Appendix 6C. Transparency in arms transfers

MARK BROMLEY AND PAUL HOLTOM*

I. Introduction

Official and publicly accessible data on arms transfers is important for assessing states' arms export and arms procurement policies. However, publishing data on arms sales and acquisitions is a sensitive issue for nearly all states. This appendix analyses recent developments in official international, regional and national reporting mechanisms that aim, in whole or in part, to increase the quality and quantity of publicly available information on international arms transfers.

Section II describes the trend in reporting to the United Nations Register of Conventional Arms (UNROCA) and states' views on the inclusion in UNROCA of a category for reporting international transfers of small arms and light weapons (SALW). Section III analyses new developments in the production of national and regional reports on arms exports, paying particular attention to the issue of the timeliness of reporting.

This appendix does not address confidential intergovernmental exchanges of information on arms transfers, such as those that occur within the Organization for Security and Co-operation in Europe (OSCE), the Economic Community of West African States (ECOWAS) and the Wassenaar Arrangement. Another source of information on the international arms trade is the customs data of the UN Commodity Trade Statistics Database (Comtrade), but this is neither intended nor designed to be a tool for increasing the amount of publicly available information on international arms transfers.[1]

II. The United Nations Register of Conventional Arms

UNROCA, established in 1991, is the key international mechanism for official transparency on arms transfers. All UN member states are requested to report to UNROCA information on their exports and imports of seven categories of conventional weapons: (*a*) battle tanks, (*b*) armoured combat vehicles, (*c*) large-calibre artillery systems, (*d*) combat aircraft, (*e*) attack helicopters, (*f*) warships, and (*g*) missiles and missile launchers. States are also invited to submit information on their holdings and procurement from domestic prod-

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[1] The Norwegian Initiative on Small Arms Transfers (NISAT) collects and collates customs data from Comtrade in order to produce an annual register of small arms exports. See the NISAT Small Arms Trade Database at <http://www.prio.no/NISAT/Small-Arms-Trade-Database/>.
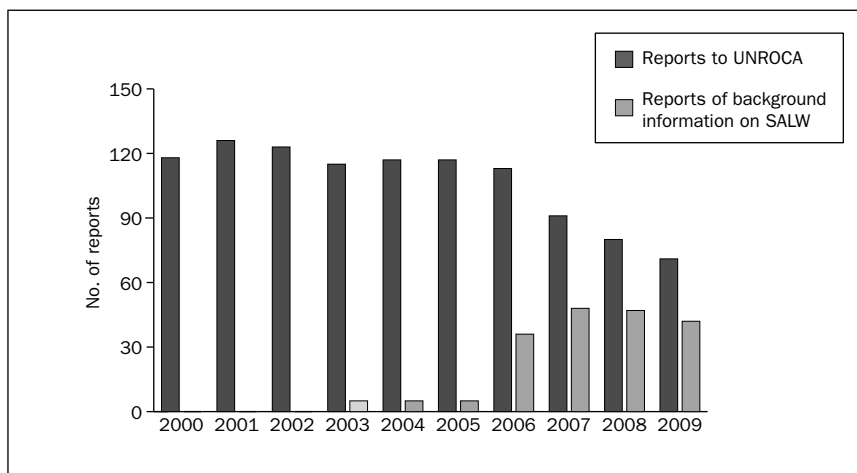
Figure 6C.1. Number of reports submitted to the United Nations Register of Conventional Arms, 2000–2009

Source: UNROCA online database, <http://disarmament.un.org/un_register.nsf>

ucers of major conventional weapons as well as international transfers of SALW.

As of 31 December 2010, only 72 states had submitted reports on their arms transfers during 2009, 30 of which were nil reports (see figure 6C.1 and table 6C.1).[2] This was worse than the previous lowest level of participation, when only 80 states submitted reports on their arms transfers during 2008. France is the only state among the 10 largest suppliers of major conventional weapons not to have submitted a report to UNROCA during 2010.

During 2010, 43 states submitted background information on international transfers of SALW, including 6 nil reports. Six states—the Comoros, the Former Yugoslav Republic of Macedonia, San Marino, Serbia, Spain and Thailand— reported on SALW for the first time.[3] Between 2004 and 2010, 73 states submitted background information at least once on their international transfers of SALW. In 2010 Albania became the first state to submit information on international transfers of SALW ammunition to UNROCA. This comes in the wake of a widely reported corrupt transaction involving the transfer of ammunition from Albania to Afghan national security forces that came to light in 2009.[4]

In January 2010 the UN General Assembly passed a resolution asking states to submit their views to the UN Secretary-General on the continuing operation of UNROCA and the possible inclusion of SALW as a separate reporting category.[5] Seven states—Colombia, Israel, Japan, Mauritius, Mexico, Singapore

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[2] In comparison, 79 states had reported to UNROCA by 31 Dec. 2009, 90 states had by 31 Dec. 2008 and 112 by 31 Dec. 2007.

