

**The Asia-Pacific Regional Conference on an Arms Trade Treaty (ATT)
Keio Plaza Hotel, Tokyo, Japan, 26-27 February, 2009**

Panel 6- The Way Forward: How governments and civil society in the Asia-Pacific region can work together towards the Open-Ended Working Group sessions

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1. An ATT: issue of common interests for this region

This meeting gives a unique opportunity for the partners both of governments and civil society in the Asia Pacific region to have a focused discussion on the issue of an ATT. I also believe this meeting will enable us to reflect regional perspectives on the ATT in the upcoming Open-Ended Working Group which will be held next week in New York.

The ATT is an issue of common interests for this region. The people in this region have been affected seriously by the effects of irresponsible transfers of arms. The irresponsible arms transfers cause regional instability and undermine sustainable development. Therefore, it is quite appropriate that two panels of this meeting focused on the development considerations in relation to an ATT.

Now we acknowledge a momentum across all the regions for discussing on a legally binding instrument to establish common international standards for the arms trade. Some Members States of this region have engaged actively on the discussions on this issue. In 2006, Australia and Japan were original sponsors of the UN General Assembly resolution 61/89 led by the UK. Experts from Australia, China, Indonesia, and Japan contributed to the deliberations at the Group of Governmental Experts in 2008. In December, last year, an overwhelming majority, which includes most of the Member States from this region, voted for the adoption of the UN General Assembly resolution 63/240 on an ATT.

You may make the case that efforts for control of conventional arms transfers in this region are lagging behind comparing to other regions of the world. However, we should note that Member States of this region have actively been participating at the UN Register of Conventional Arms. APEC has adopted MANPADS guidelines in 2003. The ASEAN Ministerial/Senior Officials' Meeting on Transnational Crime discussed the issue of arms smuggling as one of the key areas of cooperation. A number of states in this region participate actively in multilateral export control arrangements such as the Wassenaar Arrangement. At the national level, export control systems have been established or strengthened by Member States in the region. These efforts show that Member States in this region have been keen on the control of conventional arms transfers.

2. Regional perspectives on an ATT

Although the open-ended discussions on an ATT at the United Nations has not yet begun, let me illustrate what some Member States of the Asia Pacific region have in mind vis-à-vis a potential ATT. The views on an ATT submitted by eleven countries of this region in reply to the request by the UN Secretary-General are useful in understanding regional perspectives on this issue.

-Feasibility

Most of the Member States that submitted their views believe that an ATT is feasible because a number of regional and international agreements dealing with the arms control already exist and those instruments contain principles that a potential ATT might include. So we could build on existing international law and codify existing best practices in responsible transfers.

However, other Member states seem to be cautious. One view points out that the “Guidelines for international arms transfers” adopted by the UN Disarmament Commission in 1996 continues to be of significance and there needs to be further discussion in a comprehensive and cautious way about the necessity of negotiating a specific treaty to re-establish common guidelines for arms trade, and the relation between the treaty and existing conventional arms transfer principles and mechanism at the international, regional and national level.

There is also support for a political agreement, not a legally binding instrument as an intermediary step towards the realization of a comprehensive, legally binding arms trade treaty, taking into account the diverging views on a potential ATT.

-Scope

Most of the countries in the region believe that the scope of an ATT must include a wide range of conventional arms. They are also supportive to include parts, components, facilities and technology. A detailed list is desirable while it needs to be flexible to include emerging technology. There is also a view that simple generic listing could be a viable second-best option, considering the difficulty of agreeing on the detailed list. The list of the United Nations Register of Conventional Arms is considered as a basis for a possible list for an ATT. Most of them share the view that an ATT should also cover a wide range of activities such as brokering, temporary imports and exports, re-export, and trans-shipments.

-Parameters

In most of the submissions it is stated that an ATT should be built on the existing international law including international humanitarian law and international human rights law, other international principles, and best practices in the control of arms transfer.

There seems unanimous support to reflect the principles such as the inherent right of self defense stipulated in the United Nations Charter or the right of states to manufacture,

import, export, transfer and possess conventional weapons for self-defense, security and participation in peacekeeping operations.

