

ARMS TRANSFER AND SALW CONTROLS IN THE MIDDLE EAST AND NORTH AFRICA: MAPPING CAPACITY-BUILDING EFFORTS

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I. Introduction

The international community has built and continues to maintain a comprehensive set of international treaties, guidance and reporting instruments in the fields of arms transfers and small arms and light weapons (SALW) controls.¹ The two most important instruments in this regard are the 2001 UN Programme of Action on SALW (UN POA) and the 2013 Arms Trade Treaty (ATT). Combined, these instruments detail the key systems that states should have in place in order to exercise effective control over the manufacture, storage, sale, transfer and disposal of conventional arms and SALW. Perhaps more importantly, these instruments provide guidance on how to implement these controls in ways that effectively reflect concerns related to human rights, international humanitarian law (IHL) and conflict prevention, among other things. In recent years, a significant number of cooperation and assistance activities have been carried out with the aim of helping states to establish or improve their arms transfer and SALW controls. The entry into force of the ATT has led to the funding of a range of new efforts in these areas. Many of these activities are focused on helping states to implement either the UN POA or the ATT, and can therefore be seen as UN POA-focused or ATT-focused. Others are aimed at building capacity in arms transfer and SALW controls but make no direct reference to these instruments.

One of the regions in which the need for effective arms transfer and SALW controls is most acute—and for targeted cooperation and assistance work the greatest—is the Middle East and North Africa.² The region is currently suffering under the weight of a range of armed conflicts that are fed by licit and illicit arms flows. In particular, the proliferation and diversion

¹ Several instruments seek to draw a distinction between controls on ‘small arms’, which focus on the use of weapons in armed conflicts, and controls on ‘firearms’, which focus on law enforcement and public safety issues. For the purposes of this paper, however, the two terms are used interchangeably to refer to both conflict- and crime-related control efforts.

² For the purposes of this paper the Middle East comprises Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman, Palestine, Qatar, Saudi Arabia, Syria, the United Arab Emirates and Yemen. North Africa comprises Algeria, Libya, Morocco and Tunisia.

SUMMARY

● A significant number of cooperation and assistance activities have been carried out in recent years aimed at helping states to improve their arms transfer and small arms and light weapons (SALW) controls. Many of these have focused on the implementation of either the Arms Trade Treaty (ATT) or the United Nations Programme of Action on SALW while others make no mention of these instruments.

The Middle East and North Africa is a region where strengthened arms transfer and SALW controls are particularly needed. While a range of factors mean that states in the region are unable or unwilling to request assistance or participate in activities, a significant amount of work has been done in the Middle East and North Africa. What has been lacking to date is a comprehensive overview of the range of activities that have been carried out.

Drawing from SIPRI’s Mapping ATT-relevant Cooperation and Assistance Activities database, this Background Paper fills this gap by presenting the first comprehensive overview of arms transfer and SALW control-related assistance activities involving states from the Middle East and North Africa. In doing so, the paper outlines the main areas of focus to date, the key actors involved and potential gaps in the work conducted.



of illicit SALW have fuelled civil wars and other conflicts, such as those in Syria, Yemen and Libya. Meanwhile, trafficked and diverted weapons arm terrorist organizations, such as the Islamic State group (IS) and al-Qaeda, that threaten local populations, destabilize states, conquer territory, divert resources and commit acts of international terrorism. The ways in which these weapon flows reach these groups underscore the need for better standards in both arms transfer and SALW controls. At the same time, many of the states in the region are engaged in ambitious military build-ups that have the potential to further undermine the often limited levels of interstate trust and confidence. These build-ups underline the need for effective processes for both arms procurement and arms import controls to ensure that any arms acquired are in line with national needs and reach their intended end-users. They also highlight the need for effective measures on transparency and reporting—a key component of any effective arms transfer control system—so that states’ true intentions are not misconstrued.

That said, while the need is there, the willingness and ability of states in the Middle East and North Africa to participate in cooperation and assistance activities aimed at building capacity in arms transfer and SALW controls is lower than in other parts of the world. The same challenges that highlight the need for strengthened controls also lead to higher levels of regional instability and lower levels of state capacity, making it harder for national authorities to formulate their needs effectively, and engage with and absorb any assistance provided. At the same time, the engagement of states with the relevant international instruments in this area—particularly the ATT—has been more limited than in other parts of the world, which means that certain avenues for assistance provision are not open.

Despite all these challenges, the number of arms transfer- and SALW-focused cooperation and assistance activities involving states from the Middle East and North Africa has been substantial in recent years. For example, significant work has been done to try to help Libya and Iraq improve their SALW controls, and the European Union (EU) has committed itself to help states across the region to strengthen their arms transfer controls. What has been lacking to date however is a comprehensive overview of the range of activities that have been carried out. Without this wider picture, it is harder for implementers of assistance activities and partner states to build on past efforts, plan future work and make connections with others active in the same areas. At worst, this can lead to the provision of overlapping or poorly targeted cooperation and assistance activities, which can, in turn, place needless burdens on already overstretched national officials. It may result, for instance, in officials being obliged to spend their time attending multiple repetitious seminars and workshops rather than actually implementing and enforcing controls at the national level.

This Background Paper presents the first overview of the range of arms transfer- and SALW control-related cooperation and assistance activities that have been carried out involving states from the Middle East and North Africa. The data covers the period since 2012 and is drawn from SIPRI’s ‘Mapping ATT-relevant Cooperation and Assistance Activities’ database,



which was launched in 2015.³ Based on this data, the paper identifies potential gaps in the types of assistance provided to date, highlights areas of good practice that could be applied elsewhere, and proposes mechanisms through which the coordination of this type of assistance could be improved.

Section II provides a brief overview of the particular challenges that the Middle East and North Africa region faces with regard to combating the illicit trade in SALW and implementing effective arms transfer and SALW control instruments. It also gives a brief history of the region's engagement with different international and regional instruments in the field of arms transfer and SALW controls. Section III presents the key elements of an effective system of arms transfer and SALW controls, as detailed in the UN POA and the ATT. It also provides further information on the scope and focus of the mapping study carried out by SIPRI. Section IV gives an overview of the 56 arms transfer- and SALW control-related activities involving states from the Middle East and North Africa that have been identified during the mapping study and added to the SIPRI database. The section outlines the type and focus of these activities as well as the range of implementers involved. The section also presents case studies on Libya and Lebanon in order to show how the database can contribute to a more detailed analysis of states' needs and the lessons that can be learned from assistance provided to date. Section V draws together some of the key conclusions and makes recommendations, focused on (a) areas where lessons can be learned from past cooperation and activities; and (b) steps that can be taken to increase the coordination and effectiveness of arms transfer- and SALW-related cooperation and assistance activities involving states from the region.

Within the Middle East and North Africa, a wide range of arms proliferation and arms transfer dynamics generate significant security challenges

II. Arms transfer and SALW controls in the Middle East and North Africa

The need for effective arms transfer and SALW controls

Within the Middle East and North Africa, a wide range of arms proliferation and arms transfer dynamics generate significant security challenges. These are too numerous to discuss in detail but three in particular are worth highlighting: (a) diversion and stockpile leakage in post-conflict settings; (b) the transfer of arms to non-state actors; and (c) significant and ongoing military build-ups by states. These dynamics underline the need for more effective arms transfer and SALW controls in the region while also demonstrating the challenges involved in achieving this goal.

³ The initial development of the database was carried out in partnership with the UN Regional Centre for Peace and Disarmament in Africa (UNREC) and mapped activities involving states from sub-Saharan Africa. SIPRI expanded the database in 2016 to cover Latin America and the Caribbean with support from the UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC). In 2017 the database was further expanded to cover East Asia and South East Asia, and during 2018 it has been widened again to cover the Middle East and North Africa.

*Post-conflict diversion and stockpile leakage*

Patterns of arms trafficking in the Middle East and North Africa are often significantly affected by external shocks such as the eruption of a new conflict.⁴ In particular, a pattern of large military build-ups followed by conflict and the collapse of government control has led to significant increases in the volume of illicit SALW. According to the Small Arms Survey, the 2003 Iraq war resulted in the transfer of at least 4.2 million SALW from the military to armed non-state actors or the wider civilian population, as a result of either the government's pre-invasion arming of militia forces or the post-invasion looting of stockpiles.⁵ Combined with transfers from neighbouring states and battlefield captures, these weapons formed the basis of the arsenals that fuelled the anti-coalition insurgency and internal conflicts in Iraq that began in 2003.⁶ In Libya, the collapse of the Gaddafi regime in 2011 made possible the looting of poorly guarded stockpiles. Libya witnessed the rapid emergence of illicit weapons markets while wider and freer access to the internet facilitated their illicit sale online.⁷ In both Iraq and Libya the loss of arms did not just affect neighbouring states but led to proliferation in the wider region.⁸ For example, refugee flows from Libya to Tunisia during the revolution also involved the transfer of significant amounts of civilian held small arms that were not controlled at the border.⁹ Weapons from Libyan stockpiles also spread to most of West Africa.¹⁰

Stockpile leakage and diversion—whether due to corruption, weak stockpile management or the loss of government control after the collapse of a state—have fed illicit markets, upended existing trading patterns and contributed to instabilities by arming populations and non-state groups. National and regional measures are therefore needed to improve stockpile management of SALW and ammunition, strengthen border controls and ensure accountable destruction of surplus weapons after a war in order to reduce proliferation-related instability and security challenges. The collapse of state institutions that occurred in Iraq and Libya would have created a loss of weapons from state stockpiles regardless of the type of standards then in place. Nonetheless, particularly in Libya, the low standards in existence before the conflict were widely known and greatly exacerbated the problems that arose later. Prior to 2011, Libya had 'one of the largest and most diverse stockpiles of conventional weapons' in Africa and one of the world's highest

⁴ Karp, A. and Schroeder, M., 'Global trends in small arms trafficking', World Policy Blog, 29 Feb. 2016.

