

ISIS focus

INSTITUTE OF STRATEGIC AND INTERNATIONAL STUDIES (ISIS) MALAYSIA

PP 5054/11/2012 (031098)

October 2015

Mexico and the Fight Against the Irregular Trade in Arms

By

Jorge Lomónaco

Permanent Representative of Mexico to the international organisations in Switzerland and President of the First Conference of States Parties to the Arms Trade Treaty



Source: Flickr/Jonathan James

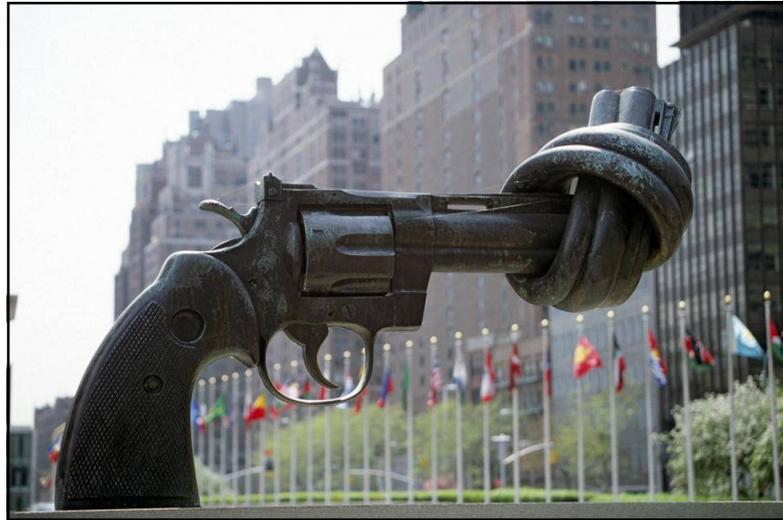
For centuries, trade has been one of the drivers of civilisation. Aside from being a tool for progress and development for humankind, it has also motivated conflict and has been used for criminal activities. That is why, over time, trade has been subject to regulations through multiple international agreements.

Contents:	Mexico and the Fight Against the Irregular Trade in Arms	1
	Solutions for Sustainable Development	5
	Australia and Malaysia: Partners for the 21st Century	9

It was henceforth difficult to explain why it had not been possible to regulate the international trade of such sensitive products as arms, until the recent adoption of the Arms Trade Treaty (ATT) by the United Nations (UN) General Assembly only two years ago.

The ATT expressly prohibits arms transfers whenever there are sanctions imposed by the UN Security Council or when they can be used to commit genocide, war crimes or crimes against humanity.

The *Non-Violence* sculpture by Carl Fredrick Reuterswård outside the United Nations Headquarters in New York City



Source: UN News Centre

For the first time, the treaty establishes common international rules and standards to regulate the international trade of conventional weapons and to prevent and eliminate their illicit trafficking. The ATT expressly prohibits arms transfers whenever there are sanctions imposed by the UN Security Council or when they can be used to commit genocide, war crimes or crimes against humanity.



Source: www.peacewomen.org

Furthermore, States Parties are bound not to authorise arms sales if there is a manifest risk that they may be used to commit or facilitate terrorist acts or offenses associated to transnational organised crime. The treaty also has explicit provisions on human rights, including measures to prevent gender-based violence.

In sum, the ATT is a true achievement by the international community. It is the result of the joint efforts between civil society and a coalition of countries committed to control this scourge, in which Mexico played a key role.

To guarantee these purposes, the treaty established the creation of a registry, which will be fed by annual reports from States Parties regarding their imports and exports of weapons. The cross reference of these reports will allow the identification of possible discrepancies revealing illegal transfers of conventional arms.

This process will facilitate the tracking and confiscation of weapons possessed illegally, and the punishment of smugglers.

The preventive nature of the treaty is therefore obvious, as is its potential to tackle the illicit arms market, which is a breeding ground for transnational organised crime and for human rights violations.

Be it for its relevance, for the urgency of the matter, or for the fact that this is the first international instrument on security affairs adopted by the UN in a decade, the truth is that the international community has responded enthusiastically, ratifying the treaty at an unprecedented rate. This allowed for its rapid entry into force on 24 December 2014, just 20 months after its adoption, and thus led to conveying the First Conference of States Parties to the ATT. Its main objective is to establish the institutional framework of the treaty's regime by adopting its rules of procedure, as well as the necessary financial and operational arrangements.

