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### GENERAL AND COMPLETE DISARMAMENT

#### International arms transfers

#### Report of the Secretary-General

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\* A/45/150 and Corr.1.

## I. INTRODUCTION

1. On 7 December 1988, the General Assembly adopted resolution 43/75 I entitled "International arms transfers".

2. On 15 December 1989, the General Assembly adopted resolution 44/116 N entitled "International arms transfers", paragraphs 1 to 4 of which read as follows:

"The General Assembly,

"...

"1. Invites all Member States that have not yet done so to make available to the Secretary-General their views and proposals on the matters contained in paragraphs 1 and 2 of resolution 43/75 I;

"2. Requests the Disarmament Commission to continue its deliberation on the matters contained in the above-mentioned resolution during its 1990 session under the item of conventional disarmament;

"3. Requests the Secretary-General to continue to make available within the framework of resolution 43/75 I all relevant information on this matter;

"4. Decides to include in the provisional agenda of its forty-fifth session the item entitled 'International arms transfers'."

3. Pursuant to paragraph 4 of resolution 43/75 I and paragraph 3 of resolution 44/116 N, the Secretary-General, in notes verbales dated 7 February 1989 and 16 February 1990, requested all Member States to submit their views and proposals as well as any other relevant information on this matter. To date the Secretary-General has received replies from Canada, China, Czechoslovakia, the German Democratic Republic, Mali, Mexico and Pakistan. The replies are reproduced in section II of the present report.

4. Moreover, pursuant to paragraph 5 of resolution 43/75 I, the Secretary-General appointed a group of governmental experts to carry out a study on international arms transfers. The Group thus far held two sessions and will submit its report to the General Assembly at its forty-sixth session in 1991.

## II. INFORMATION RECEIVED FROM GOVERNMENTS

### CANADA

[Original: English]

[27 June 1990]

1. As one of the co-sponsors of resolution 43/75 I, entitled "International arms transfers", adopted by the General Assembly on 7 December 1988, and of resolution 44/116 N, adopted on 15 December 1989, Canada believes that the question of international arms transfers is one that deserves serious **consideration by the States Members of the United Nations**.
2. The last two decades have seen a large increase in the international trade of **conventional arms** without, in **most cases**, a corresponding enhancement of international peace and **security**. In addition, in recent years the nature of the **arms** trade has changed, so that an **increasing** amount of it is conducted through semi-official and unofficial channels.
3. International arms transfers are a reflection of the international security system, in which the **responsibility** of providing security is not shared by all States but rests with each one, **As** such, they are likely to remain a feature of international relations **for** the foreseeable future. Nevertheless, **Canada believes** that increased restraint by all States with respect to the transfer of **arms** would contribute to the promotion of peace and security, particularly in **areas of actual or potential conflict**.
4. In **addition, Canada considers** that greater openness and transparency in this field would contribute to the easing of international and regional tensions and thus facilitate arms control and disarmament measures.
5. Because of its concerns about the detrimental effects of unrestricted arms **transfers, Canada** closely controls the export of military goods **and** technology to all countries except the United States of America, and generally denies the export of such goods and technology to the following: (a) countries that pose a threat to Canada and its allies; (b) countries involved in or under the imminent threat of hostilities; (c) countries under Security Council sanctions; and (d) countries whose Governments have a persistent record of serious violations of human rights, unless there is no risk that the goods might be used against the civilian population.
6. Canada **defines** military **goods** using a multilaterally-agreed international munitions list. This list includes arms and ammunition, as well as **equipment** and parts "specially designed for military purposes", such as military vehicles, military range-finding **equipment** and **certain** types of electronic equipment, manufactured to military specifications. In addition, Canada scrutinizes on a case-by-case basis certain types of "strategic" or "dual-use" equipment such as helicopters which, although built to civilian **specifications**, are intended for military users for military purposes. This aspect of Canadian export control policy is currently under review.

7. Canada does **not** exercise extraterritorial control over its **exports**, thus care is taken in assessing export **transactions** before the goods leave Canada. In all cases, we **seek** to ensure by a variety of means (including, when appropriate, **end-user** certificates) **that** there will **be** no diversion of goods to a third country or **to** use for unauthorized purposes.

8. The disclosure of individual export permits is generally protected in Canada, but statistics **on** the export of military goods, indicating the aggregate value of Canadian military exports to each country, **are** maintained by the Government and released to parliamentarians and members of the public upon specific request.