⁵ This added to an estimated pre-war civilian arsenal of at least 3.2 million firearms. In addition, hundreds of thousands of former police and intelligence service weapons also passed into civilian hands. Small Arms Survey, 'From chaos to coherence? Global firearms stockpiles', *Small Arms Survey, 2004: Rights at Risk* (Oxford University Press: Oxford, 2004), pp. 47–49.

⁶ Ismay, J., 'Insight into how insurgents fought in Iraq', *New York Times*, 17 Oct. 2013.

⁷ Jenzen-Jones, N. R. and McCollum, I., 'Web trafficking: Analysing the online trade of small arms and light weapons in Libya', *SANA Working Paper* no. 26 (Small Arms Survey: Geneva, 2017), pp. 26–31.

⁸ See the reports of the Panel of Experts established pursuant to resolution 1973 (2011) concerning Libya, which are available at the committee's website.

⁹ Kartas, M., 'On the edge? Trafficking and insecurity at the Tunisian–Libyan border', *Small Arms Survey Working Paper* no. 17 (Dec. 2013), p. 23.

¹⁰ United Nations Office on Drugs and Crime (UNODC), *Transnational Organized Crime in West Africa: A Threat Assessment* (UNODC: Vienna, Feb. 2013).



rates of civilian gun ownership.¹¹ Libya was also a key source of illicit weapon transfers to its neighbouring states, a trade that was largely controlled by groups operating along Libya's borders, reportedly acting with the consent and oversight of the Gaddafi regime.¹²

Transfers to non-state actors

The Middle East and North Africa region has long been and continues to be plagued by interstate and intra-state conflicts. These conflicts have created a significant demand for—and been fuelled by—licit and illicit arms transfers to and within the region. A common phenomenon in many of these conflicts is the transfer or diversion of arms to non-state actors. Indeed, the Middle East and North Africa provides several examples of a state arming groups to act as proxies, create instabilities, or protect its specific interests in a conflict. For example, many states in the region have a long history of supplying arms to the Palestine Liberation Organization (PLO) and Hamas.¹³ More recently, Iran continues to be accused of supplying arms to Hezbollah and Houthi forces in Yemen.¹⁴ In addition, Egypt and the United Arab Emirates (UAE) reportedly played a lead role in supplying arms to different non-state actors in Libya during the anti-Gaddafi uprising.¹⁵ Finally, Saudi Arabia, Jordan and the UAE are reported to have supplied large quantities of arms to anti-government forces in Syria, mainly through the re-export of weapons acquired in Central and Eastern Europe.¹⁶ Investigations by Conflict Armaments Research have shown that weapons originally supplied to anti-government forces in Syria formed a significant proportion of those held by IS.¹⁷

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Hezbollah, non-state actors in Libya, the Houthi forces in Yemen and IS are all subject to UN arms embargoes.¹⁸ However, while the UN bodies assigned to monitor the implementation of these embargoes have helped to identify sources of supply for these groups, the embargoes themselves have not succeeded in halting transfers. The creation of a more formalized ban on arms transfers to non-state actors was a central issue for discussion during the negotiation of the ATT and continues to be discussed in the context of the biannual meetings of states and review conferences attached to the UN POA. In both contexts, many states pushed for language that would outlaw any arms transfer that has not been approved by both the exporting and

¹¹ Jenzen-Jones and McCollum (note 7), pp. 23–24; and Strazzari, F. and Zampagni, F., 'Illicit firearms circulation and the politics of upheaval in North Africa', ed. N. Duquet, *Triggering Terror: Illicit Gun Markets and Firearms Acquisition of Terrorist Networks in Europe* (Flemish Peace Institute: Brussels, Apr. 2018), p. 439.

¹² Strazzari and Zampagni (note 11), pp. 439–40.

¹³ See Garcia, D., 'Arms transfers beyond the state-to-state realm', *International Studies Perspectives*, vol. 10, no. 2 (May 2009), pp. 154–55.

¹⁴ Small Arms Survey, 'Armed violence in the MENA region: trends and dynamics', *Policy Brief*, Nov. 2015, p. 3.

¹⁵ Risen, J., Mazzetti, M. and Schmidt, M. S., 'US-approved arms for Libya rebels fell into jihadist hands', *New York Times*, 5 Dec. 2012.

¹⁶ Angelovski, I., Patrucic, M. and Marzouk, L., 'Revealed: the £1bn of weapons flowing from Europe to Middle East', *The Guardian*, 27 July 2016.

¹⁷ See Conflict Armament Research, *Weapons of the Islamic State: A Three-year Investigation in Iraq and Syria* (Conflict Armament Research: London, Dec. 2017).

¹⁸ See the SIPRI Arms Embargo Database.



the importing state.¹⁹ Others—particularly the US Government—blocked the inclusion of this language, largely because it wished to retain the option of supplying arms to allied rebel forces. The positions of the states in the Middle East and North Africa on this question are mixed. Syria has voiced strong support for such language—particularly since the start of the ongoing conflict in the country—and cited the failure to include it in the ATT as one of the main reasons why it blocked the adoption of the treaty by consensus at the 2013 negotiating conference.²⁰ Other states have maintained more ambiguous positions. For example, it has been argued that if the USA had not blocked the adoption of language on this point in the UN POA, Iran and a number of Arab states would have been more vocal in their opposition to its inclusion.²¹

Significant and ongoing military build-ups

States in the Middle East and North Africa rely heavily on imports for their acquisitions of conventional arms and SALW. Some states in the region have started or continue to build up domestic industries and build facilities for licensed arms production, especially for SALW and ammunition.

However, with a few exceptions they lack the established arms industries required to meet the demand from domestic, regional or global markets. Israel is a prominent exception, in that it maintains the most developed arms industry in the region, producing technologically advanced weapon systems for states all over the world. Israeli exports of major weapons

increased by 55 per cent between 2008–12 and 2013–17.²² Very few of these exports supplied the regional arms market, however, due to the protracted Arab-Israeli conflict.

Many states in the Middle East and North Africa are currently in the midst of significant military build-ups. Saudi Arabia had the third largest military spending in the world in 2017, albeit far behind the USA and China. In addition, seven of the 10 countries with the highest military spending as a proportion of their gross domestic product (GDP) are in the Middle East.²³ Of the world's 10 largest importers of major arms in the period 2013–17, five were in the Middle East and North Africa.²⁴

The size of these build-ups highlights the need for openness and transparency about what is being acquired and for what purposes, in order to defuse potential misunderstandings and build trust and confidence. At the same time, the transfers themselves have also been the centre of debates about Western supplier states' export controls. During the period of the Arab Spring uprisings in several states in the Middle East and North Africa,

¹⁹ See Holtom, P., 'Prohibiting arms transfers to non-state actors and the Arms Trade Treaty', UNIDIR Resources, [n.d.].

²⁰ Acheson, R. and Fihn, B., 'The failure of consensus', *Arms Trade Treaty Monitor*, no. 6.10 (29 Mar. 2013).

²¹ See Garcia (note 13), p. 156.

²² Wezeman, P. D. et al., 'Trends in international arms transfers, 2017', *SIPRI Fact Sheet*, Mar. 2018, p. 5.

²³ Tian, N., et al., 'Trends in world military expenditure, 2017', *SIPRI Fact Sheet*, May 2018.

²⁴ In the period 2013–17, Saudi Arabia was the second largest importer, followed by Egypt and the UAE. Algeria and Iraq were the seventh and eighth largest importers, respectively. Wezeman et al. (note 22), p. 6.

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Western states were strongly criticized by parliamentarians and civil society for exporting arms to states that were using their military forces against protestors or to suppress opposition.²⁵ More recently, arms exports from the USA and Europe to Saudi Arabia and the UAE have also been criticized due to the conduct of their forces in the ongoing war in Yemen. Public debates and controversies over export licensing practices have highlighted disagreements over the interpretation and implementation of—in particular—the ATT's obligations on preventing the export of arms that will be used to violate human rights or IHL.

Relevant regional and international instruments

Regional instruments

The two main regional organizations involved in arms transfer and SALW control issues with participation by states from the Middle East and North Africa are the African Union (AU) and the League of Arab States (LAS). Some economic communities within the AU have created arms control instruments.²⁶ However, the North African regional economic community—the Arab Maghreb Union—has been largely dysfunctional, among other reasons, due to the conflict between Morocco and Algeria over the recognition of Western Sahara, and has failed to set up comparable instruments for North Africa.²⁷

The AU, including its North African members, developed the African Common Position on the Illicit Proliferation, Circulation and Trafficking of SALW in the 2000 Bamako Declaration. This paved the way for African support for the UN POA.²⁸ The Bamako Declaration remains one of the most important policy documents on controlling SALW in Africa. In accordance with the declaration, AU member states have committed to identify, seize and destroy illicit weapons and to introduce measures to control their 'proliferation, circulation and trafficking'.²⁹ The member states have since reiterated their commitments in a number of resolutions and declarations. In 2011, the AU adopted the 'African Union Strategy on the Control of Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons', strengthening the role of the AU-Regions Steering Committee on SALW and Disarmament, Demobilization and Reintegration (DDR) in coordinating and facilitating cooperation, information exchange and capacity building in the fight against SALW proliferation.³⁰

²⁵ Small Arms Survey (note 14); Amnesty International, *Arms Transfers to the Middle East and North Africa: Lessons for an Effective Arms Trade Treaty* (Amnesty International: London, 2011).