Given the importance that Mexico adheres to this issue, evidenced in its activism on security and arms control affairs in general and in its active participation during the negotiation of the treaty, we offered to host this first conference, undertaking a complex preparatory process.

This landmark event, which took place in Cancun, included a high-level segment, chaired by Foreign Minister Jose Antonio Meade Kuribeña, and the participation of

Foreign Minister, Jose Antonio Meade Kuribeña, opened the First Conference of States Parties to the ATT on 24 August 2015



Source: Embassy of Mexico in Malaysia

... States Parties are bound not to authorise arms sales if there is a manifest risk that they may be used to commit or facilitate terrorist acts or offenses associated to transnational organised crime.

Foreign Ministers from several countries, as well as senior UN officials and representatives of civil society and industry from all around the world.

With its great host credentials, extensive diplomatic tradition and its recognised ability to forge agreements between different positions, Mexico made a significant contribution during the four-day meeting to the consolidation of a regime that has the potential to reduce substantially the illicit trade in conventional arms and thus protect the lives and rights of millions of human beings around the world.

This was a Paper for the First Conference of the State Parties to the ATT, held from 24 to 27 August 2015 in Cancun, Mexico. This article was originally published in Spanish in "Milenio" on 24 August 2015.



Solutions for Sustainable Development

By
Alizan Mahadi
Fellow, ISIS Malaysia

If a dollar is gained every time sustainable development is mentioned, it will probably be enough to fund all the solutions to combat the world's most pressing challenges.

At the recent World Economic Forum in Davos, influential figures such as Bill Gates, Unilever CEO Paul Polman and Norwegian Prime Minister Erna Solberg were only some of the leaders that spoke in support of sustainable development. Even John Sauven, director of Greenpeace, was reported to be pleasantly surprised noting that many global corporations that Greenpeace have previously campaigned against are now passionate in issues such as removing deforestation from the supply chain.

The surge in rhetoric seems to suggest that sustainable development is a top global priority. Evidence, however, continue to tell an unflattering story.

In an annual global CEO Survey produced by PwC regarding key global risks, only 10 per cent registered concern on climate change last year. This year, it did not even make the top 19 risks. Changes in biodiversity due to human activities were more rapid in the last 60 years than at any time in human history and continue to accelerate. Inequality is rising in most parts of the world. Most countries, Malaysia included, face the crisis of rising frequency and intensity of natural disasters. The list goes on.

Many have dubbed 2015 as the year of sustainable development. The ubiquity of sustainable development, in large, can be attributed to the Sustainable Development Goals (SDGs) which will replace the Millennium Development Goals (MDGs) at the end of the year as the global development agenda. The SDGs strive to implement what is often considered an ambiguous concept. While more and more agree that moving towards sustainable development is the right way to go, translating the rhetoric into actions is proving rather more difficult.

Image 1: Millennium Development Goals (MDGs)



Source: africanripples.com/un-moves-to-adopt-sustainable-development-goals-sdgs-as-mdgs-expires/

Image 2: Sustainable Development Goals (SDGs)



Source: www.wri.org/blog/2015/09/sustainable-development-goals-setting-new-course-people-and-planet

Governments will play a crucial role in creating and enforcing policies that can steer desired actions. With government expenditure at roughly 12 to 15 per cent of the gross domestic product (GDP) in Malaysia, it can also be a leader in creating a more sustainable supply chain. In many cases, however, there is only so much that governments can do. While it can catalyse actions through instruments such as taxes, subsidies, research targeting and dissemination of information, much of the technological innovation as well as lifestyle choices required are beyond the control of the government.

Businesses will be at the centre of innovating technologies and solutions and are beginning to address the triple bottom line — people, planet and profit. However, a recent white paper by Aviva, the United Kingdom's largest insurance company, entitled *A Roadmap for Sustainable Capital Markets* acknowledged that there is a philanthropic insufficiency — where it is irrational to assume that investors will incorporate social and environmental costs as they do not affect financial figures that appear on the balance sheet.

