

History of Arms Transfer Control and Challenges Facing the Arms Trade Treaty[†]

By TAMARA ENOMOTO*

Since the 1990s, there has been a proliferation of initiatives to create regional and global instruments establishing common criteria for assessing arms transfer licenses. These activities culminated in 2013 with the adoption of the Arms Trade Treaty (ATT). A Conference of States Parties to the ATT has been held annually since 2015, the fourth of which was held in Tokyo from 20 to 24 August 2018. As the introductory article of a collection of four articles based on presentations at the international symposium on 18 August 2018, at the Meiji University Research Institute for the History of Global Arms Transfer (RIHGAT) in Tokyo, this article aims to sketch the history of arms transfer control and to briefly introduce the challenges facing the ATT. The following three articles address those challenges further; all four articles have been updated in the past year. The collection aims to provide the bases for policy debates ahead of the Fifth Conference of States Parties to the ATT, to be held from 26 to 30 August 2019 in Switzerland.

From the 1990s to the present, many initiatives aimed at developing measures to control conventional arms at the national, regional, and global levels have been developed. From transfer control and marking mechanisms to security sector reform and disarmament, demobilization and reintegration, myriad measures have flourished addressing the uncontrolled circulation and misuse of conventional arms. Among them were efforts to agree to a legally binding document establishing common criteria for assessing arms transfer licences. The efforts culminated in 2013 with the adoption of the Arms Trade Treaty (ATT).¹ At the time of this writing,² there are currently 102 States Parties to the ATT.³ The Conferences of States Parties (CSPs) to the ATT have been held annually since 2015; the Fourth Conference of States Parties (CSP4) was held in Tokyo, Japan, from 20 to

* Author's Affiliation: Tamara Enomoto, Visiting Associate Professor, Organization for the Strategic Coordination of Research and Intellectual Properties (Research Institute for the History of Global Arms Transfer), Meiji University.

[†] This work is partially funded by the Ministry of Education, Culture, Sports, Science, and Technology's (MEXT) Program for the Strategic Research Foundation at Private Universities, 2015-9, JSPS KAKENHI, grant numbers JP16K17075, and JP16KT0040. The author would like to thank Nicholas Marsh and Paul Holtom for extensive advice and comments.

¹ The ATT was adopted on 2 April 2013 by resolution 67/234B during the sixty-seventh session of the General Assembly of the United Nations (UNGA). See UNGA, A/RES/67/234 B. It states that the General Assembly adopts 'the Arms Trade Treaty as contained in the annex to document A/CONF.217/2013/L.3'. During the Final United Nations Conference on the Arms Trade Treaty (18-28 March 2013), the President of the Conference proposed for adoption a draft decision (UNGA, A/CONF.217/2013/L.3) to which a draft text of the ATT was annexed, but it was not adopted during the Conference.

² 12 May 2019.

³ United Nations Treaty Collection, as of 12-05-2019 07:48:57 EDT, chapter XXVI disarmament, Arms Trade Treaty. https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVI-8&chapter=26&clang=_en (Last accessed on 12 May 2019).

24 August 2018. Presided by Ambassador Nobushige Takamizawa of Japan, CSP4 provided opportunities for Japanese and overseas academics and practitioners to share knowledge and discuss the challenges facing the ATT.

The Meiji University Research Institute for the History of Global Arms Transfer (RIHGAT) seized this opportunity to hold an international symposium entitled ‘Symposium Ahead of the Fourth Conference of States Parties to the Arms Trade Treaty: Reflecting on a Vision Against the Reality of Arms Transfers in the World’, at the Surugadai Campus, Meiji University, Tokyo, Japan, on 18 August 2018, two days prior to the opening of the CSP4. The symposium aimed to create a platform for academics from different fields (history, arms control, and international law) and stakeholders (government officials, civil society, industry, etc.) to discuss and share the history of arms transfer control and the challenges facing the ATT. It further aimed to create an opportunity to disseminate information about the ATT and arms transfer control by engaging the media and academia to help raise public awareness. Despite being held in the middle of summer vacation, it was attended by some 180 participants, including academics, students, journalists, diplomats, members of non-governmental organizations (NGOs) and staff members of Japanese arms manufacturers.

This collection of articles is based on the presentations of many speakers at that symposium. It has been updated and refined to provide bases for policy debates ahead of the upcoming Fifth Conference of States Parties (CSP5) to the ATT. As the introduction of the collection, this article sketches the history of arms transfer control and introduces the following three articles.⁴

I

Before introducing post-Cold War initiatives on the regulation of arms transfers and the current challenges facing the ATT, this section gives an overview of international policy debate on arms transfer control from the late nineteenth century to the Cold War period.⁵

The first multilateral agreement adopted by most of the great powers to control arms transfers after the formation of the sovereign-state system was the 1890 Brussels Act.⁶ The Brussels Act, formally titled the General Act of the Brussels Conference Relative to the African Slave Trade, prohibited the transfer of firearms and ammunition to much of the African continent,⁷ into which a substantial number of European-made arms had flooded.⁸ As the formal name of this treaty indicates, the main subject of the conference was the slave trade from Africa to other parts of the world, especially to the Arab world.⁹

In policy debates leading up to the adoption of this treaty, African people were seen as ‘barbaric’ contributors to the slave trade who were unable and unqualified to further the collective social good. Their acts of violence or resistance against the colonizers—the ‘civilized states’—were regarded as irrational, illegitimate, and backward acts of nonsense

⁴ The analysis and opinions contained in this article reflect solely those of the author, and any errors and omissions in this article are the author’s.

⁵ This and the following sections are largely based on the author’s previous work. See Enomoto, ‘Controlling’.

⁶ General Act of the Brussels Conference Relative to the African Slave Trade, 2 July 1890.

⁷ Article 8 of the Brussels Act states as follows: ‘The importation of firearms, and especially of rifles and improved weapons, as well as of powder, ball and cartridges, is ... prohibited in the territories comprised between the 20th parallel of North latitude and the 22d parallel of South latitude, and extending westward to the Atlantic Ocean and eastward to the Indian Ocean and its dependencies, including the islands adjacent to the coast within 100 nautical miles from the shore’.

⁸ Atmore, Chirenje, and Mudenge, ‘Firearms’; Beachey, ‘The arms trade’; Guy, ‘A note’.

