

IS AUSTRALIA ARMING HUMAN RIGHTS ABUSES? AUSTRALIA’S OPAQUE ARMS EXPORT INDUSTRY & RESPONSIBILITIES UNDER INTERNATIONAL LAW

Final Draft April 2025

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As Quakers we seek a world without war. We seek a sustainable and just community. We have a vision of an Australia that upholds human rights and builds peace internationally, with particular focus on our region. In our approach to government we will promote the importance of dialogue, of listening and of seeking that of God in every person. We aim to work for justice and to take away the occasion for war.

EXECUTIVE SUMMARY

Australia has an obligation to ensure its military trade does not support human rights abuses. The Arms Trade Treaty, which Australia championed, is falling short of its vision to reduce harms from the military industry globally. Australia's current military trade architecture fails basic standards of public accountability as well as undermining the vision of the Arms Trade Treaty. Australia should review and amend our infrastructure to provide transparency and as an example of global best practice and leadership in arms control.

1. Global military expenditure is USD \$2.4 trillion p/a, 10 times development assistance. The historical lack of regulation of the arms trade has massive implications for global human security.
2. The global military industry is responsible for 40% of global corruption, regulation is key.
3. The Arms Trade Treaty (ATT) came into force 10 years ago, with Australia playing a pivotal role in its formation. Australian diplomat Peter Woolcott presided over final negotiations. The ATT establishes global standards, forbidding arms sales when there is a risk of them being used to violate human rights, including war crimes.
4. Recent Australian Governments have set a goal for Australia to become one of the ten largest military exporters globally, including developing significant infrastructure to grow the industry.
5. Australia's military industry is opaque – Government Departments report vastly different information from different methodologies and data sources. In 2023-5 the Department of Defence issued permits for \$103,084 million, and DFAT issued four different sets of figures indicating actual exports at between \$267 million and \$636 million.
6. Australia's military industry is growing rapidly. Australia has doubled its percentage share of global military exports of major arms in four years. From 2020-2023 figures indicate that Australia's actual exports may have doubled, and permits have increased in value by 3000%.
7. Neither the Australian public nor the parliament know what weapons (including components) are being exported, by what companies, to whom or for what purpose. Not even the Department of Defence, which issues export permits, knows what is actually being exported.
8. Australia has recently exported to regimes where there are serious human rights concerns- Saudi Arabia, United Arab Emirates, Philippines, Sudan, South Sudan, Israel, Indonesia. Because of the lack of public information, it is unclear whether these exports have been directly used in human rights abuses.
9. The Arms Trade Treaty Monitor concludes that Australia's ATT reports lack meaningful transparency, due to excessive aggregation obscuring critical details, such as weapons sub-categories and destinations of exports.
10. Other countries with similar or higher levels of military exports, such as the UK, France, Belgium, the Netherlands, Germany and Spain, fulfill their transparency obligations much better than Australia.
11. A recent report funded by the Australian and UK governments reported eroding levels of transparency globally, significantly impacting on the efficacy of the Arms Trade Treaty.

<p><i>The lazy binary of security versus transparency obscures that transparency is usually on the same side of the ledger as security. Governments could make Australians safer by improving transparency.</i></p> <p><i>Richard Dennis, The Australia Institute, Sept 2024²</i></p>	<p><i>Amnesty International has serious concerns as to Australia’s adherence to both the spirit and letter of the Arms Trade Treaty ...If the Australian government wants to ensure public trust in Australia’s defence export system, then it is within the power of the Australian government to build a system that engenders that trust. August 2024³</i></p>	<p>In relation to Australian military exports: <i>there is no justification for the current level of secrecy, as practice amongst our allies clearly indicates.</i></p> <p>Professor Ben Saul, Challis Chair of International Law, UN Special Rapporteur for Human Rights & Counterterrorism, August 2024⁴</p>
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GLOBAL CONTEXT – MASSIVE TRADE THAT CAUSES SIGNIFICANT HARM

Conventional weapons cause enormous harm worldwide. It is estimated that half a million people die each year due to armed violence⁵. **Twelve billion bullets are made every year. Almost enough to kill everyone in the world, twice⁶.**

Global military expenditures continue to rise significantly year on year - with 10 times the amount of money globally spent on military trade than on overseas development assistance.

Global military expenditure USD\$2,400 billion⁷ (6.8% percent increase in 2 years)

Official development assistance USD \$224 billion⁸ (6% increase in 2 years)

Small arms and light weapons are key enablers of gender-based violence, often used as a tool for intimidation as well as direct violence. The illicit proliferation of small arms is a key factor in conflict-related sexual violence⁹ and “in countries with high rates of female homicides, firearms are used in more than three-quarters of cases”¹⁰.

<p>The international arms trade has been largely unregulated, having massive ramifications for global human security. <i>It is estimated that roughly half a million people are killed every year with firearms; in the battlefield as a result of state repression and by criminal gangs.</i></p> <p><i>Many other millions around the world die because they are being denied access to health care, water or food as they are trapped in conflicts fuelled by the poorly controlled flow of arms.</i></p> <p><i>And for every person who is killed in conflict and armed violence, we have to consider the many more who are injured and tortured, abused, forcibly disappeared, taken hostage or otherwise denied their human rights down the barrel of a gun¹¹.</i></p> <p style="text-align: right;">Amnesty International</p>	<p><i>The international community must restore the vision of disarmament as a crucial path towards sustainable peace and security, and we stand ready to continue assisting you in your efforts.</i></p> <p>ICRC International Committee of the Red Cross speech at the UN General Assembly, 2023¹²</p>
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AUSTRALIAN MILITARY INDUSTRY

CONCRETE INFORMATION ABOUT AUSTRALIAN MILITARY TRADE IS SPARSE

A former senior figure at the Australian Strategic Policy Institute has said that Australia's export systems are "at best opaque and at worst negligently poor"¹³.

Neither the Australian parliament nor the public know what weapons are being exported, by what companies, to whom, or for what purpose¹⁴.

The Australian National Audit Office ... stated that ... even the Department of Defence didn't know what was being exported since there was no obligation for companies to report exports or for the department to collect that data¹⁵.

Government Departments give widely divergent estimates in the value of defence exports. Part of the reason for this is the Department of Defence gives information about export permits granted, while the Department of Foreign Affairs and Trade and the Australian Bureau of Statistics report on actual exports. Differences within and between Government Department's categorisation of exports also leads to divergent figures. DFAT for example issues four different sets of trade figures, which give vastly different estimates of the industry – with different categories varying by hundreds of millions of dollars¹⁶. In 2023-4 figures provided about the value of defence exports (or permits) were¹⁷

Department of Defence (Export Office)	\$103,084 million
Department of Foreign Affairs & Trade (AHECC data)	\$ 267 million
Australian Bureau of Statistics	\$ 417 million

AUSTRALIAN MILITARY INDUSTRY IS GROWING RAPIDLY

In 2018, with Christopher Pyne as Defence Minister, the Australian Government launched a defence export strategy to make Australia one of the world's top 10 weapons exporters within the decade¹⁸. It established extensive public infrastructure to support the growth of the industry. The plan was criticised by Amnesty International, Oxfam Australia and Save the Children. While Labor criticised the announcement in opposition, it has continued and grown the program since coming to Government.