9. Canada is pleased that, as requested in General Assembly resolution **43/75 I**, the Secretary-General is carrying out, with the assistance of governmental experts, **a** study on ways **and** means of **promoting transparency** in international transfers of conventional arms on **a** universal **and** non-discriminatory basis. Canada **believes** that it is essential to achieve international agreement on the means of achieving increased openness **and transparency in** this area before multilaterally-agreed mechanisms **for** implementing arms transfer controls can be considered.

CHINA

[Original! Chinese/English]

[5 April 1990]

1. The question of international arms transfer should be addressed with a serious, discreet and responsible attitude. The transfer **of** arms must serve to safeguard the independence, sovereignty and territorial integrity of the States concerned, and to contribute to the maintenance of their necessary and reasonable **defence** capability. No country should interfere in the internal affairs of others by means of arms transfer.

2. International arms transfer should be helpful to the people **in** their just struggles against colonial domination, foreign aggression and occupation and for the realization or **restoration** of their inalienable rights to national self-determination and independence.

3. International **arms** transfer should be conducive to the preservation and enhancement of peace, security and stability in the regions concerned and the world at large.

4. The strict prohibition of all types of arms transfer should be applied to those States or regimes which.. in violation of the Charter of the United Nations and the **basic** norms governing international relations, subject other countries to aggression, expansion and military occupation and **practise** racism and colonial domination. The **countries** concerned should take vigorous measures to stop international **ar** ansfer, which is related to such illegal acts as drug trafficking and **ational** terrorism, and to strengthen international co-operation in t.. **espect**.

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5. The question of international arms transfer should be addressed in conjunction with the questions of reducing international **tension**, removing **roylonal** conflicts, checking the arms race and realizing disarmament **under effective** supervision.

6. On the basis of compliance with **tho above-mentionad** principles, the rational regulation and limitation of international arms transfer could be **accomplished SO** as to promote stability at a low **level** of armament and enhance world peace and security,

7. The countries that **aro** the biggest **arms** suppliers bear a **special** responsibility in regulating and limiting international arms transfer, **and** they should take **tho** load in doing so. The United States of America **and** the Union of Soviet Socialist Republics should take the lead **in** adopting **concrete** and effective self-restraining **measures**, including drastic **reductions** in their arms **exports**, so **as** to create favourable conditions for consultations and **negotiations** among all arms supplier **and** recipient countries on the rational regulation **and** limitation of international arms transfer.

8. The arms supplier and recipient countries, **as well as** other countries concerned, should **be encouraged** to carry out consultations and negotiations on an equal footing based on the principle of undiminished security of all the parties and other relevant principles **as contained in the Final** Document of the Tenth Special Session of the United Nations General Assembly, the first special session devoted to disarmament (General **Assembly** resolution **S-10/2**), and reach agreement on the rational regulation **and** limitation of international arms transfer.

9. The United Nations should play a useful role in rationally regulating and limiting international arms transfer. For instance, it should **urgo** the countries that are the biggest **arms** suppliers to discharge **their** special responsibility and **take** the lead **in** adopting self-restraining **measures**; it should encourage **all States** to carry out consultations and reach agreement on the rational regulation and limitation **of arms** transfer and provide necessary consulting and technical services to **them**; and it should initiate studies and formulate necessary and effective **measures against** such arms transfer, which should be prohibited.

CZECHOSLOVAKIA

[Original: English]

[2 August 1990]

1. The Czech and Slovak Federal Republic considers the question of international arms trade to be an important part of the efforts by the international **community** aimed at attaining greater openness and transparency. That goal, in the final result, will enhance **mutual** confidence and may favourably **influence** further progress in the area of real disarmament.

2. In available expert studies, Czechoslovakia ranks seventh in the world in arms exports in **the** last five years - behind the Union of Soviet Socialist Republics and

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the United States of America, France, the United Kingdom of Great Britain and Northern Ireland, the People's Republic of China and the Federal Republic of Germany.

3. Proceeding from the new, **democratic and** humanistic orientation of the Czechoslovak internal and external policies, President **Václav Havel** of the **Czech and Slovak Federal Republic** and Minister for Foreign Affairs, **Jiří Dienstbier**, have repeatedly **declared** that halting arms **deliveries** is the forward-oriented goal of Czechoslovakia's foreign policy.

