

### III. Transparency in arms transfers

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Official and publicly accessible data on arms transfers—both exports and imports—is important for assessing states' policies on arms exports, arms procurement and defence. At some point in the past 25 years, 170 states have published information on their arms exports and imports in the form of national reports on arms exports or through their participation in regional or international reporting instruments (although in many cases the information covers only one or a few years).<sup>1</sup>

The main international reporting instruments in the field of international arms transfers are the United Nations Register of Conventional Arms (UNROCA) and the 2013 Arms Trade Treaty (ATT) reporting instrument. This section analyses the current status of these two instruments after a brief review of national and regional reporting.

#### **National reports and regional reporting mechanisms**

As of 31 December 2019, 37 states had published at least one national report on arms exports in the past 25 years.<sup>2</sup> As in 2015–18, no state produced a national report on arms exports in 2019 that had not done so previously, and there were no significant developments in either the types of data included or the level of detail provided. Some states that do not publish a national report on their arms exports release data on the overall financial value of their arms exports. These states include India, Israel, Pakistan and Russia (see section IV).

In addition, a number of regional reporting instruments have been mandated or established since the early 1990s. The main such instruments are (a) the instrument created under the 2006 Economic Community of West African States (ECOWAS) Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials; (b) instruments created by the Organization of American States (OAS); (c) information exchanges in the Organization for Security and Co-operation in Europe (OSCE); and (d) the European Union (EU) annual report.<sup>3</sup> No significant developments relating to these instruments took place in 2019.

<sup>1</sup> This section covers only public reporting instruments in the field of arms transfers. Confidential exchanges of information, such as those that occur within the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, are not addressed.

<sup>2</sup> SIPRI collects all published national reports on arms transfers and makes them available in its National Reports Database.

<sup>3</sup> On these regional reporting instruments see Bromley, M. and Wezeman, S. T., 'Transparency in arms transfers', *SIPRI Yearbook 2016*, pp. 595–603. For a summary and other details of the ECOWAS SALW Convention see annex A, section II, in this volume.

**Table 9.9.** Reports submitted to the United Nations Register of Conventional Arms (UNROCA), by region, 2014–18

Years are year of transfer, not year of reporting. Regions are as defined on p. xxiv. Percentages are the percentage per region of UN members that have reported for each year.

Region (no. of UN members)	2014	2015	2016	2017	2018
Africa (53)	– (–)	2 (3.8%)	1 (1.9%)	2 (3.8%)	1 (1.9%)
Americas (35)	8 (23%)	8 (23%)	5 (14%)	5 (14%)	5 (14%)
Asia and Oceania (43)	9 (21%)	12 (28%)	5 (12%)	6 (14%)	5 (12%)
Europe (47)	37 (79%)	32 (68%)	32 (68%)	36 (77%)	23 (49%)
Middle East (15)	2 (13%)	1 (6.7%)	3 (20%)	2 (13%)	1 (6.7%)
<b>Total (193)</b>	<b>56 (29%)</b>	<b>55 (28%)</b>	<b>46 (24%)</b>	<b>51 (26%)</b>	<b>35 (18%)</b>

Sources: UNROCA database; and reports on UNROCA by the UN Secretary-General to the UN General Assembly, various years.

### The United Nations Register of Conventional Arms

UNROCA was established in 1991 and reporting started in 1993 (for transfers in 1992). It aims to build confidence between states and ‘to prevent the excessive and destabilizing accumulation of arms’.<sup>4</sup> Each year, all UN member states are ‘requested’ to report, on a voluntary basis, information on their exports and imports in the previous year of seven categories of weapon, specifically those that are deemed to be ‘the most lethal’ or ‘indispensable for offensive operations’: (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.<sup>5</sup> States are also invited to provide additional background information on holdings of weapons and on procurement from national production. In addition, since 2003, states have been invited to provide background information on exports and imports of small arms and light weapons (SALW).

Reporting levels have decreased since the mid-2000s: over 100 states reported annually in the early 2000s compared with 46–56 annually for 2014–17 and only 35 for 2018 (see table 9.9). As in most years since 1993, the level of reporting for 2018 by states in Africa and the Middle East was low. As of 31 December 2019, only 1 of the 53 states in Africa and 1 of the 15 states in the Middle East had submitted a report for 2018.<sup>6</sup> The rate of reporting by states in Europe, at 49 per cent, was the highest of any region but significantly below the levels of 2014–17 (see below).

<sup>4</sup> UN General Assembly Resolution 46/36 L, ‘Transparency in armaments’, 6 Dec. 1991, A/46/41 (Vol. I), Aug. 1992, para. 2.