[3] UN General Assembly Resolution 64/54, 12 Jan. 2010.

[4] For more detail see chapter 1, section IV, in this volume.

[5] UN General Assembly Resolution 64/54 (note 3)

Table 6C.1. Reports submitted to the United Nations Register of Conventional Arms, by region, 2005–2009

Years are years reported on. Figures are numbers of reports submitted. Figures in brackets are numbers of nil reports.

Region	2005	2006	2007	2008	2009
Africa	16 (14)	15 (12)	8 (7)	4 (3)	4 (3)
Americas	23 (19)	22 (16)	13 (6)	15 (9)	10 (2)
Asia and Oceania	28 (18)	27 (18)	21 (12)	19 (7)	17 (9)
Europe	46 (18)	47 (15)	46 (13)	40 (10)	39 (15)
Middle East	4 (2)	2 (1)	3 (1)	2 (1)	2 (1)
Total	**117 (71)**	**113 (62)**	**91 (39)**	**80 (30)**	**72 (30)**

Source: UNROCA online database, <http://disarmament.un.org/un_register.nsf>

and Switzerland—submitted views during 2010.[6] Colombia, Japan, Mauritius, Mexico and Switzerland all expressed support for the inclusion of SALW in UNROCA proper. Japan, Mauritius and Switzerland stressed that SALW are more relevant for a number of countries and regions than the weapon systems covered by UNROCA's current seven categories. The lack of a requirement for reporting SALW transfers has been identified as central to claims that UNROCA has limited relevance for the security concerns of sub-Saharan Africa, where SALW are considered to have a significant role in destabilization and conflicts.[7] Mexico stated that it was 'convinced that such information would help to combat the diversion of such arms into the illegal market and prevent irresponsible transfers of small arms and light weapons'.[8]

Israel did not explicitly support the inclusion of SALW as a category in UNROCA, but it did express support for 'efforts to make the UN Register as relevant and universal as possible' and also called for special attention to be paid to the illicit trade in 'weapons and munitions such as man-portable air-defense systems (MANPADS), short range rockets and improvised explosive devices'.[9] Israel has yet to provide background information to UNROCA on its own transfers of SALW.

Singapore was the only state that explicitly opposed the introduction of a category for reporting SALW transfers, expressing concern that this would be too onerous a burden for states and would have a negative effect on participation in UNROCA. Singapore therefore suggested that 'States who find SALW

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[6] United Nations, General Assembly, 'UN Register of Conventional Arms', Report of the Secretary-General, A/65/133, 15 July 2010.

[7] United Nations, General Assembly, 'Continuing operation of the United Nations Register of Conventional Arms and its further development', A/58/274, 13 Aug. 2003, para. 63; United Nations, General Assembly, Report on the continuing operation of the United Nations Register of Conventional Arms and its further development, A/61/261, 15 Aug. 2006, para. 51; and United Nations Office for Disarmament Affairs, 'Regional Workshop for Western African States on Transparency in Armaments', Aug. 2009, <http://www.un.org/disarmament/HomePage/ODAPublications/ODA Update/2009/Aug/index.html>.

[8] United Nations (note 6), p. 132.

[9] United Nations (note 6), p. 38.

reporting relevant to them' should continue to use the standardized reporting form for SALW transfers.[10]

III. National and regional reports on arms exports

Since the early 1990s an increasing number of governments have published national reports on arms exports.[11] As of January 2011, 34 states had published at least one national report on arms exports since 1990 and 30 had done so since 2008. Of the 30 states, 24 had reported information on arms export licences granted and 23 had reported information on actual arms exports (see table 6C.4 below).

Two states—Croatia and Hungary—published national reports on arms exports for the first time during 2010, both on arms imports and arms exports during 2009. Croatia's report gives the financial value of export and import licences and a description of the goods broken down by the destination or origin of the items and control list category.[12] Hungary's report gives the financial value of arms imports broken down by the origin of the goods or military list category and the financial value of arms export licences and arms exports broken down by destination and military list category.[13]

In recent years European states—and particularly the member states of the European Union (EU)—have made some of the biggest strides in producing more detailed national reports on arms exports. Under the EU Common Position defining common rules governing the control of exports of military technology and equipment (EU Common Position), states which export military equipment are obliged to produce a national report on arms exports.[14] Seven EU member states had not published a national report on arms exports by 31 December 2010: Cyprus, Greece, Latvia, Lithuania, Luxembourg, Malta and Poland.[15] Ireland has previously released national reports on arms exports, but the most recent data available covers licences granted during January 1998.[16]

While the number of countries producing national reports on arms exports has increased, the most recent editions of several reports are, in some respects, less detailed than they those of previous years. For example, the first reports on

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[10] United Nations (note 6), p. 132.