Academia as well as civil society organisations will continue to play a major role in generating public awareness and understanding of the nature of the challenges. Generating actions, however, will require linking knowledge with markets and policymaking — where not many researchers and nongovernmental organisations excel at.

The reality is that the interconnected nature of the challenges calls for collective action.

The Sustainable Development Solutions Network (SDSN), under the auspices of United Nations Secretary General, Ban Ki-moon, and led by Professor Jeffrey Sachs of Columbia University, seeks to do just that — to instigate a new era of intensive problem solving through a network of scientific, business, civil society and policy experts from all around the world.

The SDSN Malaysia Chapter, led by Professor Tan Sri Zakri Abdul Hamid, the Science Advisor to the Prime Minister, has begun to compile solutions that contribute towards sustainable development. In the search for solutions, many impressive initiatives were found.

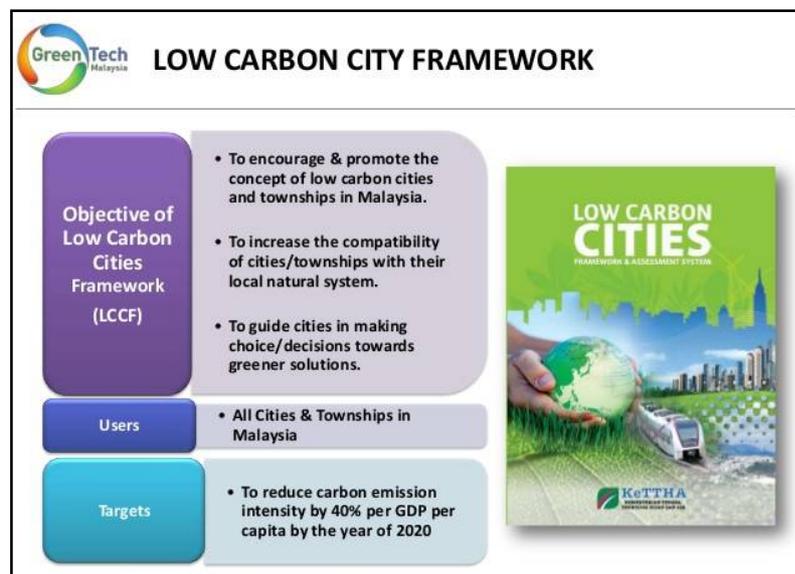
Among them were high-tech ‘smart villages’, which are currently under construction (see Image 3). It provides affordable homes, high-tech educational, training and recreational facilities, with an integrated, sustainable farm system providing villagers with food and employment — lifting incomes for scores of rural families while promoting environmental sustainability. The low carbon city framework by the Ministry of Energy, Green Technology and Water and its partners offers a guide to planning low-carbon cities and their management, including an assessment system enabling the calculation of a carbon footprint baseline and the measurement of changes in emissions from a particular development (see Image 4).

Image 3: House on the ‘smart village’ site of Rimbunan Kaseh, northeast of Kuala Lumpur



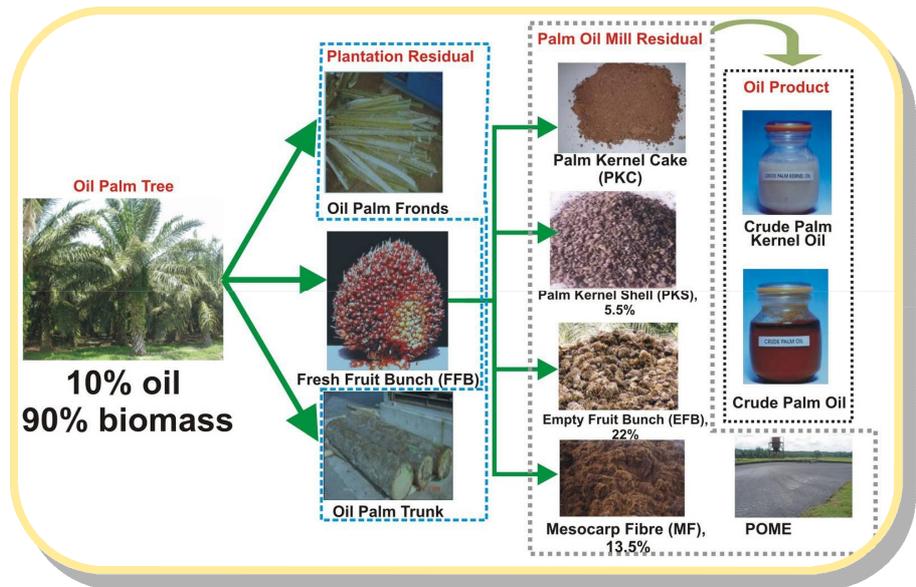
Source: Malaysian Industry-Government Group for High Technology (MIGHT)