Australia is now one of the world's 20 largest exporters of major arms (at 16th position)– accounting for 0.6% of global exports, double what it was four years ago¹⁹. Australia also sells a significant number of small arms and munitions.

Looking at Government supplied figures, while there is a confusing range of statistics, one thing is consistent - **Australia's exports are also growing rapidly**. Comparing Government data from the three years from 2020-1 to 2023-4:

Government Department	2020-1 (in millions of AUD)	2023-4(in millions of AUD)	% increase
ABS ²⁰	\$165	\$417	152%
Department of Defence (export permits approved) ²¹	\$2691	\$103,083	3750%
DFAT (AHECC figures) ²²	\$138.5	\$266.9	93%

DEFENCE EXPORT CONTROLS INFRASTRUCTURE

PERMIT SYSTEM

The *Defence and Strategic Goods List (DGSL)*²³ is a list of currently 2,500 items that are regulated by Australian export controls. Permits are required whether goods are being exported or otherwise transferred outside Australia's jurisdiction for any other purpose (such as repair or display). These items are separated into two parts – Part 1 which are items specially designed for military use; and Part 2 which are dual use items.

Exporting items on the DGSL requires an export permit, unless an exception is applied.

As part of AUKUS, Australia has legislated for a 'licence-free environment' between AUKUS partners, waiving the requirement for export permits²⁴. The US and UK are major trading partners, in 2022 they made up nearly two thirds of the entire value of DGSL permit applications²⁵. This shift will render export permit data irrelevant in terms of mapping export trends.

The broad criteria to assess export permits is contained in regulations in the Customs Act which stipulate 12 criteria that the Government must use in deciding whether to approve an export permit²⁶. These criteria include compliance with international law as well as defence and national security interests. In making decisions about exports, it is unclear how these criteria are weighted or applied. We do not know if an export permit might be approved if for example it is assessed as in Australia's national interest but also is at risk of being used in human rights violations.

It is also not publicly known how Australia interprets and applies requirements of international law. Specific elements of the Arms Trade Treaty are not present in the regulatory criteria - such as a requirement to refuse a permit if there is a risk the item would be used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children. It is not known how Australia interprets the key articles in the Arms Trade Treaty, and how it determines risk under these articles. It is unclear what government departments are involved and what consideration is given to their advice. It is also unclear whether it considers evidence such as Human Rights Council mandated reports, United Nations reports on specific country situations and rulings of investigative tribunals.

Canada and the EU provide an alternative model which provide detailed information about their criteria and make public their guidelines about how they apply criteria. Their criteria also explicitly include consideration of how human rights and humanitarian law are observed in the destination country of the goods²⁷.

DISPERSED RESPONSIBILITY AMONGST GOVERNMENT DEPARTMENTS

- **Department of Foreign Affairs and Trade** – has primary responsibility for Australia's international relations, including oversight in managing any negotiations on treaties²⁸, responsibility for sanctions on overseas parties²⁹, and ensuring Australian compliance with international law³⁰.

In terms of nuclear and chemical weapons, DFAT has responsibility for both expert advice as well as regulation of trade, including the issuing of permits, through the Australian Safeguards and Non-Proliferation Office (ASNO)³¹.

However, in relation to conventional weapons, DFAT does not have primary responsibility for regulation of permits, this is currently managed by the Department of Defence.

DFAT's primary role appears to be reporting. It produces the annual reports to the Arms Trade Treaty Secretariat³², based on export permit information supplied by the Department of Defence. It also produces trade reporting data based on ABS data about actual exports and imports³³.

While DFAT provides its views on some defence export applications, it is unclear how frequent this is. It also appears that there is no obligation for these views to be taken into account, as Defence makes the overriding risk assessment for any permit³⁴.

- **Department of Defence** – has responsibility for both promoting and regulating defence trade. The same Division manages both the Defence Export Controls Branch, which issues permits, and the Defence Export Office which “supports the success of Australian defence industry”³⁵. It is unclear how the Department deals with this potential conflict of interest to both expand and regulate the same industry. It is also unclear how it approaches the legislative criteria about whether to approve permits, when it might take advice from other Government Departments and whether it is obliged to follow this advice.
- **ABS** collects information on actual exports, but relies on self-reporting from exporters about categories and information about exports³⁶;
- **Border Force** – has responsibility for monitoring compliance with export permits – but once goods leave Australia's jurisdiction, it appears there is no oversight. In Senate Estimates in 2023 DFAT officials stated that “**The export control regime, as legislated in Australia, does not apply extraterritorially...We don't have a remit to seek to control the good once exported.**”³⁷ It is unclear whether the 2024 Defence Trade Controls Amendment Act, as part of AUKUS, changes this situation.

WHAT IS AUSTRALIA ACTUALLY EXPORTING?

There is no public comprehensive list of what Australia is actually exporting – as an Australian Strategic Policy Institute paper states public information on Australian defence exports relies on “sporadic self-reporting and occasional media attention”³⁸.

However, the Australian Government's Defence Export Catalogue³⁹, and the Defence Industry Guide⁴⁰ list thousands of products and services that are available for export. Some of these include (non-exhaustive list):

WEAPONS PLATFORMS:

- **Armoured Vehicles:** Australian Light Armoured Vehicle (ASLAV) (sold second hand after use by ADF); Bushmaster & Hawkei Protected Mobility Vehicles;
- **Ships:** Leeuwin Class Hydrographic Survey Ships; Huan Class Minehunter Coastal (MHC); High Speed Support Vessel 72; Speartooth Large Unscrewed Underwater Vehicle
- **Aircraft:** Aerosonade Tactical Unmanned Aircraft System (able to be armed); and parts such as the Paratroop Door Negator Spring and a Modular Electronic Attack Capable Air Target;
- **Other vehicles:** Cranes & Trailer floats; Explora robots, Rough Terrain Vehicle

WEAPONS SYSTEMS:

- Rifles
- AMAP QTD MC Sniper System – Anti Materiel Anti-Personnel sniper system
- Remote Weapons Systems (turrets to mount weapons) & other weapon mounts
- Suppressors for sound, flash, and muzzle blast reduction

AMMUNITION, EXPLOSIVES AND PROPELLANTS

- Propellants and motors for tactical boosters and munitions.
- Large calibre 155mm projectile parts
- Small arms ammunition components including for a range of mortars and projectiles
- Precision long range munitions for sniper weapons.