²⁶ These are the Nairobi Protocol in the Great Lakes region and the Horn of Africa, the Southern African Development Community Protocol on the Control of Firearms, Ammunition and Other Materials, and the Kinshasa Convention on Small Arms and Light Weapons in West Africa.

²⁷ Institute for Security Studies, 'On the agenda: emerging initiatives for AU-UN arms control', *Peace and Security Council Report*, no. 95 (Sep. 2017), pp. 5–7.

²⁸ African Union, Peace and Security Department, 'Small Arms and Light Weapons (SALW)', updated 23 July 2013.

²⁹ Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, 1 Dec. 2000.

³⁰ African Union, Peace and Security Department, 'African Union Strategy on the Control of Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons', Addis Ababa, [n.d.], accessed 17 Aug. 2018.



In November 2016, the AU launched its ‘Silencing the guns in Africa by 2020’ initiative, as part of the operationalization of its Vision 2020 goals.³¹ The measures include an annual one-month amnesty period, during which people may surrender illegally owned weapons to the authorities without being subject to ‘disclosure, humiliation, arrest or prosecution’.³² However, many African states, including those in North Africa, continue to struggle to implement the required regulatory measures, such as marking arms, record-keeping and stockpile management. These measures, in combination with efforts to fight corruption, strengthen governance and provide security, are essential to convincing local populations to voluntarily engage in civilian disarmament.³³

The LAS was very active on issues related to SALW controls in the early 2000s. It agreed on a common Arab position on the negotiations on the UN POA and adopted an ‘Arab Model Law on Weapons, Ammunitions, Explosives and Hazardous Material’ in 2002.³⁴ In 2004 and 2006, LAS members reaffirmed their commitment to the implementation of the UN POA, passing

resolutions 6447 and 6625 to strengthen Arab coordination in combating the illicit trade in SALW. In addition, various other forums, such as the so-called 5+5 Dialogue of the Western Mediterranean Forum, have sought to tackle SALW trafficking as part of their security cooperation.³⁵ The LAS was also active during the ATT negotiating process, helping to organize regional workshops and coordinating national positions.

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However, the strong reservations of states in the Arab world about the final content of the treaty mean that the LAS has had only a limited role in ATT-focused universalization and implementation efforts (see below).

Implementation of many of the above-mentioned instruments has been weak for a variety of reasons. The subregional cooperation envisaged under the AU-Regions Steering Committee has had little effect in North Africa due to the inactivity of the Arab Maghreb Union, as the responsible regional economic community, and the continuing instability and conflict in Libya and Western Sahara.

International instruments

While states from the Middle East and North Africa were involved in the process of consultations and negotiations leading up to the adoption of the ATT, many states in the region were deeply dissatisfied with the final outcome. In particular, states in North Africa and the Middle East were vocal during the consultations about their concerns that the treaty might limit their ability to acquire adequate arms to ensure their national defence.³⁶ Egypt was particularly outspoken on this point, as well as a number of other issues. It argued in favour of slowing the pace of the process to allow some

³¹ African Union, ‘AU Peace and Security Council lays out practical steps to silence the guns in Africa by 2020’, Press release, 17 Nov. 2016.

³² Alusala, N. and Paneras, R., ‘Silencing the guns by 2020: ambitious but essential’, *ISS Today*, 14 Mar. 2018.

³³ Alusala and Paneras (note 32).

³⁴ Programme of Action Implementation Support System, ‘League of Arab States (LAS)’, 2014.

³⁵ The member states of the Western Mediterranean Forum are Algeria, France, Italy, Libya, Malta, Mauritania, Morocco, Portugal, Spain and Tunisia.

³⁶ Lamb, G., ‘African states and the ATT negotiations’, *Arms Control Today*, 30 Aug. 2012.



of the grievances about the possibly discriminatory effects of the treaty to be addressed, and supported a decision by consensus over a vote. Iran and Syria were two of the three states that blocked consensus approval of the treaty text in March 2013 and subsequently voted against the adoption of the treaty in the UN General Assembly in April 2013.³⁷ As noted above, Syria was mainly concerned about the failure of the text to ban transfers to non-state actors while Iran cited a range of concerns, most of which were linked to the treaty's perceived failure to reflect the needs of importing states or to include proposed language aimed at curtailing the actions of the USA and Israel.³⁸

At the time of writing, Palestine was the only state party to the ATT from the Middle East and North Africa, having deposited its instrument of ratification in December 2017. Lebanon's Parliament voted to join the treaty in September 2018 and is expected to deposit its instrument of ratification soon. Three additional states from the Middle East and one state from North Africa have signed the treaty.³⁹ However, the prospects of any of these states ratifying the ATT in the near future are mixed. Israel has not given a clear indication that it intends to ratify the ATT and Libya is not in a position to do so at present. The UAE attended the first ATT Conference of States Parties (CSP) in 2015 but none of the subsequent ones. Bahrain attended the second ATT CSP in 2016 but none of the others. Both states may have been put off by the extent to which arms transfers to them have been a topic of debate in recent years. As noted above, the extent to which arms exports to the UAE are in line with the requirements of the ATT has been debated in a number of Western states, while the issue of arms transfers to Bahrain was the subject of similar discussions during the Arab Spring.⁴⁰

Palestine and Lebanon are not due to begin fulfilling their reporting requirements under Article 13(1) of the treaty until 2019. Accordingly, no states from the Middle East and North Africa have submitted an initial report on their implementation of the treaty or an annual report on their arms exports and imports under the ATT. This lack of reports on arms exports and imports by states in the region is of particular concern given the significant military build-ups in the region and states' low level of engagement with existing transparency instruments. In particular, the number of states from the Middle East and North Africa that submit reports to the UN Register of Conventional Arms (UNROCA) has declined significantly from eight in 1992.⁴¹ Since 2012 the only states in the Middle East and North

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³⁷ Arms Control Association, 'Arms Trade Treaty at a glance', Fact Sheets and Briefs, Jan. 2016.

³⁸ Specifically, Iran objected to the ATT's failure to include proposed language on banning arms sales to 'aggressors and foreign occupiers', to include in its coverage transfers of arms to deployed military forces or to military allies, or to recognize 'the inalienable right to self-determination of peoples under foreign occupation or alien and colonial domination'. Explanation of Vote by HE Ambassador Golamhossein Dehghani, Deputy Permanent Representative of the Islamic Republic of Iran to the United Nations, 2 Apr. 2013.

³⁹ In addition to Lebanon, the signatories to the ATT in the Middle East are Bahrain, Israel and the United Arab Emirates. The one signatory to the ATT in North Africa is Libya.

⁴⁰ See Amnesty International, *Arms Transfers to the Middle East and North Africa: Lessons for an Effective Arms Trade Treaty* (Amnesty International: London, 2011).

⁴¹ UN Office for Disarmament Affairs (UNODA), 'UNROCA: Transparency in the global reported arms trade'. The UNROCA was established in 1991. Each year all UN member states are requested to report information to the UNROCA on the export and import of 7 categories of conventional



Africa to have submitted any reports to the UNROCA are Israel, Lebanon and Qatar.⁴² All 18 UN member states in the region have submitted a report under the UN POA at least once. Since 2014, 10 of the 18 have submitted at least one report on their implementation of the UN POA.⁴³

III. Arms transfer and SALW control cooperation and assistance activities

The framework provided by the UN POA and the ATT

The UN POA is a politically binding instrument adopted in 2001 that outlines the steps that should be taken at the international, regional and national levels to counter the illicit trade in SALW ‘in all its aspects’. The UN POA was negotiated on the basis of consensus under the auspices of the First Committee of the UN General Assembly. While it lacks effective verification measures, the UN POA nonetheless represents a key set of normative standards agreed to by all UN member states that details the steps they need to take in order to combat diversion at all stages of the life cycle of SALW. These steps include (a) creating legislation, regulations and administrative procedures to control the production and transfer of SALW; (b) criminalizing the illegal manufacture, possession, stockpiling and trade in SALW; (c) marking SALW; (d) improving the tracing of SALW; (e) seizing and collecting illegally possessed SALW; and (f) destroying surplus SALW.

The ATT entered into force on 24 December 2014, 19 months after it opened for signature. The ATT is primarily focused on the development and implementation of effective arms transfer controls. Under the ATT, states parties are obliged to establish and maintain an effective transfer control system for conventional arms, to prohibit certain arms transfers and not to authorize certain arms exports.⁴⁴ These provisions can be broadly divided into the following areas: (a) establishing and maintaining an arms transfer control system; (b) carrying out risk assessments on arms transfers and arms exports; (c) prohibiting certain arms transfers and not authorizing certain arms exports; (d) regulating arms imports, transit and trans-shipment, and arms brokering; (e) establishing and maintaining mechanisms for enforcement; and (f) making available information about arms transfers and the arms transfer control system.

The UN POA and ATT differ in terms of their legal status—the UN POA is politically binding and the ATT is legally binding—and their coverage—the ATT covers all conventional arms and the UN POA covers SALW. Nonetheless, they jointly provide a comprehensive overview of the range of areas in

weapons (battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, and missiles and missile launchers) in the previous calendar year. States are also invited to provide information on their holdings and procurement from domestic production of major conventional weapons as well as their exports and imports of SALW.

⁴² Qatar submitted a ‘nil report’ for 2012 and Lebanon did so for 2013, indicating that they had not imported or exported any arms covered by the UNROCA. The only state in the Middle East to have submitted more than one report since 2012—and to have reported any transfers—is Israel, which submitted reports for 2013, 2014 and 2015.

