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Research report

Forum: The first General Assembly

Issue: Enhancing transparency and accountability in arms trade to enhance global security measures

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Introduction

The global arms trade plays an important role in international security dynamics, helping countries in need whilst also supplying weapons to the other side of the conflict. However, the proliferation of weapons, often in unstable regions, poses severe challenges to the peace and stability there. Oftentimes, the lack of transparency and accountability in the (illicit) arms trade has allowed weapons to fall in the wrong hands.

Recently, countries have started to recognise the need for strong measures to increase transparency and accountability in the arms trade. Initiatives such as the United Nations Register of Conventional Arms (UNROCA) encourage states to report their arms trade voluntarily, improving trust between transparent countries. This and other initiatives aim to create an increasingly transparent global arms trade where states can be held accountable for their transfers. The global community, by improving mechanisms for reporting trades, implementing stricter controls and encouraging more participation in arms control agreements, aims to ensure responsible trade of arms and seeks to prevent the misuse of arms. Furthermore, a more transparent and accountable arms trade greatly helps build trust amongst states, which reduces the likelihood of armed conflicts and supports efforts of disarmament. Also, it plays a very important role in protecting human rights by limiting the flow of weapons into conflict zones.

In conclusion, an increase in transparency and accountability is essential for international peace and security. It requires combined efforts of all states to ensure that the international trade in arms is conducted in a responsible manner. As the global community increases to struggle with the consequences of illegal arms trade, these efforts represent a critical step towards a safer and more secure world.

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Definitions of key terms

Small Arms and Light Weapons (SALW)

The term SALW refers to weapons such as rifles, pistols and machine guns. The overlapping criteria for these weapons are their capability to fire a projectile whilst the weapon is still man portable.

Dual-use technologies

Dual-use goods and technology are items that can be used for civilian and military purposes. A few examples are parachutes, bacteria and night-vision goggles. These technologies are more difficult to control the trade of, as they can also be innocently used by civilians. The Wassenaar Arrangement has a list of dual-use goods and technologies. (See further reading)

Arms Embargo

An arms embargo is a restriction or set of sanctions that applies solely to weaponry or also dual-use technology. These embargos are often imposed by the UN to prevent the incoming flow of arms from fuelling conflicts.

Illicit arms trade

The illegal arms trade is the dealership and transfer of arms and weapons outside of national and international registration and legislation. It involves the uncontrolled circulation of arms and weapons across and within borders. The illegal arms trade therefore decreases the global transparency in this trade.

Marking and Tracing

Marking and tracing refers to the process of uniquely marking weapons. This makes it possible to monitor and control arms flows and detect breaches of arms embargoes. Increased universal marking and tracing mechanisms are a very important step to solving this issue.

Transparency and Accountability

Achieving transparency and accountability refers to giving all stakeholders a clear image of the reality of arms trade through public reports at regular intervals as a means to showcase domestic confidence.

Global security

“Global security includes military and diplomatic measures that nations and international organisations such as the United Nations and NATO take to ensure mutual safety and security.¹”

¹ RAND. “Global Security.” Rand.org, 2019, www.rand.org/topics/global-security.html.

General overview

The Issue of the Decline of Transparency in Arms Trade

Every year, more than \$100 billion worth of weapons are transferred to countries all over the globe². Most of these international transactions happened in the shadows until 1991, when there was a communal effort to ensure transparency about who is buying, who is selling, and what weapons are involved in the world's deadliest conflicts through the establishment of UNROCA. Although news reports and press releases provide the public with information on some orders and deliveries of conventional arms, a decline has been observed in the number of states that are publicly reporting on their arms transfers. Sharing information on military capabilities with other states and making it available to the public has long been a sensitive issue for government officials and security personnel.

² “The Case for Strengthening Transparency in Conventional Arms Transfers | Arms Control Association.”
Www.armscontrol.org, [www.armscontrol.org, www.armscontrol.org/act/2022-11/features/case-strengthening-transparency-conventional-arms-transfers](http://www.armscontrol.org/act/2022-11/features/case-strengthening-transparency-conventional-arms-transfers).

