

Information Exchange and Transparency: Key Elements of an International Action Programme on Small Arms

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Executive Summary

Efforts to combat and prevent illicit trafficking in, and proliferation and misuse of, small arms and light weapons (SALW) are hampered by lack of relevant information-exchange and transparency. International information exchange and transparency arrangements are key elements of each of the main elements of the international action programme on SALW to be launched at the UN 2001 Conference.

There is great scope to develop information management and distribution arrangements to disseminate and exchange of relevant information on SALW without seriously compromising national security, necessary commercial secrecy, or law enforcement. Indeed, national security, commerce, crime prevention and law enforcement are generally enhanced by appropriate transparency and information exchange

Potential benefits of international information exchange

Inter-governmental exchange of information relating to SALW, including confidential exchanges, can contribute in a number of important ways, including:

- Enabling effective co-operation amongst police, customs, or intelligence agencies or arms transfer licensing authorities;
- Improving capacity to trace or prevent diversion to unauthorised or destabilising purposes, including sanctions breaking activities;
- Improving capacity to monitor accumulations and flows of SALW;
- Promoting awareness and understanding of government efforts to implement the international action programme, to help co-operation and to promote good practices;
- Promoting awareness and understanding of specific needs, and thus contributing to mobilisation of appropriate assistance;
- Enhancing mutual confidence in States' commitment to prevent and reduce small arms proliferation and to other international obligations such as full respect for UN arms embargoes; and
- Stimulating the development and maintenance of appropriate national monitoring, record-keeping, and information management systems.

The contribution of transparency arrangements

In this context, transparency involves the provision of publicly available official information. Transparency arrangements can play the same valuable roles as those of confidential information exchange noted above. By making official information widely available, such arrangements can bring additional benefits, including:

- Ensuring that *all* interested agencies and groups have access to, and can act upon, relevant information;
 - Enabling effective involvement of parliamentarians and civil society, helping to avoid misleading or inaccurate reports, and promoting accountability;
 - Mobilising efforts to ensure that national systems are in place for reliable and consistent data-collection, record-keeping and reporting, and helping to ensure reliability through wider scrutiny; and
 - Helping to mobilise appropriate and timely international assistance.
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Executive Summary

Information exchange and the Draft International Action Programme

The Draft International Action Programme (L.4/Rev.1) includes significant text to promote information exchange and transparency. These are welcome, and should at least be retained. But experience shows that generalised commitments for enhanced information exchange may not be enough. Positive and specific information exchange arrangements are needed at the global level, so that governments have guidance on what information is requested from them, and follow-up measures can be taken to remind and encourage governments to supply appropriate information. These should complement and re-inforce any regional arrangements.

Recommendations for strengthening information exchange and transparency arrangements for SALW

In this context, this Briefing recommends that particular attention be devoted to developing information exchange and/or transparency measures in the following key areas:

Information exchange arrangements to combat and prevent illicit arms trafficking: Building upon the UN Firearms Protocol and recent regional and sub-regional initiatives in this area, measures are needed to strengthen the capacity of Interpol and the World Customs Union. These include upgrading and using the IWETS data-base system, and ensuring that these or similar facilities are available for use to combat or prevent unauthorised arms flows that contribute to the excessive and destabilising accumulation and spread of SALW, particularly to regions of tension or conflict.

Promoting Co-operation in Tracing: The commitments in the Draft Programme of Action (L.4/Rev.1) relating to marking, record-keeping and tracing SALW are important and should all be retained. In particular a follow-on process is needed to ensure information exchange relating to marking and record-keeping systems and to negotiate a detailed agreement to ensure effective co-operation in tracing.

Global transparency arrangements for SALW, and the role of the UN Register of Conventional Arms: Global transparency arrangements should be developed relating to SALW. In this context, the possible role of the UN Register of Conventional Arms needs clarification. There is wide support for expanding the seven existing categories of weapons covered by the UN Register to at least include some types of light weapons, such as medium and light mortars, grenade launchers or heavy machine guns. However, consensus on such a development has not yet been achieved. There are more doubts about whether it is useful and feasible to extend the UN Register to cover small arms. Efforts to enhance global transparency relating to small arms could focus on a new and specially designed arrangement. It would be valuable for the UN 2001 Conference to launch a process to develop small arms transparency arrangements and to clarify the possible role of the existing UN Register in this context.

Information Exchange Networks on Small Arms: Closely linked with the above, the Draft programme of action (L4/Rev.1) includes a recommendation that regions develop measures to enhance SALW transparency. This recommendation should be supported and acted upon. The experience could then contribute to the development of a global mechanism for exchanging information on SALW.