⁹ Berlioux, *Slave trade*, pp. 1, 3-4, 72-3, 75-6; Clarke, *Cardinal Lavigerie*, pp. 246-9, 250-2, 254, 332-4, 344; Pasha, *Seven years*, pp. 84-5.

that rejected the benefits of civilization.¹⁰ Moreover, the wars between African groups were considered a source of humanitarian catastrophe and slave hunting.¹¹ Therefore, the prohibition of arms transfers to such 'backward' people was seen as necessary to stop their 'barbaric' infighting and slave hunting, and to 'bring the benefits of civilization to them under the protection of the civilized states'.¹² The prevailing doctrine at the time of the Brussels Act was the sovereign right of a state to determine for itself whether and when to resort to war.¹³ From the latter half of the eighteenth century, the ultimate prerogative of a state to wage war came to be regarded as a legitimate and fundamental element of state sovereignty. As such, arms transfers to state actors, or 'civilized sovereign states', were largely considered legitimate, unless they were potential or actual enemies of the exporting state. At the same time, the *laissez-faire* policy of minimum governmental interference in the economic affairs of individuals and society was prevalent in the late nineteenth century.¹⁴ Therefore, governments rarely sought to regulate arms production and transfers by private companies, except in times of war.¹⁵

The interwar period saw a series of negotiations aimed at creating a modified version of the Brussels Act. Joined by the newly independent small states, the Convention for the Control of the Trade in Arms and Ammunition was adopted in 1919,¹⁶ and the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War was adopted in 1925.¹⁷ These treaties literally became dead letters even before the ink was dry as a result of the unwillingness of many states to ratify them.¹⁸

The series of negotiations was led by the great powers, who insisted that it was the moral duty of 'civilized states' to prevent arms from falling into the hands of those who did not meet the 'standard of civilization' and who were, therefore, not entitled to sovereign equality.¹⁹ As a result, the great powers proposed a broader prohibited zone that included not only parts of Africa, but also Transcaucasia, Persian lands and/or waters, Gwadar, the Arabian Peninsula, and the continental regions of Asia that were part of the Turkish

¹⁰ Kurimoto, *Mikai no sensou*, p. 148.

¹¹ Berlioux, *Slave trade*, pp. 1, 76; Casati, *Ten years in Equatoria*, pp. 289, 291; Clarke, *Cardinal Lavigerie*, pp. 250-2, 254, 332-4, 344; Pasha, *Seven years*, pp. 84-5.

¹² Bain, *Between anarchy*, p. 68; Louis, 'Sir Percy Anderson's'; Matthews, 'Free trade'.

¹³ Joyner, *International law*, p. 163.

¹⁴ It should be borne in mind that European states generally sought to control the arms trade prior to the shift in the underlying economic ideology of trade from mercantilism to capitalism. Most of the previous control measures had been characterized by unilateral initiatives and had been designed to protect technological lead or to safeguard scarce weapons. See Krause, *Arms and the state*, pp. 37-48, 59-61; Krause and MacDonald, 'Regulating', pp. 708-11.

¹⁵ Krause and MacDonald, 'Regulating', pp. 711-2. Whether a neutral state could legitimately supply arms to belligerents of war was fiercely debated between the United Kingdom and the United States over the case of the Confederate commerce raider Alabama in the 1860s and 1870s. The case reaffirmed the prevailing principle of international law of the time that there was no general obligation of neutral states to prevent private arms transfers to belligerents of war. Several decades later, the Hague Convention (V) Respecting the Rights and Duties of Neutral Powers and Persons in Case of War on Land of 18 Oct. 1907 and the Hague Convention (XIII) Concerning the Rights and Duties of Neutral Powers in Naval War of 18 Oct. 1907 prohibited the supply of arms by a neutral state to a belligerent state, yet arms transfers by private suppliers were outside the scope of the prohibition. See Garcia-Mora, 'International law'; Stone, 'Imperialism', pp. 214-7.

¹⁶ Convention for the Control of the Trade in Arms and Ammunition, 10 Sept. 1919.

¹⁷ Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, 17 June 1925.

¹⁸ The treaty adopted in 1919 did not specify a fixed number of states to express their consent for its entry into force; instead, its Article 26 stated that it 'would come into force for each Signatory Power from the date of the deposit of its ratification'. Therefore, the treaty did enter into force for a small number of states which deposited their instruments of ratification, but it was widely seen as a dead letter by 1923, which prompted the next round of negotiation. See Stone, 'Imperialism', pp. 219-20.

¹⁹ Ibid., p. 218.

Empire.

It is critical to recognize that these interwar treaties included some control over arms transfers between states, which had been entirely outside the scope of the 1890 Brussels Act. On both sides of the Atlantic, growing public outcry for regulation of the ‘merchants of death’²⁰ demanded efforts to control arms transfers,²¹ and the idea of war as legitimate violence between equal sovereign states was increasingly called into question. Thus, the treaties of this period included the prohibition of arms transfers, except those sanctioned by both the exporting and importing states.²² They also included reporting mechanisms for licensed arms exports and imports. Such measures could have placed the ‘merchants of death’ under some control by governments and could have also facilitated public scrutiny over authorized arms transfers.

However, the licensing and reporting measures were criticized by smaller arms-importing states, which saw them as infringements on their sovereignty and security. These critics claimed that licensing would put smaller importing states at the mercy of producers who might recognize a rebel group instead of the legitimate government of an importing state.²³ They also argued that publishing arms exports and imports meant that the armaments of importing states would be revealed, while the producing states would enjoy secrecy as to their armaments.²⁴ While these measures were included in the treaties at the insistence of the great powers, few importing states rushed to ratify them.²⁵

The decades following the end of the Second World War saw a shift in the framing of policy debates on arms transfers. As Robert Jackson argues, the game of international relations shifted after the Second World War from one based on positive sovereignty, or a demonstrated ability for effective self-governance and fulfilment of the ‘standard of civilization’, to a new game based on negative sovereignty—the formal legal entitlement to freedom from outside interference.²⁶ In the new rules of the game, the principles of sovereign equality and non-intervention were respected for all states, regardless of their empirical capabilities as organized political systems.²⁷

The new negative sovereignty norms were emphasized by states in the global south between the 1950s and 1970s, when western states sought to regulate international arms

²⁰ This expression refers to arms manufacturers and dealers who were accused of having instigated and perpetuated the First World War in order to maximize their profits from arms sales.

²¹ Anderson, ‘British rearmament’; Cortright, *Peace*, pp. 98–100; Harkavy, *The arms trade*, p. 215; Stone, ‘Imperialism’, p. 217.