4. It has to be stressed, in this context, that **the** solution of the issue at hand will be **a very** complicated process involving in practice a number of other areas. Currently, **the** problem is under **consideration** by all the interested sectors in Czechoslovakia, after which we shall proceed to the **political decision on a** gradual limitation of the **Czechoslovak arms** trade. The elaboration of the **concrete** approach takes into account the considerable **economic** and primarily **social** impacts that make the whole matter extremely sensitive. But we do **not** wish to prolong the implementation of the adopted decision. **At the same time**, it is not possible to accelerate it too much, because only **a responsible and** balanced approach guarantees **a successful** attainment of the desired **objective**.

5. Openness **and** transparency **are**, in our view, **an** important element in controlling the **arms** trade. In response to General Assembly resolution **44/114 B**, Czechoslovakia recently for the **first time** published data **about** the expenditures earmarked **for** military purposes drawn up **in** accordance **with** United Nations methodology. We published them simultaneously at the Vienna disarmament talks. Furthermore, the Government decided **in** April 1990 to **halt** the production of tanks by 1991; to halt, within a period of two to three years, the manufacture of infantry fighting vehicles) and to deliver **combat** aircraft without the possibility of their **being** fitted with weapon **systems**. It plans to **scale** down the production of artillery **systems**. It is obvious from the above that, parallel to that, solutions have to be found for the specific problems of converting the **military output to a** civilian one.

6. For the transitory period, Czechoslovakia considers it of utmost importance to change the past orientation of the **arms** exports. There **must** be no exports to areas of ongoing conflict **or to countries** with a totalitarian **system** of government,

7. The significance that is being attached by the Czech **and** Slovak Federal Republic to this problem <sup>are</sup> is attested by the participation of an expert of ours in the elaboration of a United Nations study on the ways and means of enhancing transparency of the **international** trade in conventional **arms**. The result of the work of the group, which is in the form of a study to be submitted to the General Assembly at its forty-sixth session, is considered by us to be very needful, both from the international point of view and as an aid in the internal consideration of this problem.

GERMAN DEMOCRATIC REPUBLIC

[Original : English]

[3 July 1990]

1. Greater openness and more restraint in regard to arms transfers would no doubt contribute to the strengthening of international and regional security and to the peaceful settlement of conflicts and would boost ongoing disarmament efforts. The most recent developments in international affairs provide favourable conditions for co-operative action by arms exporting countries.

2. The German Democratic Republic believes that action at the national, regional and global levels is needed to alleviate the problems involved in international arms transfers. This implies that States should show self-restraint in supplying and acquiring arms, but also that there should be consultations between the major supplier and buyers of arms on a limitation of arms transfers and the introduction of an international arms trade register. Due attention should be devoted to questions relating to covert international arms trafficking.

3. The United Nations should play a more active part in increasing transparency and restricting the arms trade. That would be in line with the Charter of the United Nations and with the decisions adopted by the first special session of the General Assembly devoted to disarmament and by the International Conference on the Relationship between Disarmament and Development. A first step could be, pursuant to General Assembly resolution 43/75 I, the study to be carried out by the Secretary-General on ways and means of promoting transparency in international arms transfers. It should focus on an in-depth analysis of the problems listed under paragraph 1 of the resolution and make recommendations for national and international measures to curb world-wide arms transfers and achieve greater transparency in this field. The United Nations Disarmament Commission should, in future, devote more attention to this subject-matter, drawing on the discussions of the last few years in which it related to the question of international arms transfers in the context of the consideration of conventional disarmament and taking into account the United Nations study to be submitted next year.

4. The German Democratic Republic supports the recommendation contained in General Assembly resolution 43/75 I that national systems of control concerning the production and transport of arms should be reinforced. It will take immediate action with a view to reducing its arms production and exports and, in the foreseeable future, stopping them altogether. Arms are not exported to crisis areas as a matter of general policy.

MALI

[Original: French]

[21 December 1990]

1. In line with its constructive policy towards the search for peace and security, which are conditions for economic and social development, the Government of the Republic of Mali supports every action or measure that furthers the regulation of international **arms** transfers or partial disarmament, which are guarantees of world-wide tranquillity.