[11] A list of the published reports is maintained on the SIPRI website at <http://www.sipri.org/research/armaments/transfers/transparency/national_reports>.

[12] Croatian Ministry of Economy, Labour and Entrepreneurship (MELE), *Annual Report on Export and Import of Military Goods and Non-Military Lethal Goods* (MELE: Zagreb, 2010).

[13] Hungarian Trade Licensing Office (HTLO), Authority on Military Industry and Export Controls, *National Report on Arms Export Controls of the Republic of Hungary 2009* (HTLO: Budapest, 2010).

[14] Council of the European Union, Council Common Position 2008/944/CFSP of 8 Dec. 2008 defining common rules governing control of exports of military technology and equipment, *Official Journal of the European Union*, L335, 13 Dec. 2008. See also Council of the European Union, User's guide to the European Union Code of Conduct on Exports of Military Equipment, Brussels, 16133/1/04, rev. 1, 23 Dec. 2004, p. 22.

[15] Poland published its first national report in Feb. 2011.

[16] The production of a national report on arms exports is required in Ireland's national legislation on arms exports. Control of Exports Act 2008, Irish Act no. 1 of 2008, entered into force 5 May 2008, <http://www.irishstatutebook.ie/2008/en/act/pub/0001/>, article 9.

Table 6C.2. The timeliness of annual reports on arms exports for 2009

Time periods refer to the time between the end of the period covered and the date of publication. Data is not available for all reports. States may also produce more timely monthly, quarterly or biannual reports.

Less than 3 months	More than 3 months	More than 6 months	More than 9 months	More than 12 months
South Africa	Flanders	Czech Republic	Albania	Austria
Sweden	(Belgium)	France	Croatia	Finland
Switzerland	Bosnia and	Ukraine	Denmark	Portugal
	Herzegovina		Germany	
	Italy		Hungary	
	Netherlands		Romania	
	Norway		United States	
	United Kingdom			

arms exports by the Czech Republic and France—which covered transfers in 2003 and 1998, respectively—contained more information on export licence denials than the most recent editions.

Another factor limiting transparency in arms exports is the timeliness of the published reports. The majority of states' national reports on arms exports were intended to act as a tool for public and parliamentary oversight to inform discussions on implementation of national export control regulations. However, in order to serve this function, the reports need to be produced in a timely manner, so that the information they contain is not out of date when discussed.

The timeliness of national reports differs substantially between states (see table 6C.2). The most recent editions of the national reports produced by Austria, Finland and Portugal were published more than 12 months after the time period they cover. In contrast, the most recent editions of the reports produced by South Africa, Sweden and Switzerland were produced less than three months after the time period they cover. Several factors affect states' ability to produce national reports in a timely manner. For example, in several states, national reports must receive parliamentary approval before they can be published, slowing the process of their release into the public domain.

In addition to annual reports, the Netherlands, Sweden and the Belgian region of Flanders produce monthly reports on their arms exports. Romania and the United Kingdom issue quarterly reports. Belgium and the Belgian regions of Flanders and Brussels produce biannual reports. The shorter time frame covered by these reports serves to increase the relevance of the data they contain and to increase overall transparency levels. However, in certain cases there is still considerable delay between the period covered by the report and the date of publication.

The EU Common Position requires EU member states to exchange data on the financial values of their export licence approvals and actual exports along with information on their denials of arms export licences. This data is compiled in a publicly available annual report. The EU's 12th annual report, published in

Table 6C.3. Submissions of information to the European Union annual report on arms exports, 2003–2009

Annual report	Year covered	No. of states making submissions	No. of states making full submission[a]	Proportion of states making full submission (%)
12th	2009	27	17	63
11th	2008	27	19	*70*
10th	2007	27	16	*59*
9th	2006	25	16	*64*
8th	2005	25	17	*68*
7th	2004	25	13	*52*
6th	2003	22[b]	6	*27*

[a] A 'full submission' is taken to be data on the financial value of both arms export licences issued and actual exports, broken down by both destination and EU Common Military List category.