Image 4: Low Carbon City Framework



Source: GreenTech Malaysia

Image 5: Types of Oil Palm Biomass



Source: BioEnergy Consult

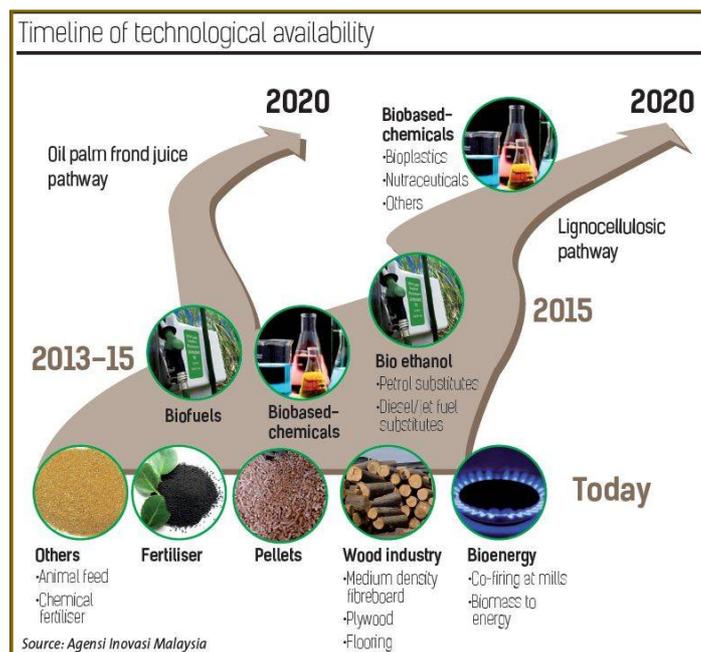
True sustainable development can only be achieved if it is a common vision shared throughout society ...

Another initiative, MYBiomass, is a special-purpose vehicle dedicated to turning waste into wealth through pioneering technology for converting oil palm industry's waste biomass and refining it into high value green chemicals (see Image 5 and Image 6). Many other encouraging solutions continue to be found through the network.

While these solutions are very promising, achieving sustainability will require them to be rolled out on a larger scale and mainstreamed across all sectors.

This goes beyond technological fixes and requires a rather more human solution. Ban Ki-moon's report on the SDGs entitled *The Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet* framed it as a question of ethics. True sustainable development can only be achieved if it is a common vision shared throughout society, ensuring that all walks of life actively and voluntarily pursue solutions and lifestyles that contribute to a more secure future.

Image 6: Technological Availability



Australia and Malaysia: Partners for the 21st Century

By

Fahmiya Mohamed Ismail

Intern, ISIS Malaysia;

MA Candidate, American University, Washington, DC



Julie Bishop

Australia and Malaysia have been regional partners for many years, cooperating in strategic, economic and cross-cutting issues of mutual concern and interest. In an increasingly globalised world and a more prosperous region, this cooperation seems set to grow even more. In 2015, the two countries celebrate a six-decade relationship that spanned before Malaysia declared its independence.

Today, Australia and Malaysia have a multifaceted security partnership that works to maintain security in a more dynamic environment. They work together to develop strategies for combating non-traditional threats like terrorism, human and drug trafficking, natural disasters, violent extremism, as well as transnational crimes. The disappearance of Malaysia Airlines flight MH370 and the downing of flight MH17 were a turning point in Australian-Malaysian relations. Australia was a key ally in the search for the missing flight MH370. Australia was also a partner to Malaysia with its support of the creation of a United Nations tribunal tasked with investigating the shooting down of flight MH17. Australia and Malaysia's joint response on these two tragedies exemplifies their close relationship, as well as their ability to work together towards positive results.