RECONNAISSANCE/SURVEILLANCE

- Various Patrol & Sentinel Boats
- Underwater Drones
- Sonar Arrays

COMMAND CONTROL COMMUNICATIONS COMPUTERS AND INTELLIGENCE

- Items for electronic warfare
- Reconnaissance
- Asset management systems
- Simulations software
- Combat management systems

SPACE CAPABILITIES

- Satellite ground stations (and components)
- Rocket Launch Capabilities
- Orbital launch services
- Spacecraft mission delivery services
- Satellite architecture
- Responsive Space Operations Centre

MILITARY LOGISTIC EQUIPMENT

- Training, training management systems
- Transport Vehicles, aircraft and ships
- Bridge Erection Boats
- Cranes, Trailers and Floats

ANCILLARY GOODS & SERVICES:

- Ballistic Testing of armour
- Health Systems & medical support services
- Disposal Scrapping Services
- Dangerous Goods Storage Containers
- Protective armour including personal equipment and steel for vehicles (including Bisalloy Steel for Armoured Personnel Carriers and Light Armoured Vehicles referred to in section on exports to Israel)
- Uniforms
- Field Logistics including medical equipment, catering, housing and waste disposal
- Storage and Freight Services/Equipment

INDUSTRY SUPPORT

- Production of parts
- Provision of Mechanical Services including maintenance, spare parts.

EXAMPLES OF AUSTRALIAN EXPORTS THAT MAY BE COMPLICIT IN HUMAN RIGHTS ABUSES

The following are global contexts of significant human rights violations, and where Australian defence export permits have been issued. Only one of these jurisdictions (Philippines) is a State Party to the Arms Trade Treaty.

Without more information about the nature of Australia's military exports, the public cannot have confidence that Australia's exports haven't been used to commit human rights abuses. In the case of Israel, the information strongly suggests that Australia's exports have been used to commit human rights abuses.

SUDAN – AUSTRALIA ISSUED EXPORT PERMITS TO BOTH SUDAN AND SOUTH SUDAN.

Since mid- 2023 Sudan has been engulfed by fighting, with over 16,650 people killed and millions displaced, making Sudan the largest global internal displacement crisis. Amnesty reports that “All parties to the conflict are using a wide variety of arms to commit serious violations of international human rights and humanitarian law, in some instances amounting to war crimes and crimes against humanity”⁴¹. Atrocities committed by armed groups include widespread gender-based violence, including rape and gang rape as well as abductions of women and girls⁴².

Sudan is being described as a Saudi-UAE proxy war⁴³. Amnesty International has identified recently manufactured weapons from countries such as the UAE being imported into Sudan, directly into the hands of parties accused of serious human rights abuses⁴⁴. The Canberra-based Australian company Electro-Optic Systems (EOS) is exporting remote weapons systems to *both* the United Arab Emirates and Saudi Arabia⁴⁵. We do not know whether Australian made EOS remote weapons systems are being used by either warring party as the war escalates.

The UN Security Council has an arms embargo against the Darfur region in Sudan⁴⁶. Australia has issued military export permits directly to Sudan in 2017; 2018; 2019; 2021; 2022⁴⁷.

South Sudan also experienced civil war from 2013-2020. The UN Security Council imposed an arms embargo on South Sudan in 2018⁴⁸ which remains in place. Australia issued military export permits to South Sudan in 2017, 2018, 2021⁴⁹.

Because there is neither public information about what these permits were for, nor any monitoring of permits issued or indeed actual exports, we cannot be confident that items exported by Australia have not been used in these wars. We also do not know whether any of the export permits had an assessment of the risks of them being used to commit gender-based violence.

YEMEN – AUSTRALIA DIDN'T STOP SALES TO UAE AND SAUDI ARABIA EVEN WHEN UN EXPERTS SAID SUPPLYING WEAPONS WAS PERPETUATING THE CONFLICT

“After nine years of war, Yemen remains one of the world's worst humanitarian crises. An estimated 4.5 million people—14 percent of the population—are currently displaced, most of whom have been displaced multiple times in recent years. Two-thirds of the population of Yemen—21.6 million people are in dire need of humanitarian assistance and protection services.⁵⁰”

In 2019 an ABC report revealed⁵¹ that Australian company EOS was selling remote weapons systems directly to the UAE military as well as to Saudi Arabia's interior ministry. Both Saudi Arabia and the

UAE have been directly involved in the war in Yemen. In 2021 EOS announced⁵² it was going to develop a new high-tech “chain-driven machine gun” in the UAE.

A report presented to the UN Human Rights Council in 2020 stated parties to the conflict “continue to show no regard for international law or the lives, dignity, and rights of people in Yemen, while **third states have helped to perpetuate the conflict by continuing to supply the parties with weapons**”⁵³. In response the USA and other European countries halted their sales to Saudi Arabia and the UAE, however Australia continued exports, despite direct calls from human rights groups for them to stop⁵⁴.

Human Rights Watch reported that Saudi *border guards* systematically killed hundreds of Ethiopian migrants and asylum seekers along the Yemen-Saudi border in 2022 and 2023 in what may amount to crimes against humanity⁵⁵. **Descriptions of military equipment used in the killings in the Human Rights Watch report match the EOS remote weapons systems sold by Australia.** EOS indicated that the equipment was being supplied for *border operations* for Saudi Arabia⁵⁶.

It seems incumbent on the Australian Government to investigate whether Australian weapons have been used in any war crimes by Saudi border guards.

PHILIPPINES – AUSTRALIAN EXPORTS APPROVED DESPITE EXTRAJUDICIAL KILLINGS BY GOVERNMENT

Australia has approved multiple export permits to the Philippines in the last year⁵⁷. It is not known what these permits are for, but they conceivably include weapons or munitions.

The US State Department has raised significant and persistent concerns about extensive human rights concerns within the Philippines, including extrajudicial killings by police, arbitrary arrest and abuse, Government arming of barely trained militia groups, and impunity for security forces and Government officials.⁵⁸

INDONESIA – AUSTRALIA EXPORTED BUSHMASTERS MAY BE USED IN WEST PAPUA

Australia has approved multiple export permits to Indonesia in the last year⁵⁹. While we don’t know what all these are for, we do know that in 2023 Australia donated 13 Bushmaster Armoured Vehicles to Indonesia⁶⁰. Indonesia is not a part of the Arms Trade Treaty. Bushmasters would be well suited to Indonesia’s military activities in West Papua.

Amnesty International has reported that Indonesian forces in West Papua in 2023 alone perpetrated 58 unlawful killings in West Papua⁶¹. We have no way to be certain that our Bushmaster vehicles or any other of our military exports have not been part of these killings.

ISRAEL - AUSTRALIAN MILITARY TRADE IS CLEARLY OCCURRING BUT DETAILS ARE UNCLEAR

Israel’s military assaults on Gaza since October 2023 have directly killed over 60,000 people⁶², with research published in the Lancet estimating that the actual deaths caused by this offensive could be closer to 200,000⁶³. In January 2024, the International Court of Justice found it plausible that Israel was committing genocidal acts and called on them to take measures to stop these acts, which Israel failed to do⁶⁴. In June 2024, UN Experts stated that “The transfer of weapons and ammunition to Israel may constitute serious violations of human rights and international humanitarian laws and risk State complicity in international crimes, possibly including genocide.”⁶⁵ The UK, Spain, France and Italy either stopped or significantly curtailed arms exports to Israel as a result of Israel’s military attacks⁶⁶.