⁴³ United Nations, Programme of Action Implementation Support System, ‘National reports on the progress of action’, [n.d.].

⁴⁴ The scope of the transfers regulated by the ATT is SALW plus the 7 categories of conventional arms reported to the UNROCA (see note 41).



which states need to have measures in place that allow them to maintain effective oversight of and control over the full life cycle of conventional arms and SALW. Both instruments also include language encouraging states to either request, offer or fund work aimed at building national implementation capacities. In recent years, a significant number of cooperation and assistance activities have been carried out with the aim of establishing or improving national arms transfer and SALW controls. A cooperation and assistance activity is a targeted effort—generally a training event, workshop, roundtable meeting, seminar or conference—aimed at building a state’s national capacities in particular areas. They generally involve one or more partner states, which benefit from the activity, implementers, which carry it out, and donors, which provide the funding.

In recent years, significant attention has been paid to the question of how to improve the coordination and effectiveness of cooperation and assistance activities on arms transfer and SALW controls. For example, the outcome document of the 2018 review conference on implementing the UN POA encouraged:

the use of existing mechanisms wherever possible, but also the establishment, where necessary, of new mechanisms, to strengthen donor coordination at the sub-regional, regional and global levels in preventing and combating the illicit trade in small arms and light weapons, specifically with a view to avoiding duplication, maximizing coordination and complementarity and enhancing the effectiveness of assistance programmes.⁴⁵

As part of this process, the UN POA website maintained by the UN Office for Disarmament Affairs has recently been expanded and now includes a section on assistance received and provided. This contains information drawn from states’ reports on their implementation of the UN POA and the reports by Organisation for Economic Co-operation and Development (OECD) member states to the OECD Creditor Reporting System on international assistance delivered in the domain of DDR and SALW controls.⁴⁶

However, achieving this type of coordination is a difficult task. One challenge relates to the fact that many cooperation and assistance activities are carried out with the specific aim of helping states to implement either the ATT or the UN POA. For example, the entry into force of the ATT led to the launch of a number of initiatives and funding instruments aimed at helping states to implement the treaty. These include the many projects supported by the UN Trust Facility Supporting Cooperation on Arms Regulation (UNSCAR) and the ATT Voluntary Trust Fund (VTF) as well as those carried out as part of the ATT Outreach Project under the EU’s Partner-to-partner (P2P) Export Control Programme. However, linking together or coordinating activities that are either ‘ATT-focused’ or ‘UN POA-focused’ presents a number of challenges, since implementation of the UN POA is discussed at the UN level, where states that are not party to the ATT do not wish to see the treaty referenced in UN

Significant attention has been paid to the question of how to improve the coordination and effectiveness of cooperation and assistance activities

⁴⁵ UN General Assembly, Report of the third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, A/CONF.192/2018/RC/3, 6 July 2018, p. 23.

⁴⁶ See UNODA, Programme of Action on Small Arms and Light Weapons.



POA outcome documents.⁴⁷ There are also a wide range of activities that are neither ATT-focused nor UN POA-focused but nonetheless aimed at building states' capacities in arms transfer or SALW controls. Examples include the US State Department's work on strategic trade controls or the work of the North Atlantic Treaty Organization (NATO) on SALW marking, stockpile management and surplus destruction. As a result of this fragmentation, providers and recipients can face difficulties coordinating their activities or be unaware of all the activities taking place. This can lead to gaps in coverage, duplication of effort and further stress on limited financial resources.⁴⁸

The SIPRI database

SIPRI's Mapping ATT-Relevant Cooperation and Assistance Activities database has been developed to provide states, NGOs, regional and international organizations and other assistance providers with information about arms transfer- and SALW control-related cooperation and assistance activities. The aim of the database is to allow these stakeholders to carry out joint work and avoid duplication of effort when planning and implementing cooperation and assistance activities. Each activity is given an individual page, which contains information about (a) what activity is involved; (b) any larger project of which the activity was a part; (c) the activity's focus, type, partner states, implementers, donors and budget; (d) links to any websites detailing the activity; (e) links to other closely related activities in the database; and (f) contact details for the implementers.

The activities in the database are tagged and searchable according to their type and focus. The four 'type' tags are as follows:

1. *Sensitization and outreach*: Building awareness among governments, parliamentarians or NGOs about issues related to arms transfer or SALW controls.
2. *Legal or legislative assistance*: Reviewing, amending or drafting legislation or regulations related to arms transfer or SALW controls;
3. *Institutional capacity building*: Strengthening administrative capacities among the national authorities responsible for arms transfer or SALW controls.
4. *Technical, material or financial assistance*: Providing: (a) technical experts for training activities or longer-term secondment; (b) equipment and software for record-keeping, marking, detection and other relevant uses; or (c) institutional funding or direct budgetary support in areas relevant to arms transfer or SALW controls.

⁴⁷ Opposition from these states ensured that the outcome document of the UN POA Review Conference makes only an indirect reference to the ATT. The document calls on states: 'To ensure the complementarity of assistance provided in support of the implementation of the Programme of Action and the International Tracing Instrument and that provided in support of other relevant instruments to which a State is a Party'. UN General Assembly (note 45), p. 22.

⁴⁸ See Bromley, M. and Holtom, P., *Arms Trade Treaty Assistance: Identifying a Role for the European Union*, EU Non-proliferation Consortium Discussion Paper (SIPRI: Stockholm, Feb. 2014).



The ‘focus’ tags cover issues that relate to establishing and implementing an effective system of arms transfer controls and are drawn from the main obligations contained in the ATT. These are: ‘transfer controls’, which covers all aspects of establishing an effective transfer control system, as well tags for specific aspects of that process, particularly: ‘control list’, ‘risk assessments’, ‘import controls’, ‘transit and trans-shipment controls’, ‘brokering controls’, ‘border controls’ and ‘reporting on arms transfers’. The focus tags also cover issues that relate to establishing and implementing an effective system of SALW controls and are drawn from the main obligations contained in the UN POA. These are ‘Small arms and light weapons (SALW)’, which covers all aspects of establishing an effective system of SALW controls, as well tags for specific aspects of that process, particularly: ‘inventory and stockpile management’, ‘marking’, ‘record-keeping’, ‘tracing’, ‘ammunition’, ‘destruction’ and ‘National Action Plan (NAP)’.⁴⁹

IV. Cooperation and assistance activities in the Middle East and North Africa

Overview of activities included in the SIPRI database

Since 2012, at least 56 cooperation and assistance activities in the field of arms transfer or SALW controls have been carried out involving states from the Middle East and North Africa.⁵⁰ These activities have been added to SIPRI’s Mapping ATT-Relevant Cooperation and Assistance Activities database and tagged according to their ‘type’ and ‘focus’ using the methodology outlined in Section III. This section briefly outlines how many of these activities were tagged as being focused on arms transfer controls, SALW controls or both and—in addition—which particular areas of arms transfer and SALW controls they focused upon. It also highlights how many of these activities were tagged as being sensitization and outreach, legal or legislative assistance, institutional capacity building, or technical, material or financial assistance type activities. Finally, the section also highlights how many of these activities were focused on helping states to implement either the UN POA or the ATT, and can therefore be seen as UN POA-focused or ATT-focused. In all cases the section also provides examples of the activities included in the database.

Since 2012, at least 56 cooperation and assistance activities have been carried out involving states from the Middle East and North Africa

Of the 56 activities, 32 had a focus on arms transfer controls, 43 had a focus on SALW controls and 19 had a focus on both arms transfer and SALW controls.⁵¹ Of the 32 activities focused on arms transfer controls, 16 were in whole or in part sensitization and outreach-type activities. Of these 16 activities, 9 were ATT-focused. These nine activities included for instance the following:

⁴⁹ See Annex 1 in this paper for a definition of these focus tags. For a detailed description of the database and the tags it uses, see ‘About the project’, SIPRI Mapping ATT-Relevant Cooperation and Assistance Activities database.

⁵⁰ This section provides an overview of the information that has been collected and added to SIPRI’s Mapping ATT-Relevant Cooperation and Assistance Activities database as of 19 Oct. 2018. The SIPRI database is a live tool and information is added and the database amended as new information becomes available. These figures are therefore subject to change.

⁵¹ Since several activities include a focus on both arms transfer controls and SALW controls, these numbers do not add up to 56.



1. The ‘Supporting the Arms Trade Treaty Negotiations through Regional Discussions and Expertise Sharing’ regional seminar for countries in the Middle East, which was arranged by the UN Institute for Disarmament Research (UNIDIR) in 2012 with funding from the EU.

2. The ‘Middle East and North Africa Regional Parliamentary Workshop on the Ratification and Implementation of the Arms Trade Treaty’, which was organized in 2016 by Parliamentarians for Global Action (PGA) with financial support from UNSCAR. The event was part of the PGA ‘Parliamentary Campaign to Promote Ratification & Implementation of the ATT in Lusophone States and the Middle East and North Africa’, and was an opportunity to identify the steps that could be taken to promote ratification of the ATT in these states.

Of the 32 activities with a focus on arms transfer controls, 20 were legal or legislative assistance, institutional capacity building, or technical, material or financial assistance type activities, or a mixture of all three. Among these were the following:

1. The regional workshops and field visits organized for North African countries by the German Federal Office for Economic Affairs and Export Control (BAFA) with funding from the EU. In 2013–17 these provided assistance in the field of arms transfer controls in the region as part of the EU Working Party on Conventional Arms Exports (COARM) Outreach Programme.

