

UNICORN: Japan-India relations built on trust, not caged by a treaty

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While the Arms Trade Treaty membership carries symbolic and legal significance, it is not the only mechanism through which responsible defence cooperation is governed



The defining feature of India-Japan defence cooperation is its emphasis on co-development and co-production rather than off-the-shelf purchase. Representative Image: AI

The announcement of India and Japan's co-development of the UNICORN naval mast marks a watershed moment in their evolving strategic partnership. However, one criticism has emerged almost immediately, ie, India remains outside the Arms Trade Treaty (ATT), raising doubts about whether Japan should share advanced defence technology with a non-party to the world's principal treaty governing the international trade in conventional arms.

The ATT was negotiated to promote responsible arms transfers, reduce the risk of diversion, and strengthen transparency in global defence trade. While ATT membership carries symbolic and legal significance, it is not the only mechanism through which responsible defence cooperation is governed. The India-Japan UNICORN partnership demonstrates that trust in defence technology transfers is built as much through institutional practice, export control regimes, domestic legal safeguards, and demonstrated strategic reliability as through treaty accession, as states outside a treaty may nevertheless maintain robust domestic controls.

Over the past two decades, India has become one of the world's most trusted recipients of sophisticated defence technologies from leading democratic powers. The United States has transferred P-8I maritime patrol aircraft, AH-64E Apache attack helicopters, and other advanced military platforms incorporating sensitive communications, surveillance, and weapons systems. France has supplied Rafale fighter aircraft equipped with cutting-edge avionics and electronic warfare capabilities. These transfers were approved despite India's decision not to accede to the ATT because supplier governments were satisfied that India's export control framework, end-use assurances, and institutional safeguards met the standards expected of a responsible strategic partner.

This operational history does not replace treaty obligations, nor should it be portrayed as doing so. It does, however, demonstrate that responsible state practice can inspire confidence independent of formal treaty accession. International law has always recognised that state conduct matters, and in defence cooperation, long-term behaviour frequently carries greater weight than formal declarations.

The legal architecture surrounding the UNICORN project also extends well beyond the ATT. India and Japan are both participating states in the Wassenaar Arrangement, the principal multilateral export control regime governing conventional arms and dual-use technologies. Since joining the Arrangement in 2017, India has aligned its export control policies with internationally agreed standards governing sensitive technologies, including electronic warfare systems relevant to the UNICORN programme.

Japan's own domestic legal framework provides an additional layer of reassurance. Although Tokyo has gradually relaxed its long-standing restrictions on defence exports in response to changing regional security dynamics, stringent oversight still exists. Defence equipment transfers continue to require governmental approval, comprehensive end-use assurances, and restrictions on unauthorised re-transfer. These safeguards apply regardless of whether the recipient has joined the ATT.

What truly differentiates the UNICORN partnership is that it represents co-development rather than conventional procurement. This distinction is often overlooked in public debate but has profound implications for accountability. In practical terms, accountability becomes part of the engineering process rather than

merely a legal obligation recorded in an export licence. The manufacturing relationship itself creates confidence because both partners retain visibility over the programme's evolution. Such institutional familiarity is difficult to replicate through traditional buyer-seller arrangements and may, in some respects, offer stronger safeguards than treaty obligations operating in isolation.

The project must also be viewed against the backdrop of the broader transformation in India–Japan relations. Defence cooperation between the two countries remained relatively modest for much of the post-Cold War era, constrained by Japan's restrictive defence export policies and the strategic uncertainties that followed India's 1998 nuclear tests. Over the past decade, however, geopolitical realities have reshaped this relationship as shared concerns over maritime security, freedom of navigation, resilient supply chains, and stability in the Indo-Pacific have brought New Delhi and Tokyo into closer strategic alignment.

Both countries consistently emphasise a free and open Indo-Pacific, support the centrality of international law, and affirm the importance of the United Nations Convention on the Law of the Sea (UNCLOS) in maintaining regional order. Within this wider strategic convergence, the UNICORN programme is far more than an isolated technology transfer. It represents the gradual emergence of a genuine defence-industrial partnership between two democratic maritime powers seeking to strengthen regional stability through closer technological and industrial cooperation.

None of this means that the ATT has become irrelevant. The treaty continues to play an important role in promoting transparency and encouraging responsible arms transfer practices worldwide. India may eventually determine that accession serves its broader diplomatic interests. Equally, Japan should continue to facilitate high standards of export governance as it expands defence-industrial cooperation with trusted partners.

The UNICORN partnership should therefore be understood not as a loophole in international arms governance but as evidence that responsible democracies can construct trust through practical cooperation, institutional transparency, and shared strategic purpose. It marks the transition in India–Japan relations from defence procurement to defence co-creation, a shift that carries profound implications for the

future of the Indo-Pacific. Such measures would complement existing international frameworks while preparing the partnership for more ambitious collaboration.

The real lesson of UNICORN is therefore not that treaties no longer matter. Rather, it is that in an era of complex strategic partnerships, trust is rarely created by signatures alone. It is earned through institutions, strengthened by responsible conduct, and sustained through the everyday practice of working together, and that is what India and Japan have begun to build and why the UNICORN partnership deserves to be seen not with scepticism, but with confidence.

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