<sup>5</sup> The reports are made publicly available in the UNROCA database.

<sup>6</sup> United Nations, General Assembly, ‘United Nations Register of Conventional Arms’, Report of the Secretary-General, A/74/201, 19 July 2019; and UNROCA database (note 5). In previous years, it has been common for some states to report late; it is likely, therefore, that the final figures will be slightly higher than those stated here as late reports for transfers in 2018 are submitted.

Eight of the top 10 exporters of major arms in 2015–19 (see section I) reported to UNROCA for 2018, including the two largest (the United States and Russia). The two exceptions are Israel and France, although they did report for almost every other year since 1992.<sup>7</sup> In contrast, most of the world's largest arms importers in 2015–19 did not report for 2018. There were reports for 2018 from only three of the top 10 importers (see section II): Australia, China and South Korea.

The low level of participation by states is the main obstacle faced by UNROCA; however, there are also serious problems with the quality of the reporting. For example, there have been numerous cases where a state has reported a transfer elsewhere (e.g. in an official national report) but did not report the transfer to UNROCA. In some cases, the discrepancy can be explained by variations in a state's interpretation of weapon categories or types of transfer covered by a specific reporting instrument. In other cases, the state has simply failed to report a transfer that was also clearly covered by UNROCA.<sup>8</sup>

#### *UNROCA reporting by OSCE participating states*

The UN General Assembly resolution that established UNROCA called on states to 'cooperate at a regional and subregional level . . . with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments'.<sup>9</sup> The OSCE has been particularly active in raising the profile of UNROCA and in seeking to increase levels of participation among OSCE participating states.<sup>10</sup> For example, since 1997 the OSCE participating states—which include states from North America and Central Asia as well as Europe—have agreed to share their annual submissions to UNROCA with each other and to do so no later than 30 June each year.<sup>11</sup>

Initially, the exchange was confidential, but in 2016 the OSCE participating states agreed to make their UNROCA exchanges publicly available.<sup>12</sup> Thus, reports submitted for 2016, 2017 and 2018 are available on the OSCE website.

<sup>7</sup> In addition, Italy's report for 2018 did not follow UNROCA's standard reporting format and did not identify the importers of Italy's exports.

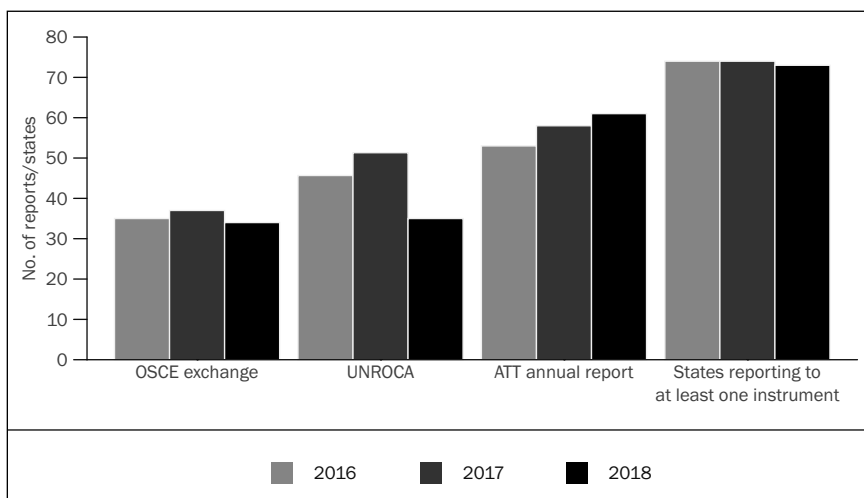
<sup>8</sup> For qualitative analysis of the content of the reports see Wezeman, S. T., 'Reporting to the United Nations Register of Conventional Arms for 2017', SIPRI Background Paper, June 2019.

<sup>9</sup> UN General Assembly Resolution 46/36 L (note 4), para. 17.

<sup>10</sup> For a list of participating states and other details of the OSCE see annex B, section II, in this volume.

<sup>11</sup> OSCE, Forum for Security Co-operation, 'Further transparency in arms transfers', Decision no. 13/97, FSC.DEC/13/97, 16 July 1997.

<sup>12</sup> OSCE, Forum for Security Co-operation, 'Enabling the publication of information exchanges in the field of small arms and light weapons, conventional arms transfers and anti-personnel mines', Decision no. 4/16, FSC.DEC/4/16/Corr.1, 21 Sep. 2016.



**Figure 9.2.** Numbers of reports submitted to the international reporting instruments on arms transfers, 2016–18

ATT = Arms Trade Treaty, OSCE = Organization for Security and Co-operation in Europe, UNROCA = United Nations Register of Conventional Arms.