[b] Because the 6th annual report covers export licences issued and actual exports in 2003, the 10 member states that joined the EU in May 2004 were not obliged to submit data. Instead, they were invited to submit figures for 2003 if they were available, which 7 of them did.

Source: Council of the European Union, EU annual reports, <http://www.consilium.europa.eu/showPage.aspx?id=1484>.

January 2011, covers transfers during 2009. All 27 EU member states supplied information to the report, and 17 provided data for all requested categories, compared with 19 for the 11th annual report (see table 6C.3).[17] In recent years, the EU has placed significant emphasis on reducing the time lag between the period covered and the publication of the report.[18] However, the 12th annual report is the most delayed report produced so far: it was published more than 12 months after the time period covered.

[17] Council of the European Union, 12th annual report according to Article 8(2) of Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment, *Official Journal of the European Union*, C9, 13 Jan. 2011. All 12 annual reports are available at <http://www.consilium.europa.eu/showPage.aspx?id=1484>.

[18] See e.g. Council of the European Union, 11th annual report according to Article 8(2) of Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment, *Official Journal of the European Union*, C265, 6 Nov. 2009, p. 4.

Table 6C.4. States participating in international, regional and national reporting mechanisms on arms transfers, 2008–10

An x denotes that the state published or submitted a report at least once in 2008–10.

| State[a] | UNROCA | | National report | | | |
	Exports or imports	Background information on SALW	Export licences[b]	Arms exports[c]	Licence denials[d]	Brokering licenses[e]
Albania	x (nil)	x	–	x	–	–
Andorra	x (nil)	–	–	–	–	–
Antigua and Barbuda	x (nil)	x (nil)	–	–	–	–
Argentina	x	x (nil)	–	–	–	–
Armenia	x (nil)	x	–	–	–	–
Australia	x	x	–	–	–	–
Austria* [†]	x	–	x	x	–	–
Azerbaijan	x	–	–	–	–	–
Bangladesh	x	x	–	–	–	–
Belarus[f]	x	–	–	–	–	–
Belgium*	x	x	x[g]	–	–	–
Belize	x (nil)	–	–	–	–	–
Bhutan	x (nil)	–	–	–	–	–
Bolivia	x (nil)	x	–	–	–	–
Bosnia and Herzeg.	x	x	x	–	x	–
Brazil	x	–	–	–	–	–
Brunei Darussalam	x (nil)	x	–	–	–	–
Bulgaria* [†]	x	x	x	x	–	–
Burundi	x (nil)	–	–	–	–	–
Cambodia	x	–	–	–	–	–
Canada	x	x	–	x	–	–
Chile	x	x	–	–	–	–
China	x	–	–	–	–	–
Colombia	x	x	–	–	–	–
Comoros	x (nil)	x (nil)	–	–	–	–
Costa Rica	x (nil)	–	–	–	–	–
Croatia	x	x	x	–	–	–
Cyprus* [†]	x	x (nil)	–	–	–	–
Czech Republic* [†]	x	x	x	x	x	–
Denmark*	x	x	x	–	x	–
Djibouti	x (nil)	–	–	–	–	–
El Salvador	x (nil)	x (nil)	–	–	–	–
Estonia* [†]	x	–	x	–	–	–
Fiji	x (nil)	x (nil)	–	–	–	–
Finland* [†]	x	–	x	x	–	–
France*	x	x	x	x	–	–
Georgia	x	x	–	–	–	–
Germany*	x	x	x	x	x	x
Ghana	x (nil)	x (nil)	–	–	–	–
Greece* [†]	x	x	–	–	–	–
Grenada	x (nil)	–	–	–	–	–
Guatemala	x (nil)	–	–	–	–	–
Hungary* [†]	x	x	x	x	–	–