One major test of Australian-Malaysian relations has been the issues stemming from the South China Sea. Since 70 per cent of Australia's trade passes through the waters, stability in the region is closely linked to Australia's prosperity. Australia remains concerned over the unnecessary increase in tensions due to land reclamations and construction work by claimant states. The Association of Southeast Asian Nations (ASEAN) plays a critical role in working towards a peaceful and stable resolution. Conflict resolution and a peaceful settlement could also be achieved through mechanisms such as the ASEAN Regional Forum, East Asia Summit (EAS) and bilateral dialogues.

Since the 20th century, when the trading ports of Malacca assisted in industrialising Australia to today's robust trading relationship — where both countries are among each other's top ten trading partners — both have greatly benefited from this relationship. The recent increase in Malaysia's protectionist policies has therefore



Participant poses a question

been concerning. Australia would like to promote the increase of economic integration and liberalisation in order to continue its mutual trade and success with Malaysia. At the 26th ASEAN Summit earlier this year and recent EAS Foreign Ministers' Meeting, Australia renewed its support for the ASEAN Economic Community and the free trade agreement with Malaysia. It is imperative for both countries to work towards simplifying access to one another, not building new barriers.

The new Colombo Plan is dedicated to expanding the people-to-people relationship in education ... designed to increase understanding and foster relationship that will last for generations.

Despite the importance of trade and security, education has been the key pillar of Australian-Malaysian relations. Going back to the Colombo Plan in the 1950s, Malaysia has been exporting scholars to Australia for decades. Over time, the total Malaysian student enrollment in Australian educational institutions has grown exponentially, especially in the past few decades. The launch of a new Colombo Plan in Kuala Lumpur — an initiative of the Australian government — is dedicated to expanding the people-to-people relationship in education. The Plan was designed to increase understanding and foster relationship that will last for generations.

Australia and Malaysia have worked together on multiple issues for decades. As natural partners with mutual interests, Australia is committed to bolstering its relationship with Malaysia. The two countries still have plenty to offer to one another; the opportunities for growth in trade, security and education are endless.



Participants at the forum

On 7 August 2015, we were privileged to host the Hon Julie Bishop MP, Australian Minister for Foreign Affairs, at our ISIS Malaysia International Affairs Forum. The event, held at Intercontinental Hotel in Kuala Lumpur, was jointly organised with the Australian High Commission. Bishop offered her take on why a closer partnership between Australia and Malaysia will benefit both countries as well as the region. The points highlighted in this article were taken from her talk.



INSTITUTE OF STRATEGIC AND
INTERNATIONAL STUDIES (ISIS) MALAYSIA

The Institute of Strategic and International Studies (ISIS) Malaysia was established on 8 April 1983 as an autonomous, not-for-profit research organisation. ISIS Malaysia has a diverse research focus which includes economics, foreign policy, security studies, nation-building, social policy, technology, innovation and environmental studies. It also undertakes research collaboration with national and international organisations in important areas such as national development and international affairs.

ISIS Malaysia engages actively in Track Two diplomacy, and promotes the exchange of views and opinions at both the national and international levels. The Institute has also played a role in fostering closer regional integration and international cooperation through forums such as the Asia-Pacific Roundtable, the ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS), the Pacific Economic Cooperation Council (PECC) and the Network of East Asian Think-Tanks (NEAT). ISIS Malaysia is a founding member of the Council for Security Cooperation in the Asia-Pacific (CSCAP) and manages the Council's Secretariat.

As the country's premier think-tank, ISIS Malaysia has been at the forefront of some of the most significant nation-building initiatives in the nation's history. It was a contributor to the Vision 2020 concept and was consultant to the Knowledge-Based Economy Master Plan initiative.

Editorial Team

Dato' Steven Wong
Susan Teoh
Joann Saw

Design

Razak Ismail
Jefri Hambali

Photography

Jefri Hambali
Halil Musa

Published by

Institute of Strategic and International Studies (ISIS) Malaysia
No 1, Persiaran Sultan Salahuddin
PO Box 12424, 50778 Kuala Lumpur, Malaysia

T: +603 2693 9366

F: +603 2691 5435

E: info@isis.org.my

W: www.isis.org.my



Institute of Strategic and International Studies (ISIS) Malay-



ISIS_MY