

THE ARMS TRADE TREATY - AN INDUSTRY VIEW

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TOPICS TO BE COVERED

- Potential benefits for companies engaging with the ATT.
- How companies can facilitate compliance with ATT provisions and international/regional export control policies in general.
- Raising awareness of the ATT for an industry audience.

POTENTIAL BENEFITS FOR COMPANIES

ENGAGING WITH THE ATT

- They can demonstrate their best practices, compliance efforts and corporate social responsibility in what can be a complex supply chain environment to a wide and mixed audience.
- They can work with states and civil society, who both generally lack practical experience of doing business and look at issues through different optics, to support Treaty implementation in a practical and responsible way, that doesn't unnecessarily tie industry up in knots when there is no need to do so.
- Engaging and assisting with efforts to universalise the Treaty isn't just an altruistic exercise. The more countries that fully implement the provisions of the Treaty the easier it may be for companies to obtain licenses to export to those countries. Equally, if a country fully implements the Treaty and has, or wants to develop, its own industrial base it may become a more attractive supply chain partner for bigger companies.

FACILITATING COMPLIANCE WITH ATT PROVISIONS AND EXPORT CONTROL POLICIES IN GENERAL

- Industry is capable of raising awareness of the objectives and purpose of the Treaty and supporting its implementation. There are already people willing and able to do that within our community.
- That said, companies need direction on when to carry out those tasks, they cannot be done in isolation. Facilitation could most usefully be achieved as part of outreach efforts organised through the ATT or States Parties. A country cannot enforce export controls purely on the back of legislation and a set of offences and dissuasive penalties against offenders. It will fail if it does not cultivate a good working relationship with its reputable companies. We can work with both regulators and the regulated to explain what we do, how we work with our governments and how they can implement ATT compliant policies and procedures.

RAISING AWARENESS OF THE ATT FOR AN INDUSTRY AUDIENCE

- In many respects the responsibility for raising awareness rests with States Parties. They implement the Treaty through their export control legislation and associated procedures. Unless they provide their domestic industry with information on the Treaty, its importance and how industry can assist in its implementation it won't get noticed. There is nothing to join the dots apart from may be minor references to implementing international obligations and commitments.
- Some trade associations in Europe (ASD) and the UK (ADS) do try and make their industry aware. However, there are headwinds that have never been stronger. For us in the West the pandemic, early retirement of experienced staff, the huge amount of work in implementing Russia sanctions and a range of other government initiatives have left industry short of compliance professionals. To be fair some governments are also experiencing similar difficulties. Raising awareness won't be easy – are there good news stories that the Secretariat, individual States or NGOs can share that could stimulate industry interest and participation?

RAISING AWARENESS OF THE ATT FOR AN INDUSTRY AUDIENCE

- Many company export control staff if they don't have an understanding of, or interest in, international or government relations will find the formal CSP process a somewhat frustrating experience! The odd side event will not be enough to tempt them to come to Geneva.
- The format of the UNIDIR/Stimson brainstorming event held in January may be the way to go. Governments or Trade Associations could also usefully play a role in facilitating or hosting such events, which could be aimed at either a domestic or regional audience. Conclusions from these events could be fed into the formal ATT process to help guide further work.