In addition to Israel's attacks on Gaza, the Israeli Government has been criticised by UN bodies for violating international law in the West Bank including East Jerusalem, Syria and Lebanon⁶⁷.

Australia has maintained a trade and defence office in Jerusalem since 2019, which according to DFAT is "facilitating trade, investment and defence industry partnerships"⁶⁸.

There has been a significant amount of parliamentary and public scrutiny about Australian exports to Israel, particularly since October 2023. As detailed below, **Parliamentary and Departmental responses to questions about Australia's direct military exports to Israel suggest Australia is selling weapons components to Israel. Additionally, Australia is definitely part of supply chains that provide weaponry to Israel. Both are explicitly forbidden by the Arms Trade Treaty if there is knowledge or an overriding risk that these will be used to facilitate human rights abuses.**

DIRECT EXPORTS TO ISRAEL

Throughout 2024, Australian Government Ministers stated repeatedly that Australia has not sold weapons or ammunition directly to Israel in the last five years⁶⁹. However, DFAT trade statistics indicate that \$10 million of "arms and ammunition" was exported to Israel from 2019-2023⁷⁰.

In November 2024 there were 59 current export permits to Israel for military (rather than dual use) goods⁷¹. A review in late 2024 led to 16 export permits to Israel being amended or lapsed⁷².

These figures indicate that military goods are being exported to Israel. Given that there is neither routine transparency about exports, nor has the Government given details, it has been the subject of ongoing questions in the Australian parliament to seek to clarify the exact nature of these exports⁷³.

The Defence Department officials have indicated that a significant amount of this trade is for "items used by the Australian Defence Force and law enforcement"⁷⁴, which appears to be ADF material being repaired in Israel. They also indicated that in the case of a major item of \$1.5million that exporters "ticked the wrong box" in mistakenly categorising the export⁷⁵. It is difficult to imagine that those responsible for exporting material to somewhere as politically sensitive as Israel would mistakenly categorise an export.

Department of Defence have also indicated that a number of export permits to Israel are for "parts and components"⁷⁶. Given that the majority of export permits are for military goods, it seems likely that these components are for weapons.

It therefore appears that the Government is excluding parts and components from its definition of "weapons and ammunition" when discussing military exports to Israel. However, the Arms Trade Treaty explicitly includes parts and components as covered by the Treaty.

Bisalloy armoured plating is one example of a weapon part that Australia may be directly selling to Israel.

Is Australian armoured steel plate used by Israeli tanks?

On 9 February 2018 Bisalloy Australia announced⁷⁷ that it had received an order for armoured plate from Israel's Rafael Industries for use in its "globally-deployed add-on armour range for Armoured Fighting Vehicles (AFVs)".

Rafael's add-on armour is deployed on many of its AFVs, including the Merkava Mark 4, which is the standard Israel Defence Forces fighting tank. There is no doubt that Rafael's Armor Shield, as a

standard add-on, has been used in the current war on Gaza and probably also in the West Bank, Lebanon and Syria. It is currently impossible to know which tanks use plate made in Australia.

INDIRECT EXPORTS TO ISRAEL

F35 stealth combat aircraft used by Israel almost definitely include parts made in Australia

Australia is the sole supplier of a range of parts for the Lockheed Martin F-35 global supply chain, with Lockheed Martin Australia indicating that every F-35 includes components and parts from Australia⁷⁸.

Israel has used F-35's in its war on Gaza. In June 2024 the USA signed a deal with Israel and Lockheed Martin to provide Israel with another 25 F-35's as a USD\$3billion gift of military aid⁷⁹.

In February a Court in the Netherlands banned direct exports F-35 parts to Israel because of clear risks they violate human rights law⁸⁰. While we don't know if Australia directly exports F35 parts to Israel, parts made in Australia are exported to the USA, where they are assembled into planes and then exported, including to Israel.

Is ammunition made in Australia being exported to Israel?

Amnesty International reports⁸¹:

“Thales Australia, who manufacture TNT for 155mm artillery ammunition shells out of Benalla in Victoria, as well as completed M795 155mm projectiles, likely provide these to the US through approved defence export permits. However, due to Australia's opaque defence export system, this is difficult to confirm. Notwithstanding this need for clarification, a recent \$147.5 million export permit from the US to Israel for 155mm shells was approved in December 2023. Part of this permit was M795 155mm shells, which are the same kind manufactured by Thales in Benalla, meaning that Australian manufactured ammunition/munitions might be being used by the Israeli Defence Force in Gaza.

Amnesty International argues that under Australia's obligations under the ATT and given the publicly available information, any export permits to the US for ammunition/munitions manufactured by Thales or any other company should have, and should continue to be, rejected, pending legally-binding assurances that these items will not be re-exported to Israel”.

International law does not enforce itself. I call on all countries not to be complicit through arms transfers, where risks of violations are starkly evident amidst an unrelenting humanitarian catastrophe in Gaza⁸²

Professor Ben Saul, Challis Chair of International Law, The University of Sydney, UN Special Rapporteur for Human Rights & Counterterrorism

CORRUPTION CONCERNS – IMPORTS AND EXPORTS

It is estimated that the arms trade is responsible for at about 40% of corruption in global transactions⁸³.

Transparency International reports that “the defence sector is characteristically secretive and exempt from most international and national anti-corruption mechanisms.⁸⁴” It seems clear that the lack of transparency is enabling corruption.

While this briefing focuses on Australian military exports, concerns about dealing with companies and governments that have cultures of corruption relates to both Australian imports and exports.

The following is a concerning example of corruption that relates to a company with major operations in Australia.

THALES AUSTRALIA

Thales Australia is the local subsidiary of the Thales Group, which remains a French owned company. Thales plays a significant role in the Australian defence industry and is the third largest military exporter from Australia. In Australia Thales manufactures munitions, propellants, small arms, armoured vehicles (Bushmaster & Hawkei), air traffic control systems and many other military goods, training and services.

Thales is under investigation by France, Spain and the Netherlands as part of an investigation into corruption, money laundering, criminal conspiracy and influence peddling⁸⁵. In November 2024, the “UK’s Serious Fraud Office and its French equivalent, Parquet National Financier, revealed they are jointly investigating suspected bribery and corruption by Thales on a contract in Asia”⁸⁶.

In October 2023 the Australian Government invested \$220 million in upgrading Thales’ Mulwala site in NSW⁸⁷. In 2024 a referral was made to the Anti-Corruption Commission after the Australian National Audit Office (ANAO) uncovered “unethical contact” in the awarding to Thales a \$1.2 billion dollar contract to operate two commonwealth-owned munitions facilities⁸⁸. As of November 2024, the ANAO investigation is still open⁸⁹.

At the November Joint Committee of Public Accounts and Audit, Deputy Auditor-General Rona Mellor says Defence faces “a big challenge” to improve probity measures, particularly with long-term military contracts⁹⁰. Linda Reynolds, who was the Minister for Defence when this contract was made, also stated in November 2024 “When I read this audit report and remembered what had actually come up to me in the [ministerial] brief it almost made me feel ill at what I was told and that is very consistent with the advice that is in this report about what went to a different minister in 2017.”⁹¹

THE VISION OF CIVIL SOCIETY, POLITICAL LEADERS & DIPLOMATS

There have long been calls for regulation of the arms trade, as far back as the League of Nations when a convention on arms was drafted, however this was never adopted⁹².