Some states stress that national implementation should remain the sole responsibility of each Member State. However, there are views in support of a verification mechanism to ensure compliance with the obligations of the treaty. Some states suggest the idea of a standing committee for this purpose.

Reporting for transparency is a crucial element while it should avoid overly burdensome mechanisms for monitoring and enforcement such as overly onerous reporting requirements. There is a wide support to include international assistance to ensure effectiveness of the treaty.

3. Way ahead

Next week the first session of the Open-Ended Working Group on an ATT will launch a process of possibly developing new multilateral norms on the transfer of conventional arms. Over the next two years the ATT will be receiving close attention from the international community.

As I have just mentioned, there are still profound differences to overcome among states over such questions as the feasibility of a potential treaty, the scope of its application, and its draft parameters. Hence the importance of taking a step-by-step approach.

One thing is clear: progress towards concluding an ATT will clearly require strong and sustained support both from governments and civil society. Both governments and civil society in this region have been working in a cooperative manner in the efforts to combat illicit trafficking of small arms. I believe that there are a lot of opportunities for governments and civil society to work together towards the coming process on an ATT as well. The encouraging initiative by civil society has already rendered some fruitful results in this region. The “Global Principles for Arms Transfers” produced by Control Arms has been viewed by some regional Member States as a good starting point for consideration on parameters of the treaty. One Member State in the Pacific region has benefited from the assistance and advice from non-governmental organizations, in particular from the members of the IANSA, in the preparation of its submission of views on this treaty.

In my view, both governments and civil society can continue to work closely in the various fields including;

First,

Frequent exchange of views on an ATT at the United Nations. Such an exchange with civil society can also be promoted in the margins of the Open-Ended Working Group. I am pleased to inform you that UNODA, in collaboration with IANSA, will hold a side event on gender considerations in relation to an ATT on 3 March during the first session of the OEWG. Such a focused discussion on a specific aspect of an

ATT is quite useful as has been evidenced by this meeting which focused on development considerations in relation to an ATT.

Second,

Each region has different regional arrangements and experiences in the control of arms transfers. Therefore, kindling an exchange of views on this issue within regional frameworks such as this meeting is a very meaningful step to complement the process at the international level. This region may need more in-depth discussions as it does not have regional experiences in making a regional instrument on the control for arms transfers. With the support of EU, UNIDIR is also planning to hold a regional meeting in this region, in Kuala Lumpur, 8 – 9 September.

Third,

Collaboration between governments and academic institutions in research and analysis on an ATT could be also useful. The research conducted by UNIDIR has been quite instrumental for us to advance discussions on an ATT through identification of areas of consensus and divergence as well as neglected areas. Similar regionally focused research would be of great use for regional stakeholders to understand the views of regional actors. Academic analysis presented at this meeting was quite useful to deepen our understanding on the necessity of an ATT.

Fourth,

Finally, for the ATT process at the United Nations to achieve a meaningful result, it is indispensable to have a cross board understanding and support from the citizens of the Member States. For that purpose, governments and civil society could work together in outreach activities on an ATT.

4. The role of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific (RCPD)

Finally, let me refer to the role of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific. This centre was established in 1987 as the operational arm of UN Office for Disarmament Affairs (UNODA), in this region and was relocated from the Headquarters in New York to Kathmandu, Nepal last August. It serves 43 countries in the Asia Pacific region. The RCPD's main programmatic areas are a) promotion of global disarmament and non-proliferation norms, b) enhancement of regional dialogue on disarmament, non-proliferation and security matters and c) outreach and advocacy activities.

The Centre has been holding annual disarmament related conferences over two decades in Japan and for eight times in the Republic of Korea since 2002. We also attach great importance to the conventional arms issues such as combating illicit brokering projects and strengthening of the UN Register of Conventional Arms.

The discussion on an ATT is also of our great interest. On Feb. 25, the Centre, together with IANSA, organized a workshop on small arms and light weapons in Kathmandu which also addressed the issue of an ATT. The RCPD would like to work side by side with all the Member States and the civil society in the region to help achieve a meaningful result on this important issue for the international community.