

Amazingly Armed Asia:

Arms Trade Treaty (ATT)

**An Idea Whose Time Has Come for
the ASEAN !**

Figures from the 2011 Stockholm International Peace Research Institute (SIPRI) annual report show that **the world's governments are spending more than ever on the military: \$1,630 billion per year – and rising.** If spent differently, this money would go a long way to resolving the real challenges facing our planet”.

Global Day of Action Against Military Spending

April 17, 2012

SIPRI also revealed this month that the volume of worldwide arms transfers from 2007-2011 was **24 percent higher than the period of 2002-2006.**

Asia was the biggest arms importing continent for the period of 2007-2011.

Five countries from the region namely, India, South Korea, Pakistan, China and **Singapore** in the following order accounted for **44 percent of all global arms imports for the period covered.**

SIPRI also estimated that *India is likely to spend more than \$100 billion on weapons in the next 15 years.*

Likewise, *China will increase its defense budget to around 106.41 billion US dollars in the coming year.*

Is this not an Amazingly Armed Asia?

For South East Asia....the tension in the disputed Spratly islands can pose a major challenge to military spending and arms trade in the countries involved.

**(Brunei, Malaysia, Philippines, Vietnam,
China, Taiwan)**

There are *no comprehensive international legally-binding rules on arms trade*. To date, only about 60 countries have established some kind of national legislation on arms brokering.

“How can we have strict national and international laws that regulate the trade of bananas and mobile phones, but allow traders of weapons and ammunitions to go unchecked?”

*Scott Stedjan
Spokesperson
Oxfam’s Control Arms Campaign*

In December 2009, the General Assembly of the United Nations decided to convene a United Nations Conference on the Arms Trade Treaty to meet for four consecutive weeks in 2012 to elaborate a legally binding instrument on the highest possible common international standards for the transfer of conventional arms. The resolution was adopted with 151 votes in favor, 1 vote against, and 20 abstentions.

“Arms cannot simply be compared with other goods exchanged in global or domestic markets. The quest for a world more respectful of the dignity of human person and the value of human life must be the founding principle of the Arms Trade Treaty.

Holy See, July

2011

“The international community needs a strong, credible, effective and concrete legal instrument so as to improve transparency in arms trade, promote the adoption of common criteria for arms trade control and establish a legally binding framework for regulating the trade of conventional weapons and munitions as well as the trading and licensing of technologies for their production.”

Holy See, July 2011

The ATT at the UN

Scope

Parameters

Criteria

Principles

Process

***“7+1” or a “7+1+1”** proposal to define the scope of conventional arms transfers to be covered by this treaty. Here “7+1” refers to the seven categories of deadly weapons covered by the UN Register of Conventional Arms, plus small arms and light weapons;.

***“7+1+1”** refers to these categories plus ammunition (which some member States, like the US, are reluctant to include in an ATT) (Mack 2010).

However, some civil society organizations hold that these broad categories could still leave substantial gaps and loopholes needed to be covered by a strong and effective ATT

Expanded definition of conventional arms:

(1) Tanks (2) Military Vehicles (3) Artillery Systems

(4) Military Aircraft (manned or unmanned)

(5) Military Helicopters (manned or unmanned)

((6) Naval Vessels (surface and submarine vessels

armed or

equipped for military use)

(7) Missiles and Missile Systems (guided or unguided)

(+1) Small Arms & Light Weapons

(+1) Ammunition for use with weapons

Part or Component

Technology and Equipment

Asia-Pacific and the ASEAN

Currently, there is no overarching regional instrument in the Asia-Pacific region to control transfers of conventional arms.

As a regional organization, the Association of Southeast Asian Nations (ASEAN) has addressed issues of arms control, with a focus on combating the illicit trade in SALW, principally in the context of transnational crime.

ASEAN Aims and Purposes

(one of seven)

To promote regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries of the region and adherence to the principles of the United Nations Charter

The ASEAN Plan of Action to Combat Transnational Crime was adopted by the second ASEAN Ministerial Meeting on Transnational Crime in June 1999.

This politically binding instrument builds on earlier ASEAN declarations, which emphasized the role of arms smuggling in transnational criminal activities and the need for comprehensive action and regional cooperation against it.

The Plan aims to extend the scope of ASEAN member state efforts at the national, bilateral and regional level against transnational crime, including arms smuggling, by criminalizing arms smuggling and other specific transnational activities.