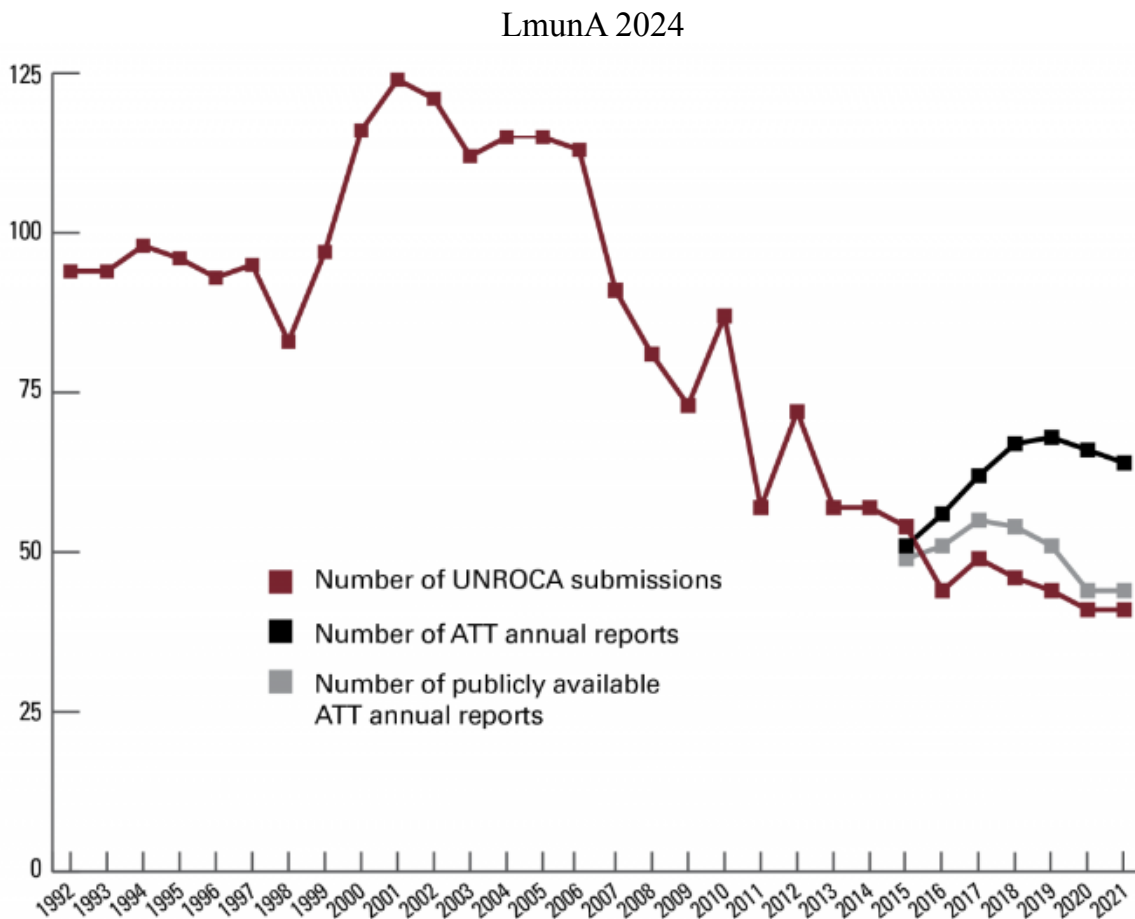


Figure 1: Line graph showing the declining transparency in international arms reports related to the number of UNROCA and ATT submissions and reports³.

The impacts of the Lack of Transparency in Arms Trade

The lack of transparency in arms trade exacerbates global instability and fuels conflict. Without clear information about arms transfers, it becomes difficult to track the flow of weapons, identify potential human rights abuses, and hold arms dealers accountable⁴. This allows illicit arms to reach conflict zones, empowering non-state actors and prolonging violence. Moreover, without oversight, arms deals can become breeding grounds for corruption, with illicit profits funnelled

³ “The Case for Strengthening Transparency in Conventional Arms Transfers | Arms Control Association.” www.armscontrol.org/act/2022-11/features/case-strengthening-transparency-conventional-arms-transfers.

⁴ Arms Trade – UNODA. disarmament.unoda.org/convarms/att/#:~:text=Irresponsible%20arms%20transfers%20can%20destabilize.

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into the pockets of government officials and arms dealers. Ultimately, a lack of transparency in the arms trade undermines international efforts to promote peace and security.