Advocacy from civil society groups for better regulation of the arms trade culminated in a code of conduct launched by Nobel Peace Prize Laureates in 1997 led by Óscar Arias, former President of Costa Rica and including the Quaker American Friends Service Committee, Jose Ramos Horta, Amnesty, International Physicians for the Prevention of Nuclear War (IPPNW), and the Dalai Lama.

In 2006 seven countries, including **Australia, introduced a United Nations General Assembly resolution " Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms⁹³ "**. Following the resolution's widespread adoption, **Australia was part of a group of Governmental Experts** from 28 countries which undertook initial scoping for a treaty which was progressed by an open-ended drafting group. The United States commenced engagement following the 2008 national elections, and **Australian Ambassador Peter Woolcott presided over the Final UN Conference on the Arms Trade Treaty** in March 2013, negotiating language for final text and the process for finalising the Treaty.

ADOPTING THE TREATY

The Treaty was adopted by a vote in the General Assembly in April 2013 with the support of 154 states and just three against (North Korea, Iran and Syria). 23 countries abstained (including China, Russia, Myanmar, Indonesia, Sudan, and Saudi Arabia).

Australia signed the Treaty the day it was opened for signature and ratified it soon after. The Treaty came into force on 24 December 2014.

WHAT DOES THE TREATY SAY?

The Arms Trade Treaty (ATT) is significant for three key reasons.

First, the ATT "established, for the first time, common global minimum standards to regulate the international trade of conventional weapons in order to reduce human suffering and build confidence between States"⁹⁴.

Second, "the Arms Trade Treaty is also the first legally binding global instrument to recognise and create obligations around the connection between arms transfer and gender-based violence⁹⁵.

Third, the Treaty includes significant requirements on States to regulate trade as well as obligations to prohibit transfers of weapons if certain criteria are not met.

However the Treaty does not include any compliance mechanisms to enforce the provisions of the Treaty.

Elements of the Treaty include⁹⁶

OBJECT AND PURPOSE (ARTICLE 1)

- “Establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms;
- Prevent and eradicate the illicit trade in conventional arms and prevent their diversion;

for the purpose of:

- Contributing to international and regional peace, security and stability;
- Reducing human suffering;
- Promoting cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties”.

SCOPE (ARTICLE 2)

“This Treaty shall apply to all conventional arms within the following categories: Battle tanks; Armoured combat vehicles; Large-calibre artillery systems; Combat aircraft; Attack helicopters; Warships; Missiles and missile launchers; and Small arms and light weapons.

For the purposes of this Treaty, the activities of the international trade comprise export, import, transit, trans-shipment and brokering, hereafter referred to as “transfer”.

THE TREATY REQUIRES STATE PARTIES TO (ARTICLES 3-5 & 6-7):

- establish a national control system to regulate exports of a control list (including parts and components, ensuring provisions 6&7 are applied before authorising exports);
- to prohibit the transfer if:
 - o the transfer would violate obligations under measures adopted by the United Nations Security Council, in particular arms embargoes.
 - o the transfer would violate its relevant international obligations under international agreements to which it is a Party, in particular those relating to the transfer of, or illicit trafficking in, conventional arms.
 - o “it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a Party”
 - o The exporting State party determines there is an “overriding risk” that the transfer would “undermine peace and security”; or that the transfer would be used to commit or facilitate a serious violation of international humanitarian or human rights law, or other international instrument relating to terrorism or transnational organisational crime.
- Shall take into account in assessing risk whether items could be “used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children.”
- “If, after an authorization has been granted, an exporting State Party becomes aware of new relevant information, it is encouraged to reassess the authorization after consultations, if appropriate, with the importing State.”

THE STATE OF THE TREATY 10 YEARS DOWN THE TRACK

PROVIDED NORMATIVE VALUE BUT FALLEN SHORT OF VISION TO REDUCE HARM

Those most engaged with the Treaty have reported the Treaty has been of **enormous normative value**, however has **failed to make “clearly observable progress towards the objective of reducing human suffering”**⁹⁷.

Many State Parties to the Treaty are not ceasing weapons transfers to countries when these transfers violate the Arms Trade Treaty. At the 2024 recent meeting of the States Parties of the Treaty, the UN High Representative for Disarmament Affairs stated; **“to protect the norms and preserve the credibility of the ATT, it is crucial to bridge the gap between the treaty obligations and actual arms transfer practises”**⁹⁸. At this meeting, many delegations (including Australia) raised concerns about compliance with the Treaty, with some noting sales to Russia, Myanmar, Sudan and Israel as clearly in violation of the Treaty⁹⁹.

...despite the Treaty’s potential to regulate the international arms trade and reduce human suffering, too many States have failed to live up to their obligations. This failure has contributed to the proliferation of arms in conflict zones, exacerbating violence and undermining efforts to achieve peace and stability...

To address these challenges, there is a need for stronger commitment from States Parties and Signatories to prioritize humanitarian concerns over national interests. Only then can the ATT fulfil its promise in the years to come.

Arms Trade Treaty Monitor¹⁰⁰

INCREASING MEMBERSHIP BUT UNIVERSALISATION YET TO BE REALISED

There are **116 State Parties to the Treaty** with 26 further signatories who have not yet ratified the treaty¹⁰¹. The USA signed the Treaty in 2013, but under the first Trump administration withdrew from the process of ratification by the US Senate. Ratification was not progressed during the Biden administration and is unlikely to change.

The ATT Secretariat reports that 83% of global *exports* are from countries who are Signatories or State parties to the Arms Trade Treaty. However only 51% of global arms *imports* are to countries that are State parties or signatories¹⁰². Australia’s region has the lowest membership of the Treaty in the world, with Oceania having only 40% of States as Parties to the Treaty, and Asia at 23%. All other regions of the world have at least 50% of countries as State Parties to the Treaty¹⁰³.

TRANSPARENCY – MAJOR STRUCTURAL FAILURES

Each State Party to the Treaty is **required to submit an annual report** about exports and imports of conventional arms. Reporting under the Treaty overall has been woefully inadequate - in 2022 only 63% of States required to submit an annual report actually did, and only 32% of reports were submitted on time.

Arms Trade Monitor’s Analysis of 2022 annual reports reveals a persistent struggle to achieve accurate, comprehensive, and transparent reporting. In particular, the proportion of meaningfully transparent reports has fallen year-over-year, and overall progress remains insufficient¹⁰⁴.

The trend is alarming. In 2015 46% of reports were meaningfully transparent, in 2022 it was the lowest ever – at only 25%.

The Arms Trade Treaty Monitor states no State Party submitting a 2022 annual report used all transparency mechanisms that would contribute to a higher standard of transparency that is encouraged by the Arms Trade Treaty¹⁰⁵.