2. The training courses delivered by the Cairo International Centre for Conflict Resolution, Peacekeeping and Peacebuilding (CCCCP) in 2014–16. These addressed border control challenges, such as the illicit trafficking of SALW, in North Africa and the Sahel region.

Of these 20 activities, three had a specific focus on the ATT. Among the three were the fifth and the ninth Executive Education Courses on Building Capacities for Effective Implementation of the Arms Trade Treaty, delivered in 2016 and 2018 by the Geneva Centre for Security Policy (GCSP) with financial support from UNSCAR, Friedrich-Ebert Stiftung (FES) and the Swedish Government.

Of the 43 activities focused on SALW controls, 23 were in whole or in part sensitization and outreach activities. Of these 23, eight had a specific focus on the UN POA. These included the following:

1. A Parliamentary Forum on SALW Regional Meeting for the Middle East and North Africa on ‘Proliferation of Small Arms and Light Weapons: Responsibilities, Challenges and Opportunities for the Middle East, North Africa and the Horn of Africa’, organized in 2016 in collaboration with the Swedish Institute in Alexandria. During the event, participants discussed the role of international instruments and treaties, including the UN POA, in preventing and reducing armed violence in the region.

2. A workshop on ‘Combating Illicit trade in SALW in the Arab Region: Developments, Challenges and Best Practices’ organized in 2016 by the Permanent Peace Movement (PPM) and the LAS. The seminar was an occasion to discuss ongoing preparations for the Sixth Biennial Meeting of States of



the UN POA and the linkages between this document, the International Tracing Instrument and the Sustainable Development Goals.

Of the 43 activities focused on SALW controls, 31 discussed legal or legislative assistance, institutional capacity building or technical, material and financial assistance type activities or covered a mix of all these areas. They included the following:

1. Conflict Armament Research (CAR) physical security and stockpile management (PSSM) activities in Mosul, Iraq, in 2017–18 included training, visits to stockpile facilities and needs assessments conducted by CAR experts. The project aimed to reduce the risk of conventional arms being diverted from Iraqi stockpiles on to the illicit market or to non-state actors, and to reduce the risk of explosive accidents at stockpile facilities.

2. A regional workshop for Maghreb countries and Libya on international legal instruments on firearms, organized in 2017 by the United Nations Office on Drugs and Crime (UNODC) Global Firearms Programme (GFP), provided an opportunity for participants to exchange experiences on implementing international legal instruments on firearms and identify their needs in the area of legislative assistance.

Since 2012, at least 22 UN agencies, regional organizations and NGOs have implemented cooperation and assistance activities

Two of these 31 activities had a specific focus on the UN POA:

1. The ‘Beirut Conference on Arms Control Mechanisms in the Middle East’, organized by the Permanent Peace Movement in 2015 with financial support from the German Government. This provided participants with useful information on, among other things, how to collect and report data on arms transfers and establish national focal points.

2. The Building Roadmaps for Harmonized UN POA and ATT Implementation project, carried out by the Small Arms Survey and the Group for Research and Information on Peace and security (GRIP), and funded by UNSCAR, sought to enable harmonization of national implementation of the UN POA and the ATT in eight African countries, one of which was Tunisia.

Key implementers of cooperation and assistance activities

Since 2012, at least 22 UN agencies, regional organizations and NGOs have implemented cooperation and assistance activities focused on arms transfer or SALW controls involving states from the Middle East and North Africa. This section briefly outlines the range of entities involved in this work and the key focus of the work they have carried out to date.

A UN Regional Office for Disarmament Affairs has not been established to cover the Middle East and North Africa. Nonetheless, the UN—through its various agencies—has implemented a number of projects and activities involving states in the region. These have mostly focused on firearms and SALW controls, in particular in the areas of stockpile management and destruction. Between 2016 and 2018, the UNODC delivered assistance activ-



ities mainly within the framework of its GFP.⁵² Such activities, targeted at countries from the Gulf, Sahel and Maghreb regions, among others, specifically addressed issues related to the illicit trafficking of firearms. This assistance was carried out either in the shape of meetings to foster cooperation and the exchange of good practices among law and criminal justice practitioners, or as training and legal workshops to promote the implementation of the UN Firearms Protocol and develop national capacity to combat illicit trafficking in firearms.

In 2012, the UN Mine Action Service (UNMAS) was integrated into the United Nations Support Mission in Libya (UNSMIL) as the Arms and Ammunition Advisory Section (AAAS).⁵³ As part of its work to support the mandate of UNSMIL and the UN Country Team in Libya, UNMAS performed in-country mine clearance activities, helped national institutions manage their vast stockpiles of controlled and uncontrolled arms and ammunition, and delivered SALW risk awareness training for civilians.⁵⁴ UNIDIR was involved in the implementation of ATT-focused activities carried out in 2009–12, before the adoption of the treaty. These regional seminars targeted specific regions, including the Middle East and North Africa, to promote discussions on the ATT and support its negotiation. In addition, as part of the now disbanded ATT Network, UNIDIR participated in the delivery of a range of activities aimed at sensitizing and building capacity in the field of arms transfer and SALW controls.⁵⁵

The EU has been active in promoting effective arms transfer controls in the region via its COARM outreach programme, which is being carried out by BAFA. In the two most recent phases of the COARM outreach programme, covering the period 2013–17, BAFA implemented a number of activities specifically aimed at promoting effective arms export control policies in the North African countries in the European Neighbourhood Policy (ENP), Algeria, Egypt, Libya, Morocco and Tunisia.⁵⁶ Among these were four regional workshops, as well as study visits to Paris, London Heathrow and the Port of Antwerp. With the support of external experts, these aimed to build institutional capacity and sensitize officials from the target countries in areas related to the core concerns of the ATT, such as transfer, import and transit and trans-shipment controls, and to SALW controls more generally. A new phase of COARM was launched by EU Council Decision 2018/101/CFSP. This new phase envisages participation by representatives of two

⁵² UNODC, 'Global Firearms Programme', 2018.

⁵³ UNMAS, 'Libya', updated Mar. 2018.

⁵⁴ UNMAS (note 53).

⁵⁵ The ATT Network was composed of the Centre on Conflict, Development and Peacebuilding (CCDP) of the Graduate Institute Geneva, the GCSP, the Small Arms Survey and UNIDIR, see Graduate Institute of Geneva, 'The Arms Trade Treaty Network'. In 2017 UNIDIR and the Small Arms Survey launched the 'Arms Transfers Dialogue', which took on much of the work previously carried out by the ATT Network. See Small Arms Survey, 'Arms Transfers Dialogue'.

⁵⁶ Council of the European Union, 'Council Decision 2012/711/CFSP of 19 November 2012 on support for Union activities in order to promote, among third countries, the control of arms exports and the principles and criteria of Common Position 2008/944/CFSP', *Official Journal of the European Union* L321, 20 Nov. 2012, pp. 62–67; and Council of the European Union, 'Council Decision 2015/2309 of 10 December 2015 on the promotion of effective arms export controls', *Official Journal of the European Union* L326, 11 Dec. 2015, pp. 56–53.



Southern Neighbourhood countries in the ENP (Jordan and Lebanon) in at least one of two regional workshops planned for North African partners.⁵⁷

To date, no assistance activities involving states from the Middle East and North Africa have been carried out within the framework of the EU P2P ATT Outreach Programme.⁵⁸ Phase II of the project, which was launched through Council Decision 2017/915/CFSP, specifically foresees the implementation of at least one national road map in the Middle East, the Gulf countries and Central Asia and up to five national road maps in North, Central and West Africa. In addition, five ad hoc assistance workshops will be implemented in Africa, the Gulf countries and the Middle East.⁵⁹ At the time of writing, the implementers of the EU P2P ATT Outreach Programme—BAFA and Expertise France—were planning to engage in a long-term partnership with at least one country in the North Africa Region.⁶⁰

Through its Partnership for Peace Trust Fund Mechanism, NATO has provided assistance to partner countries in the field of SALW, mine and ammunition destruction, and physical security and stockpile management.⁶¹ Trust funds to tackle specific issues can be set up by a NATO member state or partner country. Projects can also receive funding through voluntary contributions from individual NATO members, partner countries and, more recently, NGOs. At the time of writing, trust fund projects have been implemented, or are currently ongoing, in Jordan, focused on providing technical assistance in the field of explosive safety and the demilitarization of surplus and obsolete ammunition.

The role of regional organizations in delivering cooperation and assistance activities in the field of arms transfer and SALW controls has been rather limited, not least due to the modest number of related regional or subregional instruments covering the Middle East and North Africa. The LAS, for example, was only involved in a few activities specifically focused on the ATT—mostly aimed at defining a common Arab position ahead of the negotiations on the ATT, about which many LAS member states still have concerns and reservations.⁶² However, the LAS supports the Arab states in implementing the UN POA and arranges regular meetings of their National Points of Contact. International NGOs have been quite active in carrying out activities focused on both arms transfer and SALW controls.

The role of regional organizations in delivering cooperation and assistance activities in the field of arms transfer and SALW controls has been rather limited

⁵⁷ Council of the European Union, 'Council Decision 2018/101 of 22 January 2018 on the promotion of effective arms export controls', Official Journal of the European Union L17, 23 Jan. 2018, pp. 40–47. The Southern Neighbourhood countries of the European Neighbourhood Policy are Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria and Tunisia.

⁵⁸ See the EU P2P Export Control Programme website.

⁵⁹ Council of the European Union, 'Council Decision 2017/915 of 29 May 2017 on Union outreach activities in support of the implementation of the Arms Trade Treaty', Official Journal of the European Union L139, 30 May 2017, pp. 38–48.

⁶⁰ Representative of Expertise France, correspondence with the authors, 17 Sep. 2018.

