.
UNITED NATIONS MISSION IN COLOMBIA
STORING INDIVIDUAL REGISTERED ARMS.
CREDIT: © UN PHOTO / LAURA SANTAMARIA