2. The proposals put forward by Malta in 1965 and by Denmark in 1968 for the establishment of a system of reporting on international **arms** sales with the **aim** of controlling the proliferation of arms were attempts to revive an old idea of the League of Nations which, had it come to fruition, would have laid the foundations for regulation in this area. But the **scepticism** and mistrust with which the proposed undertaking was greeted in various quarters shows that the uncontrolled proliferation of conventional weapons is still a very real problem today and portends dangerous and untoward consequences for the international situation.

3. Given the highly political nature of the problem, the measures called for by resolution **43/75** I have met with numerous difficulties both as regards the principles and their implementation.

(a) The first measure involves the principle of national sovereignty. Indeed reinforcing national systems of control implies the subordination of those systems to minimum rules that are valid for all States. However, on grounds of sovereignty, States would be reluctant to accept any form of interference in their domestic affairs, especially **defence** matters, which are areas par excellence for the production and transfer **of** arms. Thus the **economic** and strategic stake involved in such activities for **some** (the producing Powers) and the security stake for the others are the main obstacle to regulation:

- (i) While this is not the place for finger pointing, it must nevertheless be noted that full responsibility for the failure to regulate the production and the transfer of conventional weapons so far belongs to the five permanent members **of** the Security Council, especially the United States of America and the Union of Soviet Socialist Republics:
- (ii) Examples from the past clearly illustrate the attitude of the two super-Powers which have on numerous occasions, opposed the inclusion in the agenda of the General Assembly of any discussion on the regulation of the production and transfer of conventional weapons. Attention has thus remained focused on the issues of nuclear weapons:
- (iii) Since the basic features of the **arms** race have still not changed significantly, it is a fact that, owing to the important role they play in arms transfers and their ability to influence the course of international relations with respect to armaments, the two super-Powers



alone are effectively able to initiate and manage a process of control over world-wide arms **manufacturing** and shipments. However, the parameters of this process have become complex owing to **the** spread Of conventional weapons production;

(b) The second measure, which recommends that States refrain **from** acquiring arms beyond **what** they legitimately need for their reasonable security, poses a problem of judgement, which can only be subjective:

- (i) Who is to be the judge of the level of **armament** necessary to guarantee the security and defence of each State? These are notions which are, in the final analysis, fluid because of the many factors which enter into any assessment of a country's defence and security:
- (ii) Even States in the same subregion necessarily judge their defence and security requirements in relation to geopolitical and geostrategic data and **considerations** of vulnerability. In short, the potential or real threats facing each State are judged from a national viewpoint which is peculiar to each State;

(c) The third measure raises the question of the existence of effective political will on the part of States to control arms transfers as essential **factors** for the maintenance of peace and world security, in which everyone has an equal share. Openness **and** transparency on the part of certain parties in this regard is a condition for a measure of trust among the others. There must therefore be **some** reciprocity in the principles in these areas. Although the problems posed by the recommendations contained in General Assembly resolution **43/75** I are difficult to solve, some practical steps, albeit partial and certainly imperfect, can be envisaged:

- (i) As an earnest of their political will to work together for the achievement of the ideal of the United Nations, namely, a world of peace through control of the production and transfer of **arms**, all Member States, especially those recognized as the **most** concerned, might be asked to set up a national body to identify and deal with the entire range of arms control issues. Such national bodies would be linked among themselves through agreements at both the **subregional** and the regional level, and would also be linked with specialized agencies for these same purposes. The agencies themselves must be provided with the necessary technical structures and legal powers to perform the essential task of working out, co-ordinating and monitoring the implementation of **measures** jointly agreed upon by States;
- (ii) These agencies would constitute the linchpin in the machinery for solving the entire range of problems posed by arms production and transfers:
- (iii) The solution might lie in including in the terms of references of the agencies the technical function and capacity to determine, in co-operation with the relevant national agencies, the legitimate requirements **of** States with respect **to arms**, in the light **of** the specific

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characteristics **of** each region or subregion and, in particular, the **distinctive** national characteristics **of** individual countries. The **setting** of standards **of** this **kind** will provide **a** key **for** interpreting the arms **programmes** **of** States, making it possible to "zero in" on their intentions on the international **scene**;

(iv) The solution would also entail reviving and adapting the **reporting system** already tried by the United Nations during the **1960s**, combining it with the principle **of on-site** inspection. Such a system would make it mandatory **for** all States to report **on a** regular basis any new acquisitions **to their** regional or subregional agency. The agencies would have the right to check the accuracy **of** such reports at any **time**;

(v) The ideas **set** out above, which have been presented only in broad outline, have been suggested by past attempts at regulating the production and transfer **of** arms and by the prospects that are offered by the **current** status of efforts in this **field**,

4. The **efficacy of the** measures proposed here presupposes the existence, including within the United Nations, of a central body having the **same terms** of reference and legal and technical powers as those vested in the regional and subregional **agencies and** national bodies.