²² Cortright, *Peace*, pp. 62–3. There were other sets of initiatives to control arms transfers to particular states during this period. For instance, the 1920s peace treaties with the defeated states (Germany, Austria, Hungary, Turkey, and Bulgaria) in the First World War imposed prohibition of imports and exports of arms on these states. There were also some unilateral and multilateral arms embargoes in specific conflicts, such as those in China in the 1910s and 1920s, and the Chaco war between Bolivia and Paraguay between 1932 and 1935. See Krause and MacDonald, ‘Regulating’, pp. 714, 720–722.

²³ Stone, ‘Imperialism’, p. 222–4.

²⁴ Stone, ‘Imperialism’, p. 226–8.

²⁵ The interwar negotiations did not yield any tangible agreement, yet they facilitated the institutionalization of peacetime licensing mechanisms for arms transfers in many of the great powers. See Stone, ‘Imperialism’; Krause and MacDonald, ‘Regulating’.

²⁶ Jackson, *Quasi-states*, pp. 25–29.

²⁷ For instance, the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the United Nations General Assembly (UNGA) in 1960, stated that all peoples have the right to self-determination and that inadequacies in political, economic, social, or educational preparedness should never serve as pretexts for delaying independence. The idea that the principles of sovereign equality and non-intervention, which had been formulated through the development of the sovereign-state system, should be respected for any state regardless of its conditions was strongly held by the newly independent states and was confirmed in UNGA resolutions in the 1960s and 1970s. See UNGA, A/RES/15/1514; UNGA, A/RES/20/2131; UNGA, A/RES/25/2625.

transfers, including transfers to states. At the UNGA, western states proposed resolutions to examine the matter of international arms transfers in order to consider the possibility of developing an international arms transfer registration and publicity system.²⁸ Malta, for example, submitted a draft UNGA resolution in 1965 which invited the Eighteen-Nation Committee on Disarmament to consider the question of arms transfers between states 'with a view to submitting to the General Assembly proposals for the establishment of a system of publicity through the United Nations'.²⁹ Malta argued for the need to address the problem of local arms races in the Third World, expressing concerns that they were hindering economic and social development by diverting scarce resources. It also stressed that an effective system of international arms transfer registration and publicity would build confidence among states.³⁰ Similar draft resolutions were proposed by Denmark, Ireland, Malta, and Norway in 1968,³¹ and again by eighteen states including Ireland, Denmark, Japan, and Norway in 1976.³² However, states in the global south generally criticized the proposals, insisting that they were based on discriminatory ideas against smaller arms-importing sovereign states and that they could be used as an instrument for 'the haves' to intervene in the internal affairs of 'the have-nots'.³³

As Stephen Krasner argues, the principles associated with both Westphalian sovereignty, such as the exclusion of external actors from domestic authority configurations, and international legal sovereignty, such as mutual recognition, have in reality been violated frequently since the formation of the sovereign-state system.³⁴ Nevertheless, states, especially states in the global south, played the game of negative sovereignty, and the proposed resolutions were never adopted in the UNGA between the 1950s and 1970s.

It was in the late 1980s, as states in the global south started to lose political power in the international sphere following the debt crisis, structural adjustment programmes led by international financial institutions, and the weakened East-West competition and tension, when they became amenable to proposals that they had once criticized as illegitimate intervention in the internal affairs of sovereign states. In 1988, the UNGA resolution that addressed the issue of international arms transfers was adopted.³⁵ The resolution requested the UN Secretary-General to carry out thereafter, with the assistance of governmental experts, a study on the ways and means to promote transparency in international transfers of conventional arms. Based on this resolution, a report entitled 'Study on Ways and Means of Promoting Transparency in International Transfers of Conventional Arms: Report of the Secretary-General' was prepared by a UN Group of Government Experts (GGE) and submitted to the UNGA in 1991.³⁶ Another UNGA resolution to establish an international arms transfer register system, a measure which had never materialized during the Cold War period, was adopted in the same year.³⁷ As a result, the UN Register of Conventional Arms (UNROCA) was established in 1992.

²⁸ Catrina, *Arms transfers*, p. 138; Stockholm International Peace Research Institute (SIPRI), *The arms trade*, pp. 100-8; Wulf, 'United Nations', p. 230.

²⁹ Draft resolution submitted by Malta, in SIPRI, *The arms trade*, pp. 102.

³⁰ *Ibid.*, pp. 101-2.

³¹ *Ibid.*, pp. 103-5.

³² Catrina, *Arms transfers*, p. 138.

³³ Krause, 'Controlling the arms trade', p. 1030; Muni, 'Third World', pp. 203-7.

³⁴ Krasner, *Power*, p. 197.

³⁵ UNGA, A/ RES/43/751.

³⁶ UNGA, A/46/301.

³⁷ UNGA, A/RES/46/36L.

II

Since the 1990s, violations of international human rights law and/or international humanitarian law by national military and security forces, especially those of states in the global south, have been matters of concern for international policy-makers.³⁸ In other words, the ability and will of states, especially states in the global south, to ensure human security, respect human rights, and pursue the collective social good have been seriously brought into question, along with the legitimacy of state violence. Since the latter half of the 1990s, the notion of a ‘responsibility to protect’ has received support, to a certain extent, from actors including governments, NGOs, and academics, especially those in the global north.³⁹ According to this notion, Westphalian sovereignty and international legal sovereignty are not inherent rights of states but are contingent on a state’s positive sovereignty. In other words, they are conditioned upon a state’s capacity and willingness to protect its population. Failure to fulfil this responsibility may lead to intervention by outside actors, who should now bear the responsibility.

As the ability and will of states, especially states in the global south, to ensure human security, respect human rights, protect their own populations, and pursue the collective good rapidly came under suspicion, it was asserted that establishing the UNROCA was not enough. The idea gained momentum that the risk of misuse, such as serious violations of international human rights law and humanitarian law, should be evaluated before exporting states decide whether to authorize arms transfers to other states. Governments, NGOs, and academics, especially those in the global north, sought to develop common criteria against which exporting states would assess the potential risks of misuse before authorizing arms transfers to other states.

Such criteria were first agreed upon among the permanent members of the United Nations Security Council (P5) in 1991,⁴⁰ at the United Nations Disarmament Commission (UNDC) in 1991,⁴¹ at the European Council in 1991 and 1992,⁴² at the European Union (EU) in 1998,⁴³ at the Organization for Security and Cooperation in Europe (OSCE) in 1993 and 2000,⁴⁴ and at the Wassenaar Arrangement in 2002.⁴⁵ Starting largely as a ‘northern’ arms exporters’ initiative, efforts were also made in the 2000s to encourage states in the global south to agree to similar sets of arms transfer criteria, against which the potential risks of misuse should be assessed on a case-by-case basis, before authorizing arms transfers; such documents were agreed upon at the Organization of American States (OAS) in 2003,⁴⁶ by East and Central African states in 2005,⁴⁷ at the Central American Integration System

³⁸ Anderson, *Do no harm*; Collier, *Wars, guns, and votes*; Kaldor, *New and old wars*.