Historical background

To "avoid excessive and destabilising accumulation of arms [and] enhance confidence, promote stability, help states to exercise restraint, ease tensions, and strengthen regional and international peace and security,⁵" the UNROCA was established in December 1991 by UN member states in the wake of Iraq's invasion of Kuwait. In 2000, over 120 UN member states submitted yearly reports on their import and export of seven types of conventional weapons: attack helicopters, warships, large-calibre artillery systems, tanks, armoured vehicles, combat aircraft, unmanned combat aerial vehicles, missiles, and missile launchers. Since the UN Office for Disarmament Affairs made the information supplied by governments publicly available, transparency and accountability in international arms transfers seemed to be well established. In order to guarantee the register's applicability and efficiency, a review process was put in place, whereby the UN Secretary-General designated a team of governmental experts every three years to assess the register's performance and offer suggestions for improvements. The requirement for new weapon systems to be included in national submissions to the register is decided by each group. It also examines strategies for encouraging registration and leveraging information provided to foster trust and security across governments. In the spring and summer of 2022, the most recent experts group noted that its triennial review "took place against a backdrop of heightened international tension and mistrust, which underlined the continued relevance of the register and highlighted once again the continuing need for transparency and confidence-building instruments in political and military affairs."⁶ They concluded that it is time for new ideas to reinvigorate the move toward more and better transparency on the international arms trade.

⁵ UN General Assembly, A/RES/46/36, December 6, 1991.

⁶ UN General Assembly, "Continuing Operation of the United Nations Register of Conventional Arms and Its Further Development: Note by the Secretary-General," A/77/126, June 30, 2022, para. 88.

Major parties involved

Russia

The involvement of major countries in the efforts towards transparency and accountability in arms trade vary widely. In particular, Russia only provides data on the number of items exported for each register category. For example, although Russia reported that it delivered 12 combat aircraft to Vietnam in 2021, it did not identify the type of aircraft. Without this qualitative information, the utility of register submissions for confidence-building purposes is limited. Therefore, this indicates that such registers need to be improved in order to provide more efficient results.

Ukraine

The war in Ukraine is further exacerbating the lack of transparency in arms trade since states supplying conventional arms to Ukraine don't want the details to be made publicly available as they could reveal insights about Ukrainian military capabilities. For example, Germany did not provide details about military material sent to Ukraine earlier this year, although it now regularly updates a governmental website with data on conventional arms and ammunition delivered to Ukraine, as well as planned transfers.⁷ France, Japan, Portugal, and Spain have announced plans to assist Ukraine militarily, but have not officially provided specific data on the arms and ammunition being delivered. Therefore, this indicates that in times of crisis, nations are often reluctant to disclose such private information on a public scale.

⁷ Federal Government of Germany, "Military Support for Ukraine," October 11, 2022, <https://www.bundesregierung.de/breg-en/news/military-support-ukraine-2054992>.

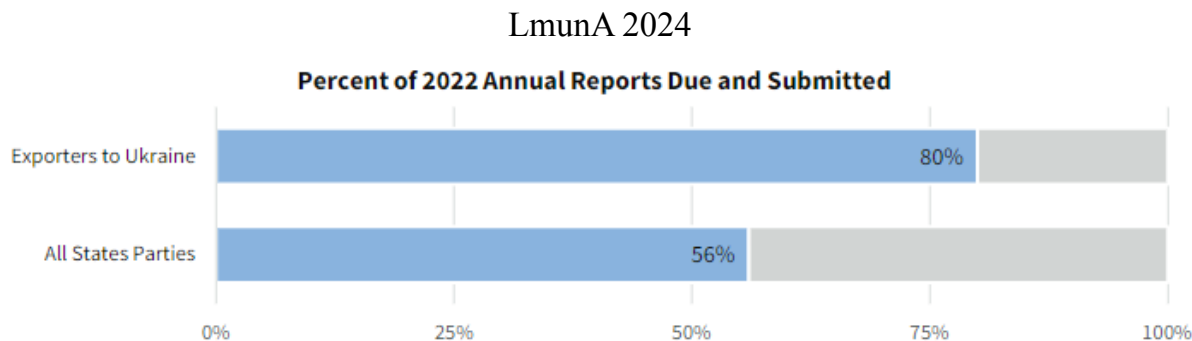


Figure 2: The Percentage of 2022 Annual Reports Due and Submitted by Exporters to Ukraine and All State Parties⁸.

Furthermore, shortly after Ukraine provided information in its 2007 register submission on its delivery of tanks, artillery, and small arms to Kenya, a vessel transporting new military material from Ukraine to Kenya was seized by pirates. In this case, Ukraine’s register submission provided information that was not only used in confidential consultations, but also threatened global security.