A recent report by the Office of United Nations High Commissioner for Human Rights also raises concerns that “information made available by States is often not sufficient to effectively prevent, and ensure accountability for, the negative human rights impacts associated with arms transfers. Available information on business practice suggests that the business sector generally does not voluntarily disclose sufficient information related to arms transfers¹⁰⁶”. They recommend that States proactively make detailed public information available about arms exports.

Transparency is fundamental to enabling progress on all aspects of the treaty’s object and purpose.

Unfortunately, the past decade has seen an erosion of transparency across several domains, which fundamentally undermines efforts to support accountability or assess treaty impact. To achieve the ambitions of the treaty’s second decade, States Parties and the Secretariat must commit to an ethos and practice of transparency.

This should include more regular and publicly available information sharing on treaty activities, plans, and outreach; fewer private initial or annual reports; and more consistent engagement with non-government stakeholders on the development of ATT processes. Stimson Report, ATT @10¹⁰⁷

MAJOR LIMITATIONS TO EXPORT ASSESSMENT PROCESSES

A strong proportion of State Parties report they are implementing the requirements of the Arms Trade Treaty into their assessments of military exports. However, given the Treaty does not have enforceable obligations, States themselves are assessing whether their arms exports are compliant with the Treaty.

Countries have faced significant criticism, particularly from civil society, for allowing trade that appears in contravention of the Treaty. For example in February 2025, over 230 global civil society organisations (including 33 from Australia) called on countries where parts are made for the F-35 aircraft to cease export to Israel, both directly and indirectly¹⁰⁸.

The Geneva Center for Security Policy (GCSP) identified a range of gaps to treaty implementation “noting that few States Parties have export criteria regarding terrorism, transnational organized crime, and gender-based violence (each of which States Parties are required to consider under Article 7), and that few national frameworks define clear thresholds for denying an arms export¹⁰⁹”. The Stimson Centre recommends significant strengthening of this element to boost accountability by States, including a voluntary peer review processes to assess particular arms trades, as well as for the ATT Secretariat to develop clear metrics to measure the treaty’s impact¹¹⁰.

AUSTRALIA CONTINUES TO SUPPORT THE ARCHITECTURE OF THE ARMS TRADE TREATY BY:

- contributing to the UN Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR)¹¹¹ as well as the ATT Voluntary Trust Fund¹¹² - supporting the international implementation of Treaty obligations;
- Funding the Australian based Centre for Armed Violence Reduction that helps small states monitor transfer of arms;
- Co-funding (with the UK) the Stimson Centre to complete a comprehensive review of the Treaty ahead of its 10th anniversary, with recommendations going forward¹¹³;
- With New Zealand, spearheading arms control efforts in Oceania, through active engagement in regional disarmament initiatives¹¹⁴.

HOWEVER THERE ARE MAJOR SHORTCOMINGS IN AUSTRALIA'S OWN TRANSPARENCY

In regard to Australia, the Arms Trade Treaty Monitor Report 2024¹¹⁵ states Australia submitted their annual report to the Arms Trade Treaty and on time (as they have in previous years).

Australia's report is praised for providing additional information for major weapons trades. However the Monitor criticised Australia for **“excessive aggregation concerning some types of arms” ...“making it impossible to determine weapons sub-categories and final destinations of the transfers”**. For this it concluded that **Australia's report was *not meaningfully transparent***.

Additionally, Australia's reports are based on export permits (which is permitted by the Treaty) rather than actual exports. This data is not an accurate reflection of Australia's export industry, given that permit estimates in recent years appear to grossly overestimate the size of the export industry. Additionally into the future the AUKUS agreement means that exports to two of our largest export markets - the US and UK - will not require permits, this figure will be even less relevant.

In the words of a former Australian diplomat who helped negotiate the Treaty **“we are very compliant at making timely reports that are of little value and potentially misleading¹¹⁶”**.

Amnesty International has serious concerns as to Australia's adherence to both the spirit and letter of the ATT...If the Australian government wants to ensure public trust in Australia's defence export system, then it is within the power of the Australian government to build a system that engenders that trust¹¹⁷

Save the Children have advocated that: To better preserve the rules-based order, Australia should act as an exemplary model and uphold its international commitments, including to the ATT and the Convention on the Rights of the Child. Adopting more robust and transparent defence export regulations would demonstrate a real commitment to these international agreements, and ensure effective implementation that meets relevant obligations¹¹⁸.

SOME EXAMPLES OF BETTER PRACTICE IN ACCOUNTABILITY AND TRANSPARENCY

There are a number of ‘better practice’ examples. The following table summarises some key information about how Australia compares with other jurisdictions¹¹⁹:

	Australia	UK	Netherlands	Germany	Spain	France	USA
Ranked in 2023 largest global major arms exporters ¹²⁰	16	7	12	5	8	2	1
Ratified the ATT Treaty	✓	✓	✓	✓	✓	✓	X
Publishes detailed data about destination countries of specific exports and/or values of exports	X	✓	✓	✓	✓	✓	?
Routine parliamentary scrutiny of export data (with information made public) ^{121 122}	X	✓	✓	✓	✓	?	✓
Provide detailed information on criteria for approving defence export licences and how these are considered	X	✓	✓	✓	✓	✓	½
Defence export regulations reference recipient country's respect for humanitarian law	X	✓	✓	✓	✓	✓	?
Post-shipment end use monitoring processes ¹²³	X	✓	✓	✓	✓	✓	✓

The Netherlands is a significant arms exporter, ranked 12th largest exporter of major arms¹²⁴ globally (Australia is 16th). Last year The Netherlands exported to 28 countries and imported from 24 countries¹²⁵. While there is still room for improvement in The Netherlands reporting processes, they are significantly more transparent than Australia.

The Netherlands:

- ✓ Issues monthly *public* reports on military (and dual use) trade (imports and exports), including permits refused. Distinguishes data between military, dual use and transit items. Includes details about the category of military goods exported and the countries of destination.¹²⁶
- ✓ Reports on *actual* exports as well as *permits* issued
- ✓ Reports on the values of imports
- ✓ Disaggregates data by weapon sub-category and countries
- ✓ Follows EU protocol to assess defence export licenses under eight specific criteria which include respect for human rights and international law in the country of final destination. They have also committed to EU common guidelines to assess these different criteria in a common position that is accessible to the public.
- ✓ Follows EU protocol on post-shipment measures for proactive end use monitoring. This includes: delivery verification certificates; on-site post-delivery verification inspections; optional clauses including decommissioning, notification of theft or loss, and assurances for safe management of stockpiles¹²⁷.
- ✓ Funds ATT Monitor (Australia used to, but no longer does).

It is important to note that transparency is the first step to reducing harm. Having a transparent system doesn't inherently reduce harm from weapons; it only assists countries and their citizens to monitor whether trade is complying with international obligations. Legal action has been brought into courts in many countries, including The Netherlands, alleging breaches to Arms Trade Treaty obligations in both Yemen and Gaza¹²⁸.

AUSTRALIA WAS A LEADER – THE TREATY NEEDS US TO BE ONE AGAIN

Australia was a global leader in the development of the Arms Trade Treaty.