³⁹ Clapham, ‘Weapons’, pp. 167-8.

⁴⁰ Guidelines for Conventional Arms Transfers. Communique issued following the meeting of the P5 in London, 18 Oct. 1991.

⁴¹ Guidelines for International Arms Transfers in the Context of General Assembly Resolution 46/36 H of 6 Dec. 1991.

⁴² Conclusions of the Presidency: Declaration on Non-Proliferation and Arms Exports, adopted at the European Council Meeting in Luxembourg, 28-29 June 1991; Conclusions of the Presidency: Non-Proliferation and Arms Exports, adopted at the European Council Meeting in Lisbon, 26-27 June 1992.

⁴³ European Union Code of Conduct on Arms Exports, 5 June 1998.

⁴⁴ Principles Governing Conventional Arms Transfers, 25 Nov. 1993; FSC.DOC/1/00/Rev.1, OSCE Document on Small Arms and Light Weapons, 24 Nov. 2000.

⁴⁵ Best Practice Guidelines for Exports of Small Arms and Light Weapons, 11-12 Dec. 2002.

⁴⁶ Draft Model Regulations for the Control of Brokers of Firearms, Their Parts and Components and Ammunition, approved at the 34th Regular Session of the Inter-American Drug Abuse Control Commission (CICAD), 17-20 Nov. 2003.

⁴⁷ Best Practice Guidelines for the Implementation of the Nairobi Declaration and the Nairobi Protocol on Small Arms and Light Weapons, approved at the Third Ministerial Review Conference of the Nairobi Declaration

(SICA) also in 2005,⁴⁸ at the Economic Community of West African States (ECOWAS) in 2006,⁴⁹ and by central African states in 2010.⁵⁰ During this time, initiatives were taken to develop a more ‘universal’ instrument that could potentially be agreed by all states. This ultimately led to a process to negotiate the ATT following an UNGA resolution in 2006,⁵¹ and culminated in 2013 with the adoption of the ATT.

The adopted ATT includes similar criteria as those agreed upon in the above instruments. Its Article 6 stipulates that a state party shall not authorize any transfer of conventional arms if it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a party. Article 7 of the treaty also obliges each exporting state party to assess the potential that the conventional arms or items: (a) would contribute to or undermine peace and security; (b) could be used to: (i) commit or facilitate a serious violation of international humanitarian law; (ii) commit or facilitate a serious violation of international human rights law; (iii) commit or facilitate an act constituting an offence under international conventions or protocols relating to terrorism to which the exporting State is a Party; or (iv) commit or facilitate an act constituting an offence under international conventions or protocols relating to transnational organized crime to which the exporting State is a Party.

The once controversial reporting and registration mechanism for arms exports was also included in the ATT. Article 13 of the treaty obliges each state party to provide an initial report to the Secretariat of measures undertaken in order to implement the ATT within the first year after entry into force of the treaty for the state party. The same article also reads that each state party shall submit annually to the Secretariat, by 31 May, a report for the preceding calendar year concerning authorized or actual exports and imports of conventional arms covered under Article 2 (1).

When we consider this backdrop for the development of the ATT and the logic behind it, the 1890 Brussels Act and contemporary arms transfer control may look similar, in terms of their underlying assumptions and aspirations. In a sense, the language of the ATT was developed against the background in which the right to Westphalian sovereignty and international legal sovereignty were increasingly seen as contingent on a state’s ability and will to protect its own population, and the primacy of the principle of non-intervention was severely eroded.

It nevertheless needs to be pointed out that the ATT’s approach is not based on the binary assumption that civilized rational subjects are capable of defining the collective social good and barbarians are incapable of doing so, which was the assumption embedded in the Brussels Act. Instead, the ATT is based on the idea that any actor, whether global north or south, has a lesser or greater degree of risk of falling into irrationality, dysfunction and immorality, and thus requires external risk assessment. At the same time, no actor is

on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, 20-21 June 2005.

⁴⁸ Code of Conduct of Central American States on the Transfer of Arms, Ammunition, Explosives and Other Related Material, 2 Dec. 2005.

⁴⁹ ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, 14 June 2006.

⁵⁰ Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly, 30 April 2010

⁵¹ The process was made possible by a series of UNGA resolutions: UNGA, A/RES/61/89; UNGA, A/RES/63/240; UNGA, A/RES/64/48; UNGA, A/RES/67/234.

assumed to be capable of providing universal judgement as to the level of risk of a specific actor or of defining the collective good on behalf of the potentially affected population or of the international community.

Potential discrimination in implementation of the ATT therefore arises from its differences from—rather than its similarities to—the Brussels Act. Since decisions whether to export based on risk assessment are left to the discretion of each state party, some states parties of the ATT may conclude that the risk of arms being used to commit or facilitate serious violations of international humanitarian law is ‘overriding’, in the question of authorizing certain arms to a certain actor at a certain time, while other states parties may think that the risk is not sufficiently ‘overriding’ to reject a licence for transfer. When this ambiguous, uncertain norm is combined with the political, military or economic interests of arms exporters, it can be used in a discriminatory manner.

States parties to the ATT faced this issue, in addition to a number of technical, financial, practical and political issues, in the course of the CSP process. The next section provides an overview of the CSP process and explains some of the challenges facing the ATT by referring to the following three articles included in this collection.

III

The ATT entered into force on 24 December 2014. The preparatory process for CSPs started in early 2014, and five informal and formal preparatory meetings took place before the First Conference of States Parties to the Arms Trade Treaty (CSP1) on 24-27 August 2015 in Cancun, Mexico.⁵² Presided by Ambassador Jorge Lomónaco of Mexico, discussions at the CSP1 centred around procedural and administrative issues such as the rules of procedure and financial rules of CSPs, the location and budgetary arrangements of the ATT Secretariat, election of the head of the ATT secretariat, reporting mechanisms and templates, and election of the President, Vice-Presidents and Management Committee for the Second Conference of States Parties to the Arms Trade Treaty (CSP2). States parties discussed proposed draft templates that could be used as the basis for the initial and the annual reports, but failed to address concerns raised on the drafts or to adopt them as the official reporting templates. As a result, the issue of reporting templates was carried over to CSP2.