Germany

In May 2024, a German Berlin-based NGO, the European Center for Constitutional and Human Rights (ECCHR), the Gazan based Palestinian Center for Human Rights (PCHR) and the Al Mezan Center for Human Rights, as well as the Ramallah-based Palestinian human rights organisation Al Haq and five Palestinian individuals from Gaza brought a case against the German government in an effort halt arms exports to Israel in light of the ongoing humanitarian plight in Gaza⁹. The case included a request for a judicial review for past exports to Israel since November 2023. German Arms export laws have long been criticised for their lack of mandatory data reporting rules and their lack of transparency regarding decision making processes. Namely,

⁸ Stimson Center. “Arms Trade Transparency in Conflict: ATT Reporting on Arms Transfers to Ukraine.” JSTOR, 1 Aug. 2023, www.jstor.org/stable/resrep52788?seq=2.

⁹ “A Quest for Transparency in Arms Exports: The Berlin Administrative Court’s Stance on Exports of Arms to Israel.” EJIL: Talk!, 3 July 2024, www.ejiltalk.org/a-quest-for-transparency-in-arms-exports-the-berlin-administrative-courts-stance-on-exports-of-arms-to-israel/.

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the German public is informed afterwards and reports only contain the authorised cases. This actively demonstrates that countries such as Germany are able to by-pass the obligation of transparency and accountability in arms trade, showing that adopting legal frameworks to support this is necessary.

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The Netherlands

The Netherlands' position on how transparently it would report on its arms transfers to Ukraine evolved over the course of the conflict. The Netherlands has offered regular, public explanations for its reporting practices in ATT meetings and other forums. In an intervention at the February 2023 CSP9 Working Group meetings, the Netherlands explained that it had taken the necessary decision not to include exports to Ukraine in its annual report for national security reasons¹⁰. The Netherlands Ministry of Defense later announced in May 2023 that it would publish more information about arms transfers to Ukraine moving forward, which it considered important to “maintain support and conduct a societal debate regarding military support to Ukraine” as well as “to send a signal to both Ukraine and Russia.”¹¹ The Netherlands also informed States Parties of this policy shift at the May 2023 Working Group meetings, where “they discussed their new policy of providing more details about military support to Ukraine while limiting disclosure of specific quantities of goods transferred.”¹² Further explanation was provided in the annual report itself. In cases where the Netherlands indicated that the quantity of items transferred was “not declared,” it added a comment explaining that the “number of items cannot be disclosed due to national security interests.” This is an example of a satisfactory reporting process that showcases the difficulty encountered when trying to achieve transparency in arms trade during the course of conflict.

¹⁰ Control Arms, “Summary Analysis Report,” p. 10, <http://controlarms.org/wp-content/uploads/2023/03/Feb-WGs-CSP9-Summary-Analysis.pdf>

¹¹ Netherlands Ministry of Defense, “Defense to publish more information about deliveries to Ukraine,” 13 April 2023, <https://english.defensie.nl/latest/news/2023/04/13/defence-to-publish-more-information-about-deliveries-to-ukraine>

¹² Control Arms, “Summary Analysis Report,” p. 15, <https://reachingcriticalwill.org/images/documents/Disarmament-fora/att/csp9-prep/CA-summary-2.pdf>.

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Romania

The Romanian government has created a national report that includes a main statistical table reporting the value and quantity of all exports per country and category. This data is manually compiled as Romania does not operate an electronic licensing system. Fields included in the Romanian national annual report include the description of goods, the number of items, the type of end user and the transit and transshipment¹³. This showcases that the reporting process can also occur on a both national and international level.

Switzerland

Switzerland publishes a detailed annual report on arms exports, which includes itemised details of licences and non-aggregate data. This means that in the dataset there is one row per transaction, rather than a count and total value of shipments to a destination per category. This provides an opportunity for anyone scrutinising the data to predict which types of shipment in each category might have taken place for a given amount of money. However, this extra detail does not provide additional insight into the nature of the shipment without additional information – information that can only be obtained by linking the data to another dataset or questioning the licensing agency or exporter about the shipment. Switzerland also publishes details of its post-shipment inspections¹⁴.