However, the Treaty is now being undermined because a lack of meaningful transparency is hampering attempts to hold States accountable for any violations to the Treaty. Australia's own transparency has fallen significantly and is mediocre at best.

The Stimson Centre report, *The Arms Trade Treaty at 10*, funded in part by Australia, recommends we must now "Develop models of good practice" for implementing the treaty¹²⁹.

Australia could be a leader in developing and implementing best practice to fulfil the vision of the treaty – to save lives.

HOW AUSTRALIA CAN IMPROVE OUR SYSTEMS

Australia needs to establish processes for our military trade to be both transparent and accountable, in order to ensure we are compliant with our international obligations, including the Arms Trade Treaty as well as other relevant international instruments, such as the Genocide Convention.

The key recommendation of this report is for a parliamentary inquiry to review the entirety of the current system regulating military exports and imports.

The following are some policy suggestions that could be explored by such an inquiry. Many of the following echo recommendations of the Office of the United Nations High Commissioner for Human Rights¹³⁰ and/or NGO reports¹³¹.

1. Allow parliamentary scrutiny of both the export permits and the overall defence trade process

1.1. Implement a policy of parliamentary scrutiny *prior* to export licence approval.

This could include a monthly presentation of any applications and proposed responses for defence materials (DGSL List 1) to a parliamentary committee, such as the Joint Standing Committee on Foreign Affairs Defence and Trade, or an additional Committee established for this purpose. The Committee could seek advice on external independent experts and provide public advice on individual export permits or permits to a specific country if grave violations of humanitarian law are taking place. This would need to include exports to AUKUS partners.

1.2. Give powers to a Parliamentary Committee to review overall defence import and export policies and recommend changes. This would include the exemptions given under the AUKUS related legislation.

2. Public reporting of all actual military exports and imports, as well as providing this information in Arms Trade Treaty reporting. This information would:

2.1. Include information about actual weapons exports and imports, and report this against export permits;

2.2. Verify the exports being made (not just rely on exporter's self-reporting)

2.3. Provide disaggregated information about exports, including country of export, weapons type and the final destination of each item;

2.4. Distinguish between permits issued for military, dual use, and items for transit;

2.5. Include detailed reporting about permits denied, withdrawn or suspended;

2.6. Include information about exports to and through AUKUS partners, which no longer require the granting of export permits.

3. Centralising the role of the Department of Foreign Affairs and Trade (DFAT) in the process. DFAT would be responsible for the entire process – from licensing to end use reporting - so the Australian public can be confident there is appropriate monitoring of our international obligations. The Australian Safeguards and Non-proliferation Office (ASNO) provides a model for this.

As DFAT already manages Australia's sanctions regime, and the controls over trade in nuclear, chemical and biological weapon materials this would have potential to help harmonise and simplify Australia's trade regulatory architecture.

Assigning DFAT leadership might also help address concerns about the inevitably close links between the Defence Department and the defence industry and the resultant perceptions of a conflict of interests for an agency charged with both promotion and regulation.

4. Make transparent the process of exports being approved

4.1. This includes disclosing how the legislative criteria are applied for assessing permits. This would ensure criteria that explicitly include our obligations under the Arms Trade Treaty are addressed, such as assessing risks of gender-based violence¹³²;

4.2. Applications for permits should require presumption of denial where there are credible reports of violations of international humanitarian law or human rights law, as well as patterns of violations, including of export control regulations, and diversions¹³³.

5. **Implement actual end use monitoring of exports.** This would require taking up of best practice of post-delivery control mechanisms¹³⁴, including the use of delivery verification certificates, on-site post-delivery verification inspections, use of non-re-export clauses in the end-user certificate, and on-site end-use monitoring to ensure the arms or other items are used only for their intended purpose.

6. **Strengthen Australia's commitment to global implementation of the Arms Trade Treaty**
Build on Australia's existing financial support, including significant support for countries in our region to support weapons diversion initiatives.

Australia has a longstanding commitment to funding initiatives to reduce diversion of small arms and light weapons¹³⁵. However this funding should be significantly increased to be able to respond to the complex issues in our region. This may also help the goal of the universalisation of the Arms Trade Treaty. Australia could set up a specific fund for this purpose, modelled on the Mine Action Strategy¹³⁶, or the UK's Integrated Security Fund¹³⁷.

7. **Review of import policies to establish clear ethical criteria** for companies and countries for Australian military imports. This would explicitly exclude companies with significant probity issues, including corruption.

...we now need to move the ATT to the next level. This requires us to go back to the object and purpose of the Treaty. The focus should increasingly be on transparency, accountability and cooperation.

Peter Woolcott, Australian former Ambassador and President of Treaty Negotiations Conference

Keynote Address to Conference of the State Parties of the Arms Trade Treaty, August 2024¹³⁸

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ENDNOTES

- ¹ The Quaker Peace and Legislative Committee (QPLC) has commissioned this report and has been actively engaged in its drafting. QPLC is the Committee with responsibility for engaging with public policy on behalf of Quakers Australia. Jessica Morrison is employed by this Committee and is the key author. Jessica and QPLC recognise the many people and organisations who have informed this report, many who are cited directly in endnotes here. The authors are deeply grateful for the time of activists, researchers, public servants, former diplomats and engaged Quakers both in Australia and internationally who have contributed to this report. We take full responsibility however for any errors, misinterpretations of sources or omissions in this report. While Quakers internationally and in Australia have had a longstanding concern about harms from the arms trade, the authors recognise that we are new to engagement at this level of policy and recognise we still have much to learn. You can read more about QPLC at <https://www.quakersaustralia.info/qplc> or by email peaceworker@quakersaustralia.info
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- ⁹⁶ Arms Trade Treaty Text, <https://thearmstradetreaty.org/treaty-text.html>
- ⁹⁷ Op Cit, Stimson Centre, , the Arms Trade Treaty at 10, pg 5
- ⁹⁸ Reaching Critical Will, program of WILPF 27/8/24, ATT Monitor: Civil society perspectives on the Tenth conference of States Parties to the Arms Trade Treaty,
<https://reachingcriticalwill.org/images/documents/Disarmament-fora/att/monitor/ATTMonitor16.3.pdf> Page 1.