CSP2 was held on 22-26 August 2016, in Geneva, Switzerland, with Ambassador Emmanuel E. Imohe of Nigeria presiding.⁵³ The issue of reporting templates was again tabled at the conference. Although only minor cosmetic changes were made to the draft initial and annual reporting templates, states parties ‘endorsed’ both the initial and annual reporting templates and ‘recommended’ their use by States Parties – although the issue of the reviewing the reporting templates was left open for future CSPs.⁵⁴ CSP2 established a Voluntary Trust Fund (VTF) for ATT implementation, as well as three working groups to allow work to continue between CSPs: on Transparency and Reporting, on Effective Implementation of the ATT, and on Universalization.

The Third Conference of States Parties (CSP3) was held on 11-15 September 2017 in

⁵² ATT Secretariat, ATT/CSP1/2015/6. For a summary of the issues discussed at the CSP1, See Enomoto, ‘In preparation for the second conference’.

⁵³ ATT Secretariat, ATT/CSP2/2016/5. For a summary of the issues discussed at the CSP2, See Enomoto, ‘In preparation for the third conference’.

⁵⁴ ATT/CSP2/2016/5, Final Report, paragraph 25.

Geneva, Switzerland, presided by Ambassador Klaus Korhonen of Finland.⁵⁵ At CSP3, concerns were raised that some states were not meeting their legal obligations of initial and/or annual reporting. As of the beginning of CSP3, 61 of the 85 ATT states parties required to submit their initial reports had done so (72 percent), and 48 of the 75 states parties required to submit their annual reports for 2016 had done so (64 percent). In order to address this issue, states parties agreed that future CSPs would review reporting compliance, and endorsed a document, *Reporting authorized or actual exports and imports of conventional arms under the ATT: questions & answers*, which clarified technical matters that states may face in filling in the annual reporting template.⁵⁶ During CSP3, Ambassador Nobushige Takamizawa of Japan was elected president of CSP4, and the Japanese delegation announced their intention to hold CSP4 in Japan.⁵⁷ The RIHGAT, in collaboration with domestic and overseas research institutes, universities and NGOs, began preparations for an international symposium to be held on 18 August 2018.

CSP4 was held in Tokyo, Japan, on 20-24 August in 2018.⁵⁸ As we expected that the issue of reporting compliance would continue to be one of the key issues at the conference, the RIHGAT invited a specialist on the matter, Paul Holtom, Senior Researcher at the Small Arms Survey, to the symposium. The presentation has since been updated as part of this collection.

Holtom's article asks whether the Arms Trade Treaty (ATT) can achieve its purpose of increasing transparency in the international arms trade. After introducing the concepts of intergovernmental and public transparency in international arms transfers, the article provides examples of key transparency instruments, with a focus on the UNROCA. The article then reviews ATT annual reports submitted during 2016-18 in comparison to UNROCA submissions. It concludes that the ATT has the potential to increase the number of states that make information on their arms transfers publicly available, yet points out that there are worrisome signs that several ATT states parties are providing less detailed information in their ATT reports than they used to provide to UNROCA. The article concludes that states parties need to implement the treaty's reporting obligations in good faith, and that NGOs should remain vigilant and highlight any backsliding in reporting before obfuscation of information becomes a 'norm' in transparency in international transfers of conventional arms.

The next article is written by Mitzi Austero, Programmes Manager and Communications and Research Manager at Nonviolence International Southeast Asia, and Pauleen Gorospe, Communications and Research Manager at the organisation. Since the ATT was opened for signature and ratification, the number of Asian states parties has been particularly low compared to other regions, and no Southeast Asian state had yet ratified the treaty at the time of the opening of CSP4. There were several signatories who were facing domestic challenges regarding ratification, particularly in Southeast Asia: Cambodia, Malaysia, Philippines, Singapore, and Thailand. CSP4 was expected to help universalize the treaty in

⁵⁵ ATT Secretariat, ATT/CSP3/2017/SEC/184/Conf.FinRep.Rev1. For a summary of the issues discussed at the CSP3, See Enomoto, 'Key issues at the third and fourth'.

⁵⁶ ATT Secretariat, *Reporting authorized or actual exports*.

⁵⁷ Rule 11 of the rules of procedure adopted at the CSP1 states that '(t)he venue for each ordinary session shall be decided by the Conference at its preceding ordinary session, taking into consideration the importance of promoting the universalization of the Treaty. In the absence of a decision by States Parties on the venue of the next ordinary session of the Conference, it shall be held at the seat of the Secretariat'. ATT Secretariat, ATT/CSP1/CONF/1.

⁵⁸ ATT Secretariat, ATT/CSP4/2018/SEC/369/Conf.FinRep.Rev1. For a summary of the issues discussed at the CSP3, See Enomoto, 'Key issues at the third and fourth'.

the region by raising awareness and promoting policy debate on the treaty among actors, including state delegations, academics and NGOs in the region. We therefore invited Austero to the symposium to discuss the challenges faced in Southeast Asia ahead of CSP4. The presentation has since been updated by Austero and her colleague Gorospe.

In Austero and Gorospe's article, they look into the challenges of developing criteria for risk assessment of arms transfers in Southeast Asia, in view of the region's experiences with armed conflicts, high levels of armed violence, and proliferation of weapons. It asserts that informal and sub-national cooperation in the region can help build and strengthen formal structures to support arms control regimes and encourage national governments to adopt international instruments. It calls for a pragmatic approach that incorporates disparities in the levels of development, presence of armed conflicts, and the different security needs of each country. Lastly, it recommends that formal and informal regional mechanisms be actively utilized in discussions on the adoption of a regional protocol on arms transfers.

In the course of the preparatory process for CSP4, states parties decided that the conference would thematically focus on the issue of diversion. Our symposium therefore included a presentation on the theme by Nicholas Marsh, Research Fellow at the Peace Research Institute Oslo (PRIO), who is a specialist on this issue. Article 11 of the treaty states that each state party involved in the transfer of conventional arms covered under Article 2 (1) shall take measures to prevent their diversion, and establishes the means by which a diversion can be prevented by importing, transit, trans-shipment and exporting states parties. Although the term diversion is not defined in the treaty, it is generally understood that the term applies to the movement of weapons from authorized to unauthorized end use, or from authorized to unauthorized end users; preventing diversion has been one of the central aims of the ATT.

Marsh's article argues that in different places, the treaty covers both diversions taking place during a transfer and after the transfer has been completed. The article then considers the different ways that authorization can be granted; it points out that a diversion can occur when any state involved in a transfer has not provided authorization and presents examples of diversion in contemporary armed conflicts, analysing the nature of the diversion in each example. It concludes with the observations that states parties need to control the activities of arms brokers, that much more knowledge is needed by states parties to help them predict when a diversion may occur, and that a key priority for international cooperation and assistance should be to enhance stockpile security and management.