⁶¹ North Atlantic Treaty Organization, 'Small arms and light weapons (SALW) and mine action (MA)', updated 22 May 2017.

⁶² Kytömäki, E., *Arms Trade Treaty Signatory States: Gaps and Possibilities for Treaty Universalization* (SaferGlobe: Aug. 2017), pp. 20–22.

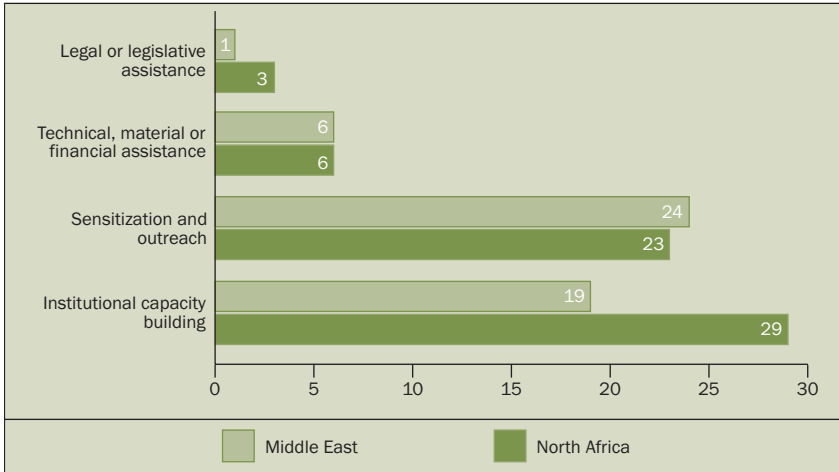


Figure 1. The types of cooperation and assistance activities carried out, by subregion, 2012–18

Note: These figures do not add up to the total number of activities per subregion because activities may include more than one focus.

Source: Arms Trade Treaty (ATT), Mapping ATT-relevant Cooperation and Assistance Activities database.

These include the PGA, the Parliamentary Forum on SALW, Handicap International and CAR. These projects have been funded by, among others, national governments, UNSCAR, the EU and the Swedish International Development Cooperation Agency. Regional NGOs are funded less well than international NGOs and have traditionally been excluded from discussions about security issues. They have therefore had comparatively little involvement in implementing arms transfer and SALW control-related activities. However, a small number of NGOs from the Middle East and North Africa, in particular the Permanent Peace Movement in Lebanon and the Free Tunisia Association in Tunisia, have engaged with these topics. Both were vocal, for example, in

the run-up to and during negotiations on the ATT, and have continued to lobby their governments to ratify or accede to the treaty.⁶³

Differences between the Middle East and North Africa

The states from North Africa have been involved in a higher number of activities than the states from the Middle East. The four states of North Africa have been involved in 45 such activities while the 15 states of the Middle East have been involved in 39. In addition to differences in the willingness and ability of states in each subregion to participate, variations between the Middle East and North Africa might reflect the fact that major outreach programmes, such as the EU P2P, have targeted states in North Africa more systematically than states in the Middle East.⁶⁴

Twenty-three of the activities involving states from North Africa and 24 of those involving states from the Middle East contained sensitization and outreach components. Conversely, 29 of the activities involving states from North Africa and 19 of the activities involving states from the Middle East were institutional capacity building type of activities. A small number of activities in both subregions were legal or legislative assistance or technical, material or financial assistance type activities (see figure 1).

Within North Africa, the differences between states in terms of the number of activities that they have taken part in is minimal. Morocco (29) and Libya (21) have been involved in the highest numbers of activities, while Tunisia (23) and Algeria (20) have been involved in the least. In its reports on the implementation of the UN POA submitted in 2012 and 2018, Morocco included requests for capacity building in a range of areas related

⁶³ Free Tunisia, ‘Hazem Ksouri speech in the UN Conference on ATT’, New York, 11 July 2012.

⁶⁴ The EU COARM Outreach Programme targeting the North African Mediterranean countries of the European Neighbourhood Policy includes Egypt. SIPRI defines the country as part of the Middle East.



to arms transfer and SALW controls (stockpile management, destruction and tracing).⁶⁵ Conversely, in its reports on the implementation of the UN POA submitted in 2012, 2014, 2016 and 2018, Algeria described the range of assistance that it has provided to other states in North Africa and the Sahel region on arms transfer and SALW controls and the role it has played in coordinating multilateral efforts in these areas.⁶⁶

Within the Middle East, the differences among states in the region are more pronounced. Egypt (24), Jordan (18), Palestine (15) and Iraq (13) have been involved in the highest numbers of activities, while Iran (1) and Israel (1) have been involved in the least. The UN POA reports submitted by countries from the Middle East do not provide a clear picture of the type of assistance these countries might need in the field of SALW controls or reflect their actual involvement in cooperation and assistance activities. For instance, despite their clear willingness to engage with assistance providers, no relevant detail in this regard has been shared on either Egypt or Jordan in the ‘International Assistance’ section of the UN POA website, which draws from countries’ national reports.⁶⁷ On the other hand, in its 2012 UN POA report, Iraq stated that it needed assistance with, among other things, the enactment of relevant national laws and regulations.⁶⁸ More recently, in the report it submitted in 2018, Saudi Arabia specified a need for assistance in the field of laws and regulations on and procedures for SALW manufacturing.⁶⁹

Thirty assistance activities involving states from North Africa focused on arms transfer controls, 10 of which were ATT-focused. Twenty-two assistance activities involving states from the Middle East focused on issues related to arms transfer controls, nine of which were ATT-focused. In both regions, only a small number of the activities carried out included a focus on a specific aspect of a transfer control system, such as border controls, import controls or transit and trans-shipment controls (see figure 2). Thirty-three assistance activities involving states from North Africa included a focus on SALW controls, six of which were UN POA-focused. Thirty-one

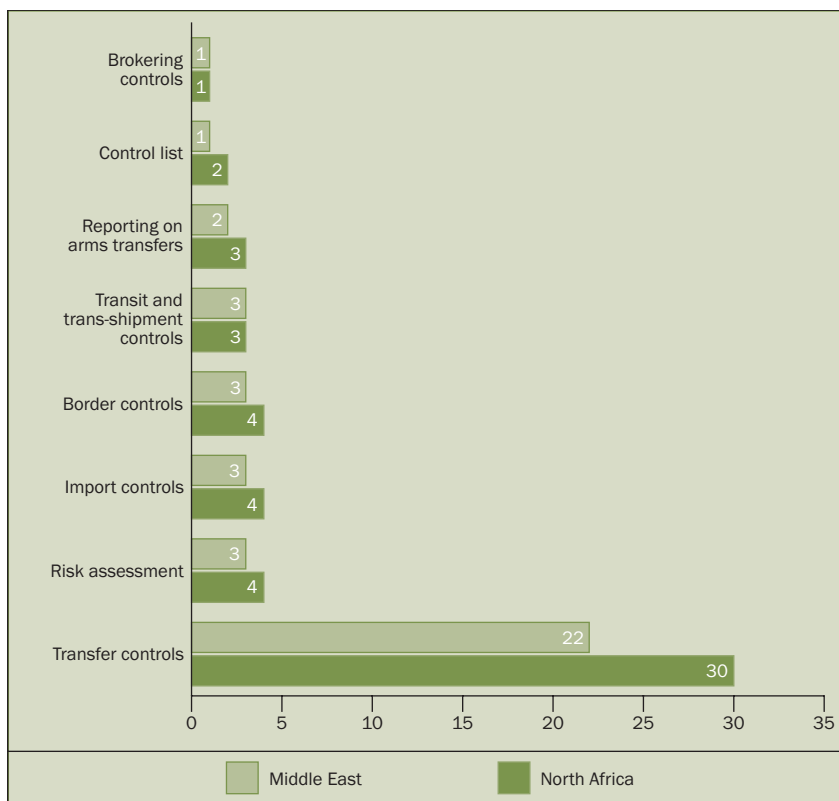


Figure 2. Cooperation and assistance activities focused on transfer controls, by subregion, 2012–18

Note: These figures do not add up to the total number of activities per subregion because activities may include more than one focus.

Source: Arms Trade Treaty (ATT), Mapping ATT-relevant Cooperation and Assistance Activities database.

⁶⁵ UN Programme of Action (UN POA) on Small Arms and Light Weapons, ‘National reports: National reports from 2002 to current year’; and UN POA, ‘International assistance’.

⁶⁶ UN POA, ‘International assistance’ (note 65).

⁶⁷ UN POA, ‘International assistance’ (note 65).

⁶⁸ UN POA, ‘International assistance’ (note 65).

⁶⁹ UN POA, ‘International assistance’ (note 65).