On 17 May 2002, ASEAN agreed a Work Program to implement the Plan. The Program includes a specific section on combating arms smuggling, which stipulates actions to be taken pertaining to information exchange, the harmonization of marking systems, intelligence exchange and cooperation, the development of regular training programmes and the creation of a database on illicit arms trafficking.

How do ASEAN countries stand vis-a-vis the ATT at the UN?

BRUNEI, CAMBODIA, MYANMAR

In 2009, both countries voted to begin negotiations towards a legally binding Arms Trade Treaty.

INDONESIA stated that they supported only the 7+1 formula, prevention of transfers that would violate Security Council resolutions,

It also expressed apprehension at the inclusion of the target country's perceived stability or instability as a parameter in the Arms Trade Treaty.”

LAOS (7+1+1)- will support consensus on final text only, will support NGO active participation in the conference, okay with SALW and ammunition, ok with IHR and IHL criteria but will have to check first with other agencies if including gender in that criterion is okay.

MALAYSIA (7+1)

Malaysia stated that they were ‘amenable to these so-called 7+1 arrangements,’ regarding the treaty's scope including the seven categories of the UN Register of Conventional Arms as well as Small Arms and Light Weapons only.

Malaysia supported the inclusion of import, export and transfer, stating that they needed more time to study the possible inclusion of other categories. Regarding parameters, Malaysia objected to the list of information sources for use in determining if transfers would meet the listed criteria.

PHILIPPINES

(7+1)

The Philippines supported the 7+1 option, encompassing the 7 categories of the UN Register of Conventional Arms as well as Small Arms and Light Weapons.

“The Philippines believes that the scope of the Arms Trade Treaty should encompass the seven categories covered by the UN Register of Conventional Arms as well as Small Arms and Light Weapons in view of their transshipment, brokering, licensing and transfer of these arms and should be included within the coverage of an Arms Trade Treaty.

An Arms Trade Treaty should also contain a provision regarding the non-transfer of conventional arms to countries under UN Security Council arms embargoes.

There is also a need to ensure that arms transfers do not undermine the stability of the region where the arms are being sent. Finally, the Philippines believes that the Arms Trade Treaty should contain explicit measures for its effective monitoring and enforcement, and should include mechanisms for increasing transparency and accountability in the international transfer of arms.”

SINGAPORE

(7+1)

Singapore supported the inclusion of criteria based upon their support by consensus, and applied this principle to all measures within the treaty, including the scope as well. Regarding scope, Singapore supported the 7+1 formula, including the UN Register of Conventional Arms' categories and Small Arms and Light Weapons (SALW).

THAILAND

Thailand advocated the use of regional approaches to combat the risks and negative effects of the unregulated arms trade.

It argued that in some cases human rights issues can be politicized, stating that 'unless clear links between arms transfer and grave human rights violations are established, any rights to use human rights to prohibit arms transfers must not be allowed and have to be considered - for further consideration.'

VIETNAM

Vietnam found the goal of including nearly all conventional arms ‘too ambitious,’ specifically referring to ‘munitions, components and technologies.’ Vietnam supported ‘a more manageable and implementable scope.’

Vietnam opposed the inclusion of ‘research and development, finance and technological transfers.’ Without delving into specific criteria.

Vietnam stressed the importance of states' retaining their right to procure arms for legitimate purposes, including security and defense, and opposed criteria that might restrict this right or be implemented in a discriminatory fashion.

In summary, most ASEAN members states support the scope of 7 +1. *But without the inclusion of ammunition it would severely limit realization of the Treaty's main objectives.*

An Arms Trade Treaty not covering ammunition would establish an international standard below national and regional practice.

Challenges to the ASEAN

- Support a robust ATT that will have the capability to protect people and communities. It's a historic opportunity for the world to have an instrument that can save lives*
- Freedom of information acts and anti corruption mechanism should be supported within the ASEAN members states*
- Possibility of a Legally binding ASEAN protocol on arms trade (a regional instruments to control arms)*

Interfaith Declaration on the ATT

As religious leaders, faith groups and faith-based organizations we strongly welcome the steps toward a negotiated ATT. We call upon the member states of the UN to negotiate and deliver a strong and effective ATT that has real impact on people's lives.

We raise our collective voice to call on all governments to work together to save lives and end the human suffering caused by irresponsible transfers of conventional arms.

Furthermore, we urge governments to remain mindful of the humanitarian imperative that drives this process and find a solution that moves all nations further along the path to sustainable peace and development.

Friends, ladies and gentlemen....

Let us conspire in hope that with moral imagination and vision we can move away from an amazingly armed Asia through a Robust ATTso that one day we can have a commonly secured Asia.... Truly Asia?

Thank you !