The symposium also introduced a presentation on challenges facing the implementation of the ATT that addressed some key issues preventing states parties from fully implementing the treaty. The updated article may be included in one of the future issues of our journal. The symposium also discussed difficult implementation challenges, such as possible treaty violations, in the general debate session. Throughout the CSP process, there has been criticism against states parties for their tendency to focus on procedural and administrative matters while avoiding concerns about the Treaty's implementation or any discussion of actual arms transfers, including arms transfers to Saudi Arabia.⁵⁹ CSP4 included more substantive discussions around the treaty's implementation than previous CSPs, but NGOs complained that states parties 'once again failed to specifically discuss problematic arms transfers and violations of the Treaty'.⁶⁰

⁵⁹ Some of their criticisms are summarized in Enomoto, 'In preparation for the second conference'; 'In preparation for the third conference'; 'Key issues at the third and fourth'.

⁶⁰ Control Arms, *Fourth conference*, p. 1.

From the historical perspective described in the preceding sections of this article, the difficulties may lie in the design of the ATT and the underpinning ideas and assumptions. The ATT's approach to setting the criteria for arms transfers is based on the idea that any actor has a lesser or greater degree of risk of falling into irrationality, dysfunction and immorality, and thus requires external risk assessment, while no actor is assumed to be capable of providing universal judgement as to the level of risk of specific actors. This ambiguous approach leaves open the possibility of being used in a discriminatory manner when it is met with political, military or economic interests of arms exporters.

IV

The ATT is an under-researched treaty in Japan. The author was the only non-state Japanese participant throughout most of the preparatory committees and negotiation conferences held between 2010 and 2013. Not much information is available on the ATT in Japanese, and most national media reports on the treaty contain factual errors; academic writings on the subject may not necessarily offer updated information.

For instance, a chapter of a book edited by the Japan Association of Disarmament Studies and published in March 2019 judges that the ATT does not apply to unmanned versions of combat aircraft and attack helicopters in its scope, and therefore there is no legal obligation to control or report them.⁶¹ Although the ATT does not explicitly reference unmanned versions of these categories within its scope, such judgement is not based on updated information on debate and agreements through the CSP process and the state practices that followed.

Article 2 of the ATT reads that the treaty shall apply to all conventional arms within the following categories: (a) battle tanks; (b) armoured combat vehicles; (c) large-calibre artillery systems; (d) combat aircraft; (e) attack helicopters; (f) warships; (g) missiles and missile launchers; and (h) small arms and light weapons. Article 5 adds that each state party is encouraged to apply the provisions of this Treaty to the broadest range of conventional arms, and that national definitions of any of the categories covered under Article 2 (1) (a)-(g) shall not cover less than the descriptions used in the UNROCA at the time of entry into force of the ATT. Since the treaty entered into force on 24 December 2014, discussion followed as to what was covered by the UNROCA at that time.⁶²

The UN Secretary-General convened a GGE on the continuing operation of the UNROCA and its further development every three years from 1994 to 2009. The 2012 GGE meeting was postponed to 2013.⁶³ The 2006 GGE report agreed that its category IV (combat aircraft) 'already covered those unmanned platforms that were versions of combat aircraft or that otherwise fell within the existing definition but not specially designed UAVs'.⁶⁴ Efforts were made in subsequent GGEs to be precise about the types of platforms to be covered, based on developments in the technology, transfer, and use. The 2013 GGE report noted that unmanned aerial vehicles were covered by categories IV (combat aircraft) and V (attack helicopters) of the UNROCA.⁶⁵ Although the 2013 GGE did not change the category description itself, it did recommend that states report international transfers of

⁶¹ Iwamoto, 'Present', pp. 387-8.

⁶² See commentaries on Articles 2 and 5 in Caonero and Merrell-Wetterwik, 'Article 5'; Casey-Maslen, S. 'Article 5'; Holtom, 'Article 2'; Parker, 'Article 2'.

⁶³ UNGA, A/C.1/67/L.22.

⁶⁴ UNGA, A/61/261, para. 96

⁶⁵ UNGA, A/68/140.

unmanned aerial vehicles in their annual reports to the UNROCA incorporating ‘unmanned’ sub-categories under categories IV and V. Both 2006 and 2013 GGE reports were endorsed by UNGA resolutions.⁶⁶ Following the decision taken by the 2013 GGE, the United Nations Office for Disarmament Affairs (UNODA) made changes on its website to update the reporting template so that it was in line with the recommendation made by the GGE. The UNODA Standardized Reporting Forms for the UNROCA at the time of the entry into force of the ATT included the following categories and descriptions. As a result of the GGE conclusions and recommendations and ODA’s approach, it was widely interpreted that unmanned versions of ‘combat aircraft’ and ‘attack helicopters’ are indeed included in the scope of the ATT.⁶⁷

IV. Combat aircraft

- a) Manned fixed-wing or variable-geometry wing aircraft, designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons or other weapons of destruction, including versions of these aircraft which perform specialized electronic warfare, suppression of air defence or reconnaissance missions;
- b) Unmanned fixed-wing or variable-geometry wing aircraft, designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons or other weapons of destruction. The term “combat aircraft” does not include primary trainer aircraft, unless designed, equipped or modified as described above.

V. Attack helicopters

- a) Manned rotary-wing aircraft, designed, equipped or modified to engage targets by employing guided or unguided anti-armour, air-to-surface, air-to-subsurface, or air-to-air weapons and equipped with an integrated fire control and aiming system for these weapons, including versions of these aircraft which perform specialized reconnaissance or electronic warfare missions;
- b) Unmanned rotary-wing aircraft, designed, equipped or modified to engage targets by employing guided or unguided anti-armour, air-to-surface, air-to-subsurface, or air-to-air weapons and equipped with an integrated fire control and aiming system for these weapons.

As noted in the previous section, Article 13 of the ATT obliges each state party to submit annually to the Secretariat, by 31 May, a report for the preceding calendar year concerning authorized or actual exports and imports of ‘conventional arms covered under Article 2 (1)’. In preparation for CSP1, an informal working group on transparency and reporting was formed, and the question of what is included in Article 2 (1) of the ATT was addressed with a view to developing an annual reporting template. The chair of the working group promoted the interpretation that the 2013 UNROCA GGE had concluded that unmanned versions of combat aircraft and attack helicopters are included in the scope of these categories in the UNROCA, and therefore should also be regarded as included in the scope of the ATT. As there was a desire by states parties that were active in the working group to seek a close alignment between the reporting templates for both ATT and UNROCA, there

⁶⁶ UNGA, A/RES/61/77; UNGA, A/RES/68/43.