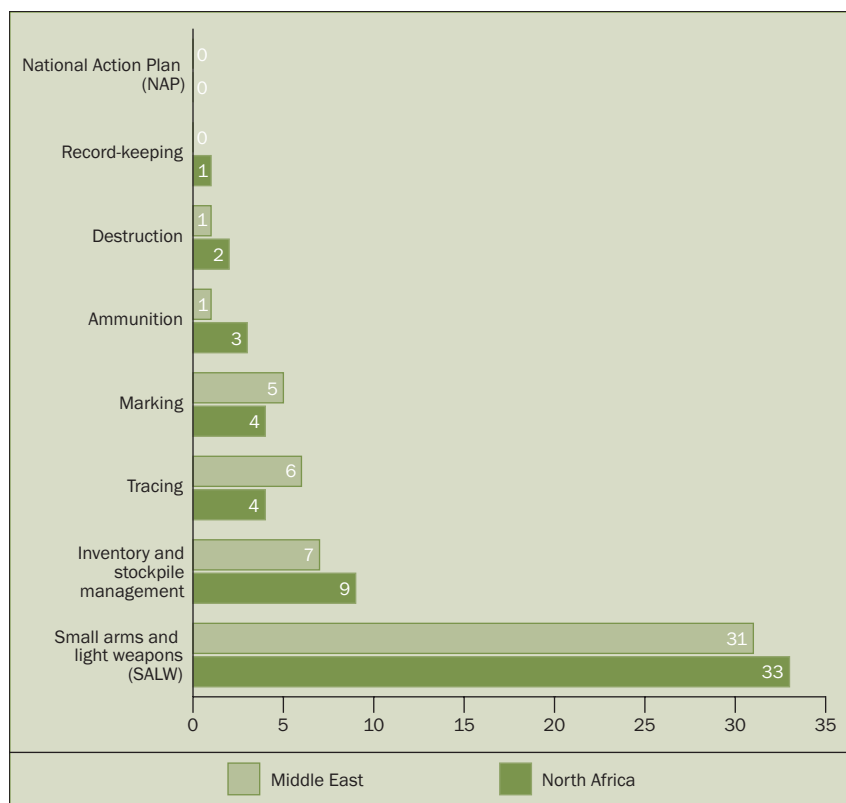


Figure 3. Cooperation and assistance activities focused on small arms and light weapons (SALW) controls, by subregion, 2012–18

Note: These figures do not add up to the total number of activities per subregion because activities may include more than one focus.

Source: Arms Trade Treaty (ATT), Mapping ATT-relevant Cooperation and Assistance Activities database.

assistance activities involving states from the Middle East included a focus on SALW controls, of which seven were UN POA-focused. In both subregions, the specific aspects of SALW controls addressed most frequently were inventory and stockpile management, tracing and marking (see figure 3).

Case study: Libya

Since 2011, substantial resources have been invested in trying to stem the flow of weapons from Libya and improve state capacity in the field of arms transfer and SALW controls. Since 2012, Libya has been involved in 21 cooperation and assistance activities. Of these, 19 had a focus on SALW controls while 11 had a focus on arms transfer controls and 9 focused on both arms transfer and SALW controls.

Libya signed the ATT on 9 July 2013, the first country in North Africa to do so, but has not yet ratified it.⁷⁰ As a consequence, no ATT report is available to identify areas perceived by the Libyan Government as challenging in terms of treaty implementation. The only UN POA report ever submitted does not

specifically seek any type of assistance and was in any case produced in a completely different institutional context.⁷¹

Despite the lack of official information on Libya's assistance requirements, the acute need for Libya to develop and implement more effective SALW and arms transfer controls has been abundantly clear since 2011. Responding to this clear demand, several international actors mobilized to provide Libya with relevant assistance in the field and, more specifically, to address the risks posed by mines, explosive remnants of war (ERW) and SALW proliferation.⁷² These objectives were recognized as major issues to be addressed and featured in the mandate of UNSMIL.⁷³ In the early years of the post-revolutionary government, working in an extremely challenging security situation and in the absence of a fully functioning state, these actors focused mainly on clearing battle areas, destroying or safely relocating

⁷⁰ Arms Trade Treaty Secretariat, 'The Arms Trade Treaty'; Humanity & Inclusion, 'Libya first North African country to regulate arms trade', [n.d.], accessed 12 Sep. 2018.

⁷¹ UN Programme of Action on Small Arms and Light Weapons, 'National reports', accessed 12 Sep. 2018; UN Programme of Action on Small Arms and Light Weapons, 'International Assistance', accessed 12 Sep. 2018.

⁷² UN Security Council Resolution 2040 of 12 Mar. 2012; and UN Security Council Resolution 2291 of 13 June 2016.

⁷³ UN Security Council Resolution 2040; and UN Security Council Resolution 2291 (note 72).



abandoned ammunitions and raising awareness of SALW-related risks.⁷⁴ In 2011, a number of demining agencies, such as UNMAS, the Mine Action Group, Handicap International and the Danish Demining Group, formed a Joint Mine Action Committee Team to work in Libya.⁷⁵ To coordinate and maximize the efforts of these agencies, the local authorities in charge at the time established the Libyan Mine Action Centre (LIBMAC), operating under the Libyan Ministry of Defence.⁷⁶

In 2013 the German Agency for International Cooperation (GIZ) began implementing a programme on conventional arms control in Libya. This was funded by the German Federal Foreign Office and the EU, and consisted of two modules. The first module, implemented in cooperation with LIBMAC, sought to develop and strengthen the capacity of the Libyan agencies responsible for oversight and coordination in the area of conventional arms control and mine action.⁷⁷ The second module provided support to the Libyan authorities in the field of PSSM, in cooperation with, among others, the Libyan Arms and Ammunition Department and the Libyan Army Engineers. This support included the development of PSSM standards and procedures, the provision of storage units and the delivery of related training.⁷⁸ In addition, between 2014 and 2017 the British Government funded and implemented a number of activities in Libya linked to weapon security and disposal, and reducing SALW trafficking as part of the Libyan Security, Justice and Defence Programme.⁷⁹

The deterioration in the security situation in Libya in 2014 made it unsafe to implement many of these assistance programmes. Many implementers, such as GIZ, scaled back or terminated their activities and left the country. Others, such as Handicap International and UNMAS, remotely managed some of their activities from Tunisia.⁸⁰ Plans for SALW, ammunition or weapons storage sites are unlikely to be resumed until the security situation in Libya improves.

The work carried out in Libya demonstrates the ability of several agencies to cooperate effectively within the same framework. However, it also shows the limits to the successful delivery of arms transfer and SALW control-focused activities in a country that lacks a stable government that has control over its entire territory.

⁷⁴ Wille, C., *Improving Protection, Reducing Civilian Vulnerabilities: Interaction Between Mine/Explosive Remnants of War Action and Small Arms and Light Weapons Responses* (Geneva International Centre for Humanitarian Demining, Geneva: June 2017), pp. 52–53.

⁷⁵ Alusala, N., 'Lessons from small arms and weapons control initiatives in Africa', *BICC Working Paper* no. 1 (Bonn International Centre for Conversion: Bonn, Feb. 2016), p. 18.

⁷⁶ Alusala (note 75).

⁷⁷ Council of the European Union, 'Council Decision 2013/320/CFSP of 24 June 2013 in support of physical security and stockpile management activities to reduce the risk of illicit trade in small arms and light weapons (SALW) and their ammunition in Libya and its region', *Official Journal of the European Union* L173, 26 June 2013.

⁷⁸ Council of the European Union, 'Council Decision (CFSP) 2015/1521 of 14 September 2015 repealing Decision 2013/320/CFSP in support of physical security and stockpile management activities to reduce the risk of illicit trade in small arms and light weapons (SALW) and their ammunition in Libya and its region', *Official Journal of the European Union* L239, 15 Sep. 2015.

⁷⁹ British Government, 'Development Tracker', [n.d.].

⁸⁰ Wille (note 74).

*Case study: Lebanon*

Lebanon is a country that faces a significant number of political challenges but it has demonstrated a substantial and growing willingness to engage in arms transfer and SALW control cooperation and assistance activities. Since 2012, Lebanon has been involved in 12 cooperation and assistance activities. Of these, 7 focused on arms transfer controls, 11 focused SALW controls and 6 focused on both arms transfer and SALW controls.

Lebanon signed the ATT in October 2014 and its parliament voted to ratify the treaty in September 2018.⁸¹ Since no ATT report has been submitted to date, there is no public information available on the areas in which Lebanon might require assistance. Furthermore, Lebanon has identified no particular need for external support with SALW controls in its UN POA implementation reports.⁸²

Nonetheless, Lebanon currently faces some obvious challenges in relation to effectively regulating arms transfers and fighting the illicit trafficking of weapons, including SALW. One challenge that is frequently highlighted is the presence on Lebanese territory of several armed groups operating outside of any legal framework. This led the UN Security Council to call in 2004 for ‘the disbanding and disarmament of all Lebanese and non-Lebanese militias’.⁸³ As part of this call, UN Security Council Resolution 1701 of 11 August 2006 imposed an open-ended embargo on all arms transfers to Lebanon not authorized by the Lebanese Government or the UN Interim Force in Lebanon (UNIFIL).⁸⁴ However, the most recent implementation reports on this resolution document allegations of arms transfers to Hezbollah and the consequent presence of unauthorized weapons in their hands.⁸⁵ Cases of illicit arms trafficking have also been reported in informal settlements for Syrian Palestinian refugees in Lebanon.⁸⁶ The escalation of the Syrian conflict, in particular, has fuelled illegal arms smuggling between Lebanon and Syria in both directions.⁸⁷

Non-governmental and civil society organizations were strong advocates of the ATT in Lebanon even before the formal start of negotiations.⁸⁸ Some, like the Permanent Peace Movement (PPM), have also been active in delivering assistance in Lebanon and neighbouring countries.

ATT ratification will mean that there is a clear opportunity to plan and implement a wider array of activities with a focus on building national capacity in specific areas of arms transfer and SALW controls. Unlike other states in the Middle East and North Africa, Lebanon already has civil society actors engaged in issues related to arms transfer and SALW controls. A key

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⁸¹ Associated Press, ‘Lebanon’s Parliament approves Arms Trade Treaty’, 25 Sep. 2018.

⁸² UN POA, National reports (note 65).

⁸³ UN Security Council Resolution 1559 of 2 Sep. 2004.

⁸⁴ SIPRI Arms Embargoes Database, ‘UN Arms Embargoes on Lebanon’, updated 26 Sep. 2018.