*Sources:* ATT Secretariat, ‘Annual reports’; United Nations, General Assembly, ‘United Nations Register of Conventional Arms’, Report of the Secretary-General, A/74/201, 19 July 2019, A/73/185, 18 July 2018, and A/72/331, 14 Aug. 2017; UNROCA database; and OSCE, Forum for Security Co-operation, ‘Information exchange on conventional arms transfer’. All data as of 15 Mar. 2020.

Of the 57 OSCE participating states, 35 made their UNROCA submissions for 2016 available via the OSCE information exchange. The figure rose to 37 for 2017 but fell to 34 for 2018 (see figure 9.2).<sup>13</sup>

### The Arms Trade Treaty report on arms transfers

Article 13 of the Arms Trade Treaty obliges each state party to provide the ATT Secretariat with an annual report on arms exports and imports during the previous calendar year.<sup>14</sup> The number of states complying with their reporting obligations and submitting a report has remained relatively stable in recent years: 53 for 2016, 58 for 2017 and 61 for 2018 (see figure 9.2). However, as the number of states parties has increased, the proportion fulfilling their

<sup>13</sup> OSCE, Forum for Security Co-operation, ‘Information exchange on conventional arms transfer’, accessed 15 Mar. 2020. These figures do not include reports submitted by the Holy See, which is not a member of the UN and so is not requested to make a submission to UNROCA.

<sup>14</sup> Arms Trade Treaty, Article 13(3). For a summary and other details of the Arms Trade Treaty see annex A, section I, in this volume.

reporting obligations has decreased—from 71 per cent for 2016 (53 of the 75 states parties) to 66 per cent for 2018 (61 of the 92 states parties). Moreover, fewer than half of the states parties had submitted their report on arms transfers in 2018 by the deadline of 31 May 2019.<sup>15</sup>

Perhaps most concerning from a public transparency perspective is the increase in the number of states choosing to make their reports accessible only to other states parties: it rose from 1 for 2015 (Slovakia) to 3 for 2016 (Liberia, Panama and Senegal), 4 for 2017 (Argentina, Cyprus, Greece and Madagascar) and 10 for 2018 (Cyprus, Georgia, Greece, Honduras, Liberia, Lithuania, Madagascar, Mauritius, Nigeria and Senegal). Five of the states parties that kept their 2018 reports private had previously released public reports (Georgia, Greece, Liberia, Lithuania and Mauritius).<sup>16</sup>

### **Levels of reporting to the international instruments**

A comparison of the levels of reporting to UNROCA, the OSCE information exchange and the ATT annual report shows that there is a significant lack of consistency in states' reporting practices. For example, while Cyprus, Greece and Lithuania made their annual reports to the ATT for 2018 available only to other states parties, they also submitted publicly available reports on arms transfers to both UNROCA and the OSCE information exchange. Similarly, Mauritius made its annual reports to the ATT available only to other states parties but submitted a publicly available report to UNROCA.

In addition, while the reporting requirements are in essence the same, many states did not submit reports to all the instruments in which they are required or requested to participate. For 2018, 73 states that were invited or required to do so submitted a report to at least one of these three instruments. However, only 26 states submitted reports to all of the instruments. A further 19 submitted to two instruments and 28 submitted to just one. For example, 17 of the 34 OSCE participating states that shared their UNROCA submission via the OSCE exchange did not submit it to UNROCA itself. Conversely, 9 of the 26 OSCE participating states that submitted a report to UNROCA did not submit it to the OSCE exchange. Likewise, 33 states that made submissions to the ATT annual report for 2018 did not make a submission to UNROCA.

<sup>15</sup> Arms Trade Treaty, Working Group on Transparency and Reporting (WGTR), Co-chairs' draft report to CSP5, ATT/CSP5.WGTR/2019/CHAIR/533/Conf.Rep.Rev1, 29 Aug. 2019, para. 36(a).

<sup>16</sup> ATT Secretariat, 'Annual reports', accessed 15 Mar. 2020. On the ATT and its other reporting obligations see chapter 14, section I, in this volume.

While rates of reporting have fallen for individual instruments, the number of states that have submitted a report to at least one of them has remained steady in recent years (see figure 9.2). This indicates that persuading states to make a report submitted to one instrument available to all of the other instruments could help to reverse the falling reporting rates of individual instruments. This process could be facilitated by improving the channels of communication between the bodies responsible for these reporting instruments: the ATT Secretariat, the OSCE and the UN Office for Disarmament Affairs.