⁶⁷ Holtom, ‘Article 2’, pp. 42-3; Parker, ‘Article 2’, 85-95.

was support for the inclusion of sub-categories for unmanned versions of combat aircraft and attack helicopters in the ATT reporting template.⁶⁸

More specifically, the ATT annual reporting template has sub-headings under the categories of ‘combat aircraft’ and ‘attack helicopters’ that allow states parties to report separately on imports and/or exports of manned or unmanned versions within these categories.⁶⁹ The aforementioned document endorsed at CSP3, *Reporting authorized or actual exports and imports of conventional arms under the ATT: questions & answers*, offers some explanation of this interpretation.⁷⁰ As noted earlier, states parties ‘endorsed’ the annual reporting template and ‘recommend’ its use at CSP2, and therefore it is not mandatory to use the template.⁷¹ However, among the annual reports submitted to the ATT Secretariat in 2018, only France did not use the template.

In view of this situation, judging simply that there is no legal obligation to control or report unmanned combat aircraft and attack helicopters under the ATT may not be helpful in understanding the debate and decisions through the CSP process and the state practices that followed. In order to understand the definition/description for ATT categories, one has to closely examine and continually update the deliberations of the UNROCA GGEs as well as of the CSP process.⁷²

With a history of the two atomic bombs that were dropped in Hiroshima and Nagasaki, arms control and disarmament debate in Japan has largely focused on nuclear weapons control, which results in an extremely small number of academics in the area of conventional weapons control. Updated information on the details of debate and measures taken during the CSP process have not necessarily been shared even among academics, let alone with the media and the public. In this context, our international symposium in August 2018 provided a rare opportunity for the RIHGAT to disseminate accurate information in some detail on the key themes of CSP4, as well as to provide some historical insights based on our research.

The RIHGAT was established in 2015 as a five-year project aiming to contribute to the current arms control debate, both in practical and academic terms, through interdisciplinary and global collaborative research based on historical studies. As CSP4 approached, the RIHGAT was elevated to one of three official institutes of Meiji University as of 1 August 2018. It began running cross-department courses for undergraduate students on arms industry and arms control studies in April 2019, and aspires to create an international research and education hub for those who are interested in relevant studies. With CSP5 approaching, it is hoped that this collection will provide a good opportunity to overview the long and complex history of international policy debate on arms transfer control, and to look into developments on the issues discussed before CSP4.

⁶⁸ The author thanks Paul Holtom for his information about the working group debate.

⁶⁹ ATT Secretariat, ATT/CSP2/2016/WP.6, annex 2.

⁷⁰ ATT Secretariat, *Reporting authorized or actual exports*.

⁷¹ This is because several states parties highlighted that they understood Article 13 to mean that the same report can be submitted to both the ATT and UNROCA, an approach that France has consistently taken since it submitted its first ATT annual report. The author thanks Paul Holtom and Nicholas Marsh for this information.

⁷² The 2016 UNROCA GGE recommended changing the heading of category IV to ‘Combat aircraft and unmanned combat aerial vehicles’ and formally amending the description for category IV to consist of two sub-categories. See UNGA, A/71/259, para. 57.

References

- Anderson, D. G., 'British rearmament and the "merchants of death": the 1935-36 royal commission on the manufacture of and trade in armaments', *Journal of Contemporary History*, 29:1 (1994), pp. 5-37.
- Anderson, M., *Do no harm: supporting local capacities for peace through aid* (Cambridge, 1996).
- Atmore, A., Chirenje J. M., and Mudenge, S.I., 'Firearms in southcentral Africa', *Journal of African History*, 12:4 (1971), pp. 545-56.
- Bain, W., *Between anarchy and society: trusteeship and the obligations of power* (Oxford, 2003).
- Beachey, R. W., 'The arms trade in East Africa in the late nineteenth century', *Journal of African History*, 3:3 (1962), pp. 451-67.
- Berlioux, E. F., *Slave trade in Africa in 1872: principally carried on for the supply of Turkey, Egypt, Persia and Zanzibar* (1872).
- Caonero, F. and Merrell-Wetterwik, A. C., 'Article 5 General Implementation', in S. D. Silva and B. Wood, eds., *Weapons and international law: the Arms Trade Treaty* (Brussels, 2015), pp. 78-87.
- Casati, G., *Ten years in Eutoria and the return with Emin Pasha*. Volume 2 (1891).
- Casey-Maslen, S. 'Article 5. general implementation', in A. Clapham, S. Casey-Maslen, G. Giacca and S. Parker, eds., *The Arms Trade Treaty: a commentary* (Oxford, 2016), pp. 165-76.
- Catrina, C., *Arms transfers and dependence* (1988).
- Clapham, A., 'Weapons and armed non-state actors', in S. Casey-Maslen, ed., *Weapons under international human rights law* (Cambridge, 2014), pp. 163-96.
- Clarke, R. F., *Cardinal Lavigerie and the African slave trade* (1889).
- Collier, P., *Wars, guns, and votes: democracy in dangerous places* (New York, 2009).
- Control Arms, *Fourth conference of states parties to the Arms Trade Treaty Tokyo, Japan, 20-24 August 2018* (2018). <https://controlarms.org/wp-content/uploads/2018/09/CSP2018-Final-summary.pdf> (Last accessed on 13 May 2019)
- Cortright, D., *Peace: a history of movements and ideas* (Cambridge, 2008).
- Enomoto, T., 'In preparation for the second conference of states parties to the Arms Trade Treaty: key issues at the first conference of states parties and thereafter', *History of Global Arms Transfer*, 2 (2016), pp. 67-84. [in Japanese]
- Enomoto, T., 'Controlling arms transfers to non-state actors: from the emergence of the sovereign-state system to the present', *History of Global Arms Transfer*, 3 (2017), pp. 3-20.
- Enomoto, T., 'In preparation for the third conference of states parties to the Arms Trade Treaty: Key issues at the Second Conference of States Parties and thereafter', *History of Global Arms Transfer*, 4 (2017), pp. 141-158. [in Japanese]
- Enomoto, T., 'Key issues at the third and fourth conferences of states parties to the Arms Trade Treaty', *History of Global Arms Transfer*, 7 (2019), pp. 67-86. [in Japanese]
- Garcia-Mora, M. R., 'International law and the law of hostile military expeditions', *Fordham Law Review*, 27:3 (1958), pp. 309-31.
- Guy, J. J. (1971). 'A note on firearms in the Zulu Kingdom with special reference to the Anglo-Zulu war, 1879', *Journal of African History*, 12:4 (1971), pp. 557-70.
- Harkavy, R. E., *The arms trade and international systems* (Cambridge, 1975).
- Iwamoto, S. 'Present states of and challenges facing arms control of military drones' in Japan Association of Disarmament Studies, ed, *Aspects of disarmament and arms control* (Tokyo, 2019). [in Japanese]
- Jackson, R. H., *Quasi-states: sovereignty, international relations and the Third World* (Cambridge, 1998).
- Joyner, C., *International law in the 21st century: rules for global governance* (Lanham, 2005).
- Kaldor, M., *New and old wars: organized violence in a global era* (Stanford, 1999).
- Krasner, S., *Power, the state and sovereignty: essays on international relations* (2009).
- Krause, K., *Arms and the state: patterns of military production and trade* (Cambridge, 1992).
- Krause, K., 'Controlling the arms trade since 1945', in R. D. Burns, ed, *Encyclopedia of arms control and disarmament, vol. II* (New York, 1993), pp. 1021-1039.
- Krause, K., and MacDonald, M. K., 'Regulating arms sales through World War II', in R. D. Burns, ed, *Encyclopedia of arms control and disarmament, vol. II* (New York, 1993), pp. 707-24.
- Kurimoto, E., *Primitive and Modern Wars* (Tokyo, 1999). [in Japanese]
- Louis, R. W., 'Sir Percy Anderson's grand African strategy, 1883-1896', *English Historical Review*, 81:319 (1966), pp. 292-314.
- Matthews, J., 'Free trade and the Congo Basin Treaties', *South African Journal of Economics*, 27:4 (1959), pp. 293-300.
- Muni, S. D., 'Third World arms control: role of the Non-Allied Movement', in T. Ohlson, ed, *Arms transfer*