⁸⁵ United Nations, Security Council, ‘Implementation of Security Council Resolution 1701 (2006)’, 13 July 2018; and United Nations, Security Council, ‘Report of the Secretary-General on the implementation of Security Council resolution 1701 (2006)’, 8 Mar. 2018.

⁸⁶ United Nations, Security Council (note 85).

⁸⁷ Nichols, M., ‘Weapons being smuggled between Lebanon, Syria: UN’, Reuters, 8 May 2012; and Al Jazeera, ‘“Arms flowing” between Lebanon and Syria: UN Special Envoy says weapons are being smuggled in both directions, and warns region is “at brink of war”’, 9 May 2012.

⁸⁸ Oxfam International, ‘Arms Trade Treaty: Arab NGOs launch their campaign in Beirut’, [n.d.].



first step will be for the national authorities to conduct a detailed needs assessment, which will hopefully be performed in conjunction with the drafting of its initial report on ATT implementation.

V. Conclusions

The Middle East and North Africa is perhaps the part of the world in greatest need of effective arms transfer and SALW controls. At the same time, among a range of other challenges, those identified in Section II—diversion and stockpile leakage in post-conflict settings, transfers of arms to non-state actors and significant ongoing military build-ups—both underline the need for more effective controls and create significant barriers to the implementation of effective approaches in this area. Combined with the broader political instability in the region, these challenges reduce the willingness and ability of states to engage with international assistance efforts, restrict the effectiveness and lasting impact of the assistance that is delivered, and limit the extent of regional cooperation and confidence building measures.

While the UN POA has broad support in the region, the rate and quality of reporting on implementation remain inconsistent and poor. Many states in the Middle East and North Africa are wary of the ATT. There is a lasting suspicion of the instrument, born of its failure to take on board some key concerns. The lack of engagement with—and suspicion of—the ATT has prevented the region from becoming the focus of universalization and implementation efforts. Moreover, civil society organization campaigns for more effective implementation of the ATT have paid particular attention to transfers to the Middle East and North Africa and especially to the Saudi-led coalition fighting in Yemen. Depending on their position in relation to this conflict, states in the Middle East and North Africa either view these transfers as further evidence of Western hypocrisy or see the concerns raised as an indication of potential threats to future supply lines. Either way, these transfers and the concerns surrounding them are unlikely to provide any incentive to accede to the ATT.

Given these limitations, the wide range of arms transfer and SALW control-related activities that have been carried out involving states in the region in recent years is impressive. The SIPRI mapping exercise identified 56 activities implemented by 22 regional and international organizations and NGOs. However, due to the challenges involved in accurately mapping this type of work, the true number is likely to be higher. SIPRI encountered similar issues when mapping activities involving states from sub-Saharan Africa, Latin America and the Caribbean, and East Asia and South East Asia. However, the challenges encountered in the Middle East and North Africa were more significant. When conducting its previous regional mapping exercises, SIPRI coordinated closely with UNREC, UNLIREC and the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific (UNRCPD). These organizations play a key role in coordinating the provision of assistance in each region and their input proved vital in helping SIPRI gain an accurate picture of the range of activities taking place. The lack of an equivalent partner focused on the Middle East and North Africa was a significant obstacle to mapping work in the region. More substantively,



it makes it far harder for the work that is being carried out to be effectively coordinated.

A number of provisional conclusions can be drawn from the data collected by SIPRI. First, the high number of sensitization and outreach-type activities suggests that there is still a general need to increase awareness of issues related to arms transfer and SALW controls in both subregions. The figures also show that more effort has been made to build capacity in these fields

in North Africa than in the Middle East. Second, a significant proportion of the work being done to build awareness on arms transfer control-related issues in the Middle East and North Africa is focused on the ATT. Hence, despite the strong reservations that many states in the region have about the treaty, there is clearly a keen interest in many capitals to hear more

Despite strong reservations, there is clearly a keen interest in many capitals to hear more about the ATT

about the instrument and—potentially—examine pathways towards signature and accession. Third, while a number of activities engaged in capacity building in specific areas related to arms transfer controls, very few of these included a focus on the ATT, and those that did—such as the GCSP’s ATT implementation course—tended to include a mix of states from within the region and beyond. For the time being, it seems, if it is to be successful, capacity building on arms transfer controls must either be decoupled from the ATT or engage with states from inside and outside the region together. Fourth, the number of capacity-building activities carried out focused on SALW controls (27) is higher than the number on arms transfer controls (19). As is the case in the other regions mapped by SIPRI, maintaining controls on SALW stockpiles or establishing good practices in marking and tracing continue to be higher national priorities than creating well-functioning arms transfer control systems. However, despite greater support for the instrument in the region, only a small number of the capacity-building activities that dealt with SALW controls focused on the UN POA.

A comparison between the Middle East and North Africa emphasizes the different levels of engagement with cooperation and assistance activities in the two subregions, and—particularly in the case of the Middle East—within each subregion. It also highlights the significant challenges associated with taking a subregional approach to work in this area, particularly in the Middle East. Another conclusion to be drawn is the importance of ensuring that effective stockpile management receives progressively greater attention, especially in North Africa. Some efforts have been made in both subregions to address diversion by focusing on marking, tracing and destruction. The low number of ‘technical, material or financial assistance’ activities implemented in North Africa may also be an indicator that more resources could be invested in this area. Finally, the comparatively low number of ‘legal or legislative assistance’ type activities in both subregions could be interpreted as a gap worthy of consideration by the relevant planners and implementers.



Abbreviations

ATT	Arms Trade Treaty
AAAS	Arms and Ammunition Advisory Section
AU	African Union
BAFA	German Federal Office for Economic Affairs and Export Control
CAR	Conflict Armament Research
CCDP	Centre on Conflict, Development and Peacebuilding
CCCPA	Cairo International Centre for Conflict Resolution, Peacekeeping and Peacebuilding
COARM	EU Working Party on Conventional Arms Exports
CSP	Conference of States Parties
DDR	Disarmament, Demobilization and Reintegration
ENP	European Neighbourhood Policy
ERW	Explosive remnants of war
EU	European Union
FES	Friedrich-Ebert Stiftung
GCSP	Geneva Centre for Security Policy
GDP	Gross domestic product
GFP	Global Firearms Programme
GIZ	German Agency for International Cooperation
IHL	International Humanitarian Law
LAS	League of Arab States
LIBMAC	Libyan Mine Action Centre
NATO	North Atlantic Treaty Organization
OECD	Organisation for Economic Co-operation and Development
PGA	Parliamentarians for Global Action
PLO	Palestine Liberation Organization
PPM	Permanent Peace Movement
PSSM	Physical security and stockpile management
P2P	Partner-to-partner
SALW	Small arms and light weapons
UAE	United Arab Emirates
UN	United Nations
UNIDIR	UN Institute for Disarmament Research
UNODC	UN Office on Drugs and Crime
UNODA	UN Office for Disarmament Affairs
UNMAS	UN Mine Action Service
UN POA	UN Programme of Action on SALW
UNLIREC	UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean
UNREC	UN Regional Centre for Peace and Disarmament in Africa
UNRCPD	UN Regional Centre for Peace and Disarmament in Asia and the Pacific
UNROCA	UN Register of Conventional Arms
UNSCAR	UN Trust Facility Supporting Cooperation on Arms Regulation
UNSMIL	UN Support Mission in Libya
VTF	Voluntary Trust Fund



Annex 1. Focus tags used in the SIPRI Mapping ATT-Relevant Cooperation and Assistance Activities database

The ‘focus’ tags used in the SIPRI Mapping ATT-Relevant Cooperation and Assistance Activities database include issues that concern establishing and implementing an effective system of arms transfer controls and which relate to the main obligations contained in the ATT. These are as follows:

1. *Transfer controls*: Establishing or improving an arms transfer control system;
2. *Control list*: Establishing or improving the list of controlled goods;
3. *Risk assessments*: Establishing or improving systems for assessing any risks associated with a transfer;
4. *Import controls*: Establishing or improving controls on imports;
5. *Transit and trans-shipment controls*: Establishing or improving controls on transit and trans-shipment;
6. *Brokering controls*: Establishing or improving controls on brokering;
7. *Border controls*: Establishing or improving border and/or customs controls; and
8. *Reporting on arms transfers*: Establishing or improving systems for collecting and reporting information on arms transfers or the control system itself.

The ‘focus’ tags also include issues that concern establishing and implementing an effective system of SALW controls and which relate to the main obligations contained in the UN POA. These are as follows:

1. *Small arms and light weapons (SALW)*: Establishing or improving a system of SALW controls;
2. *Inventory and stockpile management*: Establishing or improving systems for managing SALW stockpiles;
3. *Marking*: Establishing or improving systems for marking SALW;
4. *Record-keeping*: Establishing or improving systems for maintaining records on the production, storage or disposal of SALW;
5. *Tracing*: Establishing or improving systems for tracing the origin of illicit SALW;
6. *Ammunition*: Establishing or improving controls on the production, storage or disposal of SALW ammunition;
7. *Destruction*: Establishing or improving systems for safely disposing of unsafe or surplus of SALW; and
8. *National action plan*: Establishing or improving national action plans as required under the UN POA on SALW.

For more information, see ‘About the project’, SIPRI Mapping ATT-Relevant Cooperation and Assistance Activities database.



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SIPRI BACKGROUND PAPER

ARMS TRANSFER AND SALW CONTROLS IN THE MIDDLE EAST AND NORTH AFRICA: MAPPING CAPACITY- BUILDING EFFORTS

MARK BROMLEY, GIOVANNA MALETTA AND KOLJA BROCKMANN

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