State[a]	UNROCA		National report			
	Exports or imports	Background information on SALW	Export licences[b]	Arms exports[c]	Licence denials[d]	Brokering licenses[e]
Iceland	x (nil)	–	–	–	–	–
India	x	–	–	–	–	–
Indonesia	x	x	–	–	–	–
Ireland* [†]	x	x	–	–	–	–
Israel	x	–	–	–	–	–
Italy*	x	x	x	x	–	–
Japan	x	x[h]	–	–	–	–
Jordan	x	–	–	–	–	–
Kazakhstan	x	x	–	–	–	–
Kenya	x (nil)	–	–	–	–	–
South Korea	x	x	–	–	–	–
Kyrgyzstan	x (nil)	–	–	–	–	–
Laos	x (nil)	–	–	–	–	–
Latvia* [†]	x	x	–	–	–	–
Lebanon	x (nil)	x (nil)	–	–	–	–
Liechtenstein	x (nil)	x	–	–	–	–
Lithuania* [†]	x	x	–	–	–	–
Luxembourg* [†]	x (nil)	x	–	–	–	–
Macedonia, FYR	x (nil)	x	–	–	–	–
Malaysia	x	–	–	–	–	–
Maldives	x (nil)	–	–	–	–	–
Malta* [†]	x (nil)	x (nil)	–	–	–	–
Mauritius	x (nil)	–	–	–	–	–
Mexico	x	x	–	–	–	–
Moldova	x (nil)	x	–	–	–	–
Monaco	x (nil)	–	–	–	–	–
Mongolia	x (nil)	–	–	–	–	–
Montenegro	x	x	x	x	–	x
Namibia	x (nil)	–	–	–	–	–
Nauru	x (nil)	–	–	–	–	–
Netherlands* [†]	x	x	x	–*	x	–
New Zealand	x	x	–	–	–	–
Norway	x	x	–	x	–	–
Pakistan	x	–	–	–	–	–
Palau	x (nil)	–	–	–	–	–
Panama	x (nil)	x	–	–	–	–
Peru	x	x	–	–	–	–
Philippines	x (nil)	x	–	–	–	–
Poland*	x	x	–	–	–	–
Portugal* [†]	x	x	x	x	–	–
Romania* [†]	x	x	x	x	x	x
Russia	x	–	–	–	–	–
St Vincent and the Grenadines	x (nil)	x	–	–	–	–
Samoa	x (nil)	–	–	–	–	–
San Marino	x (nil)	x	–	–	–	–
Serbia	x	x	x	x	x	–
Seychelles	x (nil)	–	–	–	–	–

| State[a] | UNROCA | | National report | | | |
	Exports or imports	Background information on SALW	Export licences[b]	Arms exports[c]	Licence denials[d]	Brokering licenses[e]
Singapore	x	–	–	–	–	–
Slovakia* [†]	x	x	x	x	x	–
Slovenia* [†]	x	x	x	x	–	–
Solomon Islands	x (nil)	–	–	–	–	–
South Africa	x	–	–	x	–	–
Spain* [†]	x	x	x	x	x	–
Suriname	x (nil)	–	–	–	–	–
Swaziland	x (nil)	x (nil)	–	–	–	–
Sweden*	x	x[i]	x	x	x	x
Switzerland	x	x	–	x	–	–
Tajikistan	x (nil)	–	–	–	–	–
Thailand	x	x	–	–	–	–
Togo	x (nil)	x (nil)	–	–	–	–
Tunisia	x (nil)	–	–	–	–	–
Turkey	x	x	–	–	–	–
Ukraine	x	x	–	x	–	–
United Kingdom*	x	x	x	–	x	x
United States	x	–	x	x	–	–
Viet Nam	x (nil)	–	–	–	–	–
110 states	**109 (47 nil)**	**66 (11 nil)**	**24**	**23**	**11**	**5**

SALW = small arms and light weapons; UNROCA = UN Register of Conventional Arms.

[a] The 27 European Union (EU) member states, marked *, report each year via the EU annual report on arms exports. The 19 states marked [†] provided data on all categories—i.e. the financial value of both arms export licences and actual arms exports, broken down by both destination and EU Military List category—at least once in 2008–10.

[b] A country is marked as providing information on arms export licences in its national report if it identifies the destinations for which arms export licences have been granted.

[c] A country is marked as providing information on arms exports in its national report if it identifies the destinations to which arms have been exported.

[d] A country is marked as providing information on licence denials in its national report if it identifies the destinations for which arms export licences have been denied.

[e] A country is marked as providing information on arms brokering licences in its national report if it identifies the destinations for which arms brokering licences have been issued.

[f] In May 2009 Belarus published a report on its export controls and arms exports in 2008, but this report does not provide information on export licences, licence denials, etc.

[g] Since 2003 the 3 regional governments of Belgium (Brussels, Flanders and Wallonia) have been responsible for issuing export licences. Each region produces its own report on arms exports, each of which contains more detail than the Belgian national report.

[h] Japan submitted background information to UNROCA on the procurement of SALW through national production in 2008, 2009 and 2010.

[i] Sweden did not submit information on the number of SALW imported and exported, only the categories of weapon systems and the origin or destination.

Sources: UNROCA database, <http://disarmament.un.org/un_register.nsf>; and national reports collected at <http://www.sipri.org/research/armaments/transfers/transparency/national_reports>.