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- ⁹⁹ Ibid. Australia particularly raised concern about Arms Sales to Russia and Myanmar, two countries where Australia has not been exporting weapons.
- ¹⁰⁰ The Arms Trade Treaty Monitor, “The 2024 Report” pg 11 <https://attmonitor.org/en/the-2024-report/>
- ¹⁰¹ As of March 2025. Columbia was the most recent to ratify.
https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVI-8&chapter=26&clang=en
- ¹⁰² Op Cit, Stimson Centre, the Arms Trade Treaty at 10, p 33
- ¹⁰³ Op Cit, Arms Trade Treaty Monitor, The 2024 Report, p 33
- ¹⁰⁴ Ibid, p 35
- ¹⁰⁵ Op Cit, Stimson Centre, the Arms Trade Treaty at 10, p 44
- ¹⁰⁶ Impact of arms transfers on human rights, Report of the Office of the United Nations High Commissioner for Human Rights, 13 April 2024, available at <https://docs.un.org/en/A/HRC/56/42>, pg 15
- ¹⁰⁷ Op Cit, Stimson Centre, the Arms Trade Treaty at 10, website main page,
<https://www.stimson.org/project/arms-trade-treaty/att-at-10/>
- ¹⁰⁸ Letter coordinated by Campaign Against Arms Trade, publicised by a range of NGO’s including:
<https://www.reachingcriticalwill.org/news/latest-news/17311-joint-statement-by-230-organisations-demanding-that-governments-producing-f-35-fighter-jets-stop-arming-israel/>; <https://acij.org.au/acij-together-with-over-230-civil-society-organisations-call-on-f35-government-partners-to-halt-arms-exports-to-israel/>; <https://www.amnesty.org.au/over-230-global-organisations-demand-governments-producing-f-35-jets-stop-arming-israel/>
- ¹⁰⁹ Op Cit, Stimson Centre, the Arms Trade Treaty at 10, p 21
- ¹¹⁰ Ibid, p 23
- ¹¹¹ Historical figures in press release from Foreign Minister: <https://www.foreignminister.gov.au/minister/julie-bishop/media-release/australia-ratifies-arms-trade-treaty>. Current donor information at: Cooperation on Arms Regulation (UNSCAR), “Donor Countries” link <https://disarmament.unoda.org/UNSCAR>
- ¹¹² Australia is listed as a donor at <https://thearmstradetreaty.org/voluntary.html>
- ¹¹³ Op Cit, Stimson Centre, the Arms Trade Treaty at 10, main website
- ¹¹⁴ Small Arms Survey, 20/8/24 <https://www.smallarmssurvey.org/highlight/new-survey-report-arms-trade-treaty-indo-pacific-region>
- ¹¹⁵ Op Cit, Arms Trade Treaty Monitor, The 2024 Report,
- ¹¹⁶ Tilemann, John 21/11/24 in the Canberra Times “Arms, the Arms Trade Treaty and Australia’s UN Security Council ambitions” <https://www.canberratimes.com.au/story/8852769/arms-the-arms-trade-treaty-and-australias-un-security-council-ambitions/>
- ¹¹⁷ Ibid. Amnesty, 15/8/24, Extended Press release, Australia’s compliance with the Arms Trade Treaty.
- ¹¹⁸ Op Cit, Save the Children, July 2021
- ¹¹⁹ Unless otherwise referenced, this data is taken from Op Cit, Save the Children, July 2021
- ¹²⁰ Op Cit SIPRI trends in International Arms Transfers 2023
- ¹²¹ There is no systematic disclosure of information. Seeking information relies on parliamentarians asking Questions on Notice or through Parliamentary Estimates, and the relevant Minister and Government Department has discretion on what information to disclose. Alternatively members of the public can make Freedom of Information requests, however experience from the Medical Association for Prevention of War is that “The Australian government uses exemptions in the Freedom of Information Act to withhold all meaningful information about arms exports” <https://www.mapw.org.au/weapons-industry/arms-trade/>
- ¹²² US requires Congressional oversight for any trade worth over a dollar value, with these trades disclosed publicly by the Defence Security Cooperation Agency. See <https://www.dsca.mil/press-media/major-arms-sales> and <https://www.defensenews.com/congress/2024/01/31/house-eyes-higher-dollar-thresholds-for-arms-sales-notices-to-congress/>
- ¹²³ International Action Network on Small Arms (IANSA) & International Peace Information Service (IPIS), October 2022 “Post-Shipment Control of Small Arms and Light Weapons” https://iansa.org/wp-content/uploads/2022/10/Post-shipment-controls-of-SALW_Oct-2022.pdf
- ¹²⁴ Op Cit SIPRI trends in International Arms Transfers 2023
- ¹²⁵ Op Cit, Arms Trade Treaty Monitor, The 2024 Report,
- ¹²⁶ Government of The Netherlands, Export controls on Strategic goods and services <https://www.government.nl/topics/export-controls-of-strategic-goods/reporting-practices-with-regard-to-military-and-dual-use-goods>. AND Stop Wapenhandel (Stop Arms Trade), 5/10/23, article <https://stopwapenhandel.org/who-stops-the-decline-of-arms-export-transparency/>
- ¹²⁷ Op Cit IANSA & IPIS, “Post-Shipment Control of Small Arms and Light Weapons”
- ¹²⁸ Op Cit, Arms Trade Treaty Monitor, The 2024 Report, p11
- ¹²⁹ Op Cit, Stimson Centre, the Arms Trade Treaty at 10, p 20
- ¹³⁰ This report specifically recommends States disclose information about both permits and actual arms exports which is disaggregated, including rejected licence requests, authorised users and the authorised end use; and

disclosing risk assessment criteria and risk assessments and the factual basis for these assessments. Op Cit Impact of arms transfers on human rights, Office of the United Nations High Commissioner for Human Rights.

¹³¹ [Australia's Arms Export Regulation: A Case For Increased Transparency](#), Op Cit

¹³² Spain for example ensures a gender risk-assessment is conducted for every arms export, this reported in the 2024 Arms Trade Treaty Monitor report. Some suggestions about how this could be implemented are found in the NGO reports, for example Control Arms 2018 "How to use the Arms Trade Treaty to address Gender-Based Violence, A Practical Guide for Risk Assessment (Op Cit) and Women's International League for Peace and Freedom, 2015 "https://www.reachingcriticalwill.org/resources/publications-and-research/publications/10112-gender-based-violence-and-the-arms-trade-treaty

¹³³ This recommendation was originally made by the Medical Association for Prevention of War, <https://www.mapw.org.au/weapons-industry/arms-trade/>

¹³⁴ Op Cit "Post-Shipment Control of Small Arms and Light Weapons"

¹³⁵ Australian "SALW control" has varied in amount but been consistent over many years https://data-explorer.oecd.org/vis?fs%5b0%5d=Topic%2C1%7CDevelopment%23DEV%23%7COfficial%20Development%20Assistance%20%28ODA%29%23DEV_ODA%23&pg=0&fc=Topic&bp=true&snb=25&df%5bds%5d=dsDisseminateFinalDMZ&df%5bid%5d=DSD_CRS%40DF_CRS&df%5bag%5d=OECD.DCD.FSD&df%5bvs%5d=1.3&dq=AUS..15240.100.T.T.D.Q.T.&lom=LASTNPERIODS&lo=5&to%5bTIME_PERIOD%5d=false&vw=tb

¹³⁶ Australia's long-term commitment is detailed [at](https://www.dfat.gov.au/sites/default/files/minstrategy-1014.pdf) <https://www.dfat.gov.au/sites/default/files/minstrategy-1014.pdf>

¹³⁷ See UK Government at <https://www.gov.uk/government/organisations/uk-integrated-security-fund>

¹³⁸ Peter Woolcott, 2024 Keynote Speech at Arms Trade Treaty Conference of State Parties, available at "Special Session on ATT@10" <https://thearmstradetreaty.org/statements-csp10>