5. Admittedly, there **are in** existence bodies that deal with disarmament issues both in the United Nations and at the regional and subregional levels, but nowhere have the activities of such bodies been as **effective** as had been hoped in reversing the upward trend **in** the manufacture and transfer of arms.

6. It is also an established **fact** that the extreme sensitivity of States to the sacrosanct principle **of** national sovereignty and the strategic and economic interests **of** certain other States **have been** the major obstacles to the solution of the problem.

7. Nevertheless, the current international situation with regard to disarmament favours the undertaking **of** new **efforts**; the Soviet Union and the United States of America appear to be willing, **since** agreements on this subject have already been concluded between them. Even the principle **of** on-site control, which was so forcefully rejected in the past is now accepted by them. Negotiations on the regulation of conventional weapons are under way in Geneva and Vienna (conference on disarmament in Europe and the mutual and balanced force reduction in Central Europe).

## MEXICO

[Original: Spanish]

[11 July 1990]

1. By its resolutions 43/75 I and 44/116 N the General Assembly expressed its conviction that the question of international arms transfers deserves serious consideration by the international community.
2. Like all issues affecting international peace and security, the problem of international arms transfers is not a matter to be dealt with by the great Powers alone but rather concerns all peoples.
3. If there is a genuine desire to avoid threats to international peace and security in areas of tension, efforts must be made to achieve regional disarmament, which would thus eliminate arms transfers in such areas.
4. It should also be borne in mind that the peoples of such areas are facing very difficult economic situations, apart from the huge sums spent on the acquisition of arms. If the various Governments were to strive continually to reduce arms transfers, they would have more resources for the economic and social development of their countries.
5. At the International Conference on the Relationship between Disarmament and Development in 1987, the question of the arms trade was considered in the context of the impact which military spending had on the world economy and the document adopted by the Conference drew attention to the fact that the adverse consequences of arms transfers outweighed any immediate commercial benefit to suppliers and any advantages in terms of security.
6. The Government of Mexico believes that at the present juncture, in an atmosphere of growing detente, the international community must embark upon a frank consideration of the implications of international arms trade and hopes that the deliberation of the Working Group on disarmament and the study which the Secretary-General will be submitting to the General Assembly at its forty-sixth session will make it possible to identify measures for promoting the implementation of the principle of transparency in all international arms transfers.

## PAKISTAN

[Original: English]

[30 April 1990]

1. Pakistan supports all efforts aimed at ensuring the equal and undiminished security of States at the lowest level of armaments and military expenditures, it also supports efforts to ban illegal transfers of arms and arms sales to narco-terrorists and drug lords.

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2. Pakistan believes that each country has the sovereign right to determine its own legitimate defence needs. The arms exporting countries cannot ascribe to themselves this right ~~vis-à-vis~~ arms importing or non-weapon-producing countries.
3. It is our view that the question of "arms transfers" should be considered within the overall context of conventional arms control, with all ~~its~~ other inseparable and integrally linked aspects, particularly the indigenous defence production capabilities of different countries, as well as the legitimate security concerns of the States. These aspects must be taken into account simultaneously and in an integrated manner.
4. In Pakistan's ~~view, conventional~~ arms control measures, which are partial, address only a single facet of a multi-faceted issue or are discriminatory, cannot be implemented and are bound to fail. This is particularly true concerning measures that focus on international arms transfers to the neglect of the issue of the indigenous defence production capabilities,
5. Many small and medium-sized States, lacking indigenous defence production capabilities, have **no** choice but to depend upon international transfers of arms to meet their essential security needs. In **some cases**, they perceive threats to their security emanating from States with large indigenous defence production capabilities. Obviously, the denial to such small and medium-sized States of the possibility **of** acquisition of **arms** through ~~international~~ transfers would endanger their security and would have a destabilizing effect on international peace and security.
6. The international community must, therefore, guard against any attempts to isolate and highlight only one aspect of conventional arms control, namely, international arms transfers, in disregard of other aspects, outlined above.