¹³ Recommendations for a Transparent and Detailed Reporting System on Arms Exports within the EU and to Third Countries Policy Department for External Relations. [https://www.europarl.europa.eu/RegData/etudes/IDAN/2020/603497/EXPO_IDA\(2020\)603497_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2020/603497/EXPO_IDA(2020)603497_EN.pdf)

¹⁴ Recommendations for a Transparent and Detailed Reporting System on Arms Exports within the EU and to Third Countries Policy Department for External Relations. [https://www.europarl.europa.eu/RegData/etudes/IDAN/2020/603497/EXPO_IDA\(2020\)603497_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2020/603497/EXPO_IDA(2020)603497_EN.pdf)

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United States of America

The United States publishes a number of reports related to its export of arms. More specifically, the Directorate of Defence Trade Controls covers the direct commercial sales of munitions list items to foreign countries¹⁵. In this report, the United States reports on the: country, category, quantity, licensed value and actual export value. Nevertheless, the accuracy of the actual export data is unclear. For example, in 2018, the United States Reported licensed exports of \$63.4 billion whereas the reported actual exports were \$2.4 billion. This deserves further clarity in order to ensure its smooth application.

Timeline of Key Events

- | | |
|----------------|--|
| 1991 | The United Nations Register of Conventional Arms (UNROCA) was created to increase transparency in arms trade around the globe |
| 1996 | 33 founding members came together to establish the Wassenaar Arrangement |
| 1998 | The EU passed the Code of Conduct on Arms Exports, which requires members to set more criteria for arms export to countries |
| 2001 | The UN adopted the Programme of Action on Small Arms and Light Weapons (PoA) which provides a framework to combat illicit small arms trade |
| 2001 | The UN adopted the Firearms Protocol, intending to strengthen international cooperation and stop illegal arms trade |
| 2013 | The General Assembly passed the Arms Trade Treaty (ATT), aimed to regulate trade in arms by establishing international standards |
| 2013 | The SC adopted resolution 2117, recognising that the “the misuse of small arms and light weapons has resulted in grave crimes” |
| <i>ongoing</i> | The UN continues to improve upon its protocols regarding this topic |

¹⁵ These reports are available online at:
www.pmdctc.state.gov/ddtc_public?id=ddtc_public_portal_news_and_events&cat=Report

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Previous attempts to solve the issue

This section will further elaborate on some of the UN's attempts at increasing transparency in arms trade.

United Nations Register of Conventional Arms (UNROCA)

The UN established the UNROCA in hopes that countries report their arms trades to the register. The UNROCA believes that if governments are open about their arms trade it can build confidence amongst them. That is why this register continues to collect the information it receives and makes it available for everyone to see. There is no legally binding aspect to this register. However, UNROCA still seems to have captured 90% of the world's arms trade.

UN Programme of Action on Small Arms and Light Weapons (PoA)

With the PoA, member states agreed to improve their national small arms laws, stockpile management and import/export control. This programme provides much of the framework member states can use to improve these aspects. Later, the International Tracing Instrument (ITI) was also adopted. This Instrument requires governments to ensure weapons are properly marked and that records are kept. It also provided more framework for cooperation in weapon tracing, increasing transparency on arms trade movements.

Arms Trade Treaty (ATT)

The ATT establishes common standards for signatory states for international trade of conventional weapons. Its primary goal is to reduce illicit arms trade and its effects. For example, it requires states to assess the potential the traded weapons contribute to undermining peace and security in the region and that they may cause human suffering. It also promotes accountability and transparency concerning conventional arms trade. There are no restrictions of any kind on the quantities or types of arms states can deal with. It also does not impact domestic firearm ownership policies. It is, therefore, a relatively non-intrusive treaty, however, members must adopt basic regulations for international weapon flow and require annual reporting of imports and exports.

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Possible solutions

Delegates must be careful to always maintain diplomacy when attempting to solve this issue. Increased transparency can only be achieved if all countries agree to share their information, which not all countries do easily. Delegates must ensure all parties have the advantage of publishing their arms trades and are protected from repercussions that the sharing of this information may cause. That being said, there are several points delegates can focus on to increase transparency and accountability.

Arms trade is an ever-evolving topic, with conflicts and new technology making old policies obsolete. Delegates can therefore focus on strengthening existing reporting mechanisms, making sure that when countries share information, this is processed correctly. This would increase the availability and legibility of data on arms transfers, simplifying the monitoring of compliance with existing international norms. Also important is to work to expand the scope of the UNROCA. Currently, small arms and light weapons are only half-covered by the register, and there is no room yet for dual-use technologies and technologies under development such as drones.