History of Arms Transfer Control and Challenges Facing the Arms Trade Treaty

- limitations and Third World security* (Oxford, 1988), pp. 191-201.
- Parker, S., 'Article 2. scope', in A. Clapham, S. Casey-Maslen, G. Giacca and S. Parker, eds., *The Arms Trade Treaty: a commentary* (Oxford, 2016), pp. 58-136.
- Pasha, R. G., *Seven years in the Soudan: being a record of explorations, adventures, and campaigns against the Arab slave trade* (1892).
- Holtom, P., 'Article 2 scope', in S. D. Silva and B. Wood, eds., *Weapons and international law: the Arms Trade Treaty* (Brussels, 2015), pp. 29-55.
- SIPRI (Stockholm International Peace Research Institute), *The arms trade with the Third World* (Stockholm, 1971).
- Stone, D., 'Imperialism and sovereignty: the League of Nations' drive to control the global arms trade', *Journal of Contemporary History*, 35:2 (2000), pp. 213-30.
- Wulf, H., 'United Nations deliberations on the arms trade', in I. Anthony, ed., *Arms export regulations* (Oxford and New York, 1991), pp. 228-37.

Official Publications

- ATT Secretariat (Arms Trade Treaty Secretariat), *Final report*, ATT/CSP1/2015/6.
- ATT Secretariat (Arms Trade Treaty Secretariat), *Rules of procedure: Arms Trade Treaty*, ATT/CSP1/CONF/1.
- ATT Secretariat (Arms Trade Treaty Secretariat), *Final report*, ATT/CSP2/2016/5.
- ATT Secretariat (Arms Trade Treaty Secretariat), *Report of the ATT working group on reporting templates to the second conference of states parties*, ATT/CSP2/2016/WP.6.
- ATT Secretariat (Arms Trade Treaty Secretariat). *Final report*, ATT/CSP3/2017/SEC/184/Conf.FinRep.Rev1.
- ATT Secretariat (Arms Trade Treaty Secretariat), *Reporting authorized or actual exports and imports of conventional arms under the ATT: questions and answers*, Annex D to the ATT working group on transparency and reporting co-chairs' draft report to CSP3, ATT/CSP3.WGTR/2017/CHAIR/159/Conf.Rep.
- UNGA (United Nations General Assembly), *Declaration on the granting of independence to colonial countries and peoples*, UN Document A/RES/15/1514.
- UNGA (United Nations General Assembly), *Declaration on the inadmissibility of intervention in the domestic affairs of states and the protection of their independence and sovereignty*, UN Document A/RES/20/2131.
- UNGA (United Nations General Assembly), *Declaration on principles of international law concerning friendly relations and co-operation among states in accordance with the Charter of the United Nations*, UN Document A/RES/25/2625.
- UNGA (United Nations General Assembly), *International arms transfers*, UN Document A/RES/43/751.
- UNGA (United Nations General Assembly), *Study on ways and means of promoting transparency in international transfers of conventional arms*, UN Document A/46/301.
- UNGA (United Nations General Assembly), *Transparency in armaments*, UN Document A/RES/46/36L.
- UNGA (United Nations General Assembly), *Report on the continuing operation of the United Nations Register of Conventional Arms and its further development*, UN Document A/61/261.
- UNGA (United Nations General Assembly), *Transparency in armaments*, UN Document A/RES/61/77.
- UNGA (United Nations General Assembly), *Towards an Arms Trade Treaty: establishing common international standards for the import, export and transfer of conventional arms*, UN Document A/RES/61/89.
- UNGA (United Nations General Assembly), *Towards an Arms Trade Treaty: establishing common international standards for the import, export and transfer of conventional arms*, UN Document A/RES/63/240.
- UNGA (United Nations General Assembly), *The Arms Trade Treaty*, UN Document A/RES/64/48.
- UNGA (United Nations General Assembly), *The Arms Trade Treaty*, UN Document A/RES/67/234.
- UNGA (United Nations General Assembly), *Transparency in armaments*, UN Document A/C.1/67/L.22.
- UNGA (United Nations General Assembly), *Draft decision submitted by the president of the final conference*, UN Document A/CONF.217/2013/L.3.
- UNGA (United Nations General Assembly), *The Arms Trade Treaty*, UN Document A/RES/67/234 B.
- UNGA (United Nations General Assembly), *Report on the continuing operation of the United Nations Register of Conventional Arms and its further development*, UN Document A/68/140.
- UNGA (United Nations General Assembly), *Transparency in Armaments*, UN Document A/RES/68/43.

TAMARA ENOMOTO

UNGA (United Nations General Assembly), *Report on the continuing operation of the United Nations Register of Conventional Arms and its further development*, UN Document A/71/259.