Instead of strengthening current mechanisms, delegates can also choose to focus on promoting more participation in these treaties and registers. Currently, some countries are not yet members of the ATT for example, which decreases global arms transparency. Universal implementation would make sure that all countries follow the same standards for arms trade, thereby making sure no trades slip between the cracks of different standards.

Lastly, delegates can focus on increasing tracking means. Developing international guidelines and an UN-managed database for arms brokers should also increase transparency. Currently, arms brokers are registered at a national level, but this prevents the UN from easily overseeing international transfers made by these brokers. Regulating arms brokering would reduce the risk of illicit arms deals across borders and ensure greater oversight. Also important is to increase awareness of the repercussions of illegal arms trade by means such as campaigns. These campaigns can also spread information about the importance of marking and tracing arms.

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Further reading

[Arms Treaty Status](#)

[List of Dual-Use Goods and Technologies and Munitions List according to the Wassenaar Arrangement](#)

[Draft Resolution from the European Union on Improving Transparency and Accountability in Arms Trade](#)

Bibliography

Arms Trade – UNODA.

disarmament.unoda.org/convarms/att/

[#:~:text=Irresponsible%20arms%20transfers%20can%20destabilize.](#)

“A Quest for Transparency in Arms Exports: The Berlin Administrative Court’s Stance on Exports of Arms to Israel.” EJIL: Talk!, 3 July 2024, www.ejiltalk.org/a-quest-for-transparency-in-arms-exports-the-berlin-administrative-courts-stance-on-exports-of-arms-to-israel/.

Control Arms, “Summary Analysis Report,” p. 10,

<http://controlarms.org/wp-content/uploads/2023/03/Feb-WGs-CSP9-Summary-Analysis.pdf>

Federal Government of Germany, “Military Support for Ukraine,” October 11, 2022,

<https://www.bundesregierung.de/breg-en/news/military-support-ukraine-2054992>.

Netherlands Ministry of Defense, “Defense to publish more information about deliveries to

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Ukraine,” 13 April 2023, <https://english.defensie.nl/latest/news/2023/04/13/defence-to-publish-more-information-about-deliveries-to-ukraine>

Programme of Action on Small Arms and Its International Tracing Instrument – UNODA.
disarmament.unoda.org/convarms/salw/programme-of-action/.

RAND. “Global Security.” *Rand.org*, 2019, www.rand.org/topics/global-security.html.

Recommendations for a Transparent and Detailed Reporting System on Arms Exports within the EU and to Third Countries Policy Department for External Relations.[https://www.europarl.europa.eu/RegData/etudes/IDAN/2020/603497/EXPO_IDA\(2020\)603497_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2020/603497/EXPO_IDA(2020)603497_EN.pdf)

“Resolution 2117 (Small Arms and Light Weapons) S/RES/2117.” *Global Centre for the Responsibility to Protect*, www.globalr2p.org/resources/resolution-2117-small-arms-and-light-weapons-s-res-2117/.

“ROCA (United Nations Register of Conventional Arms).” *Www.unroca.org*,
www.unroca.org/.

Stimson Center. “Arms Trade Transparency in Conflict: ATT Reporting on Arms Transfers to Ukraine.” JSTOR, 1 Aug. 2023, www.jstor.org/stable/resrep52788?seq=2.

“The Case for Strengthening Transparency in Conventional Arms Transfers | Arms Control Association.” *Www.armscontrol.org*, www.armscontrol.org/act/2022-11/features/case-strengthening-transparency-conventional-arms-transfers.

“Treaty Status.” *Thearmstradetreaty.org*, Treaty status, 2018, thearmstradetreaty.org/treaty-status.html?templateId=209883 .

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“UN Programme of Action on Small Arms and Light Weapons.” *Reachingcriticalwill.org*,

2020, www.reachingcriticalwill.org/disarmament-fora/

[salw#:~:text=The%20UN%20Programme%20of%20Action.](#)

UN General Assembly, A/RES/46/36, December 6, 1991.

UN General Assembly, “Continuing Operation of the United Nations Register of Conventional Arms and Its Further Development: Note by the Secretary-General,” A/77/126, June 30, 2022, para. 88.

“WTO | Research and Analysis - Working Paper: Evolution of Asia’s Outward-Looking Economic Policies: Some Lessons from Trade Policy Reviews.” *Www.wto.org*, www.wto.org/english/res_e/reser_e/ersd201303_e.htm#:~:text=Without%20transparency%2C%20trade%20agreements%20are.