Executive Summary

Recommendations for strengthening information exchange and transparency arrangements for SALW

Stockpile Security and Reducing Surplus and Seized Weapons: Measures to enhance arms stockpile security and to promote responsible disposal (particularly destruction) of collected, surplus or seized weapons are key elements of the international action programme on SALW. This needs to involve information exchanges between responsible officials on current arrangements and problems, and exchanges of good practices and for mobilising appropriate international assistance. Moreover, exchanges of information on weapons collection and destruction programmes (including numbers of weapons seized, collected or destroyed), and co-operation in monitoring public arms destruction events would also be valuable

National Transparency: Governments should not wait for international agreements before taking measures to make more official information relating to SALW available to parliaments, the public and to other governments. Despite the significant progress in national transparency recently, unnecessary secrecy is still widespread. All countries should review their present arrangements for making information in this area available to the public, to consider ways of enhancing these arrangements.

Reporting for Follow-on Meetings

The main follow-on mechanisms proposed to promote implementation and further development of the international action programme to be agreed at the UN 2001 Conference are (a) a Follow-On Conference to be held in 2006 and (b) regular biennial meetings to exchange information on national and regional actions. Extensive reporting and information exchange will be vital to the success of these important meetings. Participating states, regional and international organisations, and all other relevant organisations and groups, should be encouraged to submit detailed reports on their relevant activities, policies and measures to each of these meetings. Over time, it will be useful to develop some guidelines on the minimum information to be included in such reports.

Introduction

Efforts to combat and prevent illicit trafficking in, and proliferation and misuse of, small arms and light weapons (SALW) are hampered by lack of relevant information-exchange and transparency. Official information concerning the production, stockpiling and transfer of SALW is either non-existent or generally shrouded in excessive secrecy. Many governments do not collect, maintain or exchange sufficient information even for their own national control purposes.

The UN Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects (UN 2001 Conference) aims to agree on an international Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. In view of the complexity of the problems of small arms proliferation, and the variety of factors contributing to them, this international action programme needs to be comprehensive in scope. It should establish a set of agreed principles, norms, standards, measures, programmes and follow-on processes that can provide an adequate framework for national action and international co-operation and assistance for years to come.

Principles and measures for international information exchange and transparency need to be at the heart of the various co-operation measures included in the international action programme if they are to be effective. Indeed, experience shows that information-exchange, transparency and consultation are essential elements of real international co-operation measures, in this and many other areas of concern. Without these elements, agreements on such measures are likely to be merely symbolic.

This briefing aims to identify and discuss the roles of information exchange and transparency arrangements in an international action programme for SALW, and how provisions for the development of such arrangements could be included in the Document to be agreed at the UN 2001 Conference.

The Contribution of Information Exchange and Transparency Arrangements

Confidentiality and openness

There are legitimate reasons for some secrecy relating to manufacture, procurement, holdings, possession, sales and transfers of SALW. Information that would endanger national security or legitimate commercial interests, or that undermines law-enforcement efforts, needs to be treated confidentially. However, it is clear that there is excessive secrecy on these matters in most countries. This undermines systems of accountability within each country. It also obstructs inter-agency co-ordination and appropriate international co-operation. In many countries, information that is essential for good and effective governance is not even effectively collected and used by national authorities.

There is normally substantial scope to develop information management and distribution arrangements to permit dissemination and exchange of relevant information without compromising national security, necessary commercial secrecy, or law enforcement. Indeed, national security, commerce, crime prevention and law enforcement are generally enhanced by appropriate transparency and information exchange.

Thus, it is generally unreasonable and in fact counter-productive to oppose outright the development of information exchange or transparency arrangements relating to SALW on grounds of national security. There is almost always a way of designing the guidelines for information exchange in a way that does not significantly prejudice security while still providing for useful sharing of information. Moreover, governments and companies with a strong interest in gathering sensitive intelligence information about a country's capabilities can usually access much more information through covert means or systematic observation of open sources than they can find in even a highly developed international information exchange arrangement. Lack of agreed international exchanges barely affects intelligence gathering by rivals, while seriously obstructing co-operation with partners.

Potential benefits of information exchange

The problems of illicit arms trafficking and proliferation and misuse of SALW are complex, and governments and other interested groups need to co-operate in many areas if they are to tackle them effectively. Information exchange and consultation are important in virtually all of these areas.

Exchange of information relating to SALW between governments can contribute in a number of important ways, including:

- Enabling effective co-operation amongst police, customs, or intelligence agencies or arms transfer licensing authorities;
 - Improving capacity to trace or prevent diversion to unauthorised or destabilising purposes, including sanctions breaking activities;
 - Improving capacity to monitor accumulations and flows of SALW to facilitate timely action to prevent excessive and destabilising accumulations and spread of such arms;
 - Promoting awareness of, and learning about, government efforts to implement elements of the international action programme, to help co-operation and co-ordination, and to identify and promote good practices;
 - Promoting awareness and understanding of specific needs, and thus contributing to mobilisation of appropriate assistance;
 - Enhancing mutual confidence in States' commitment to co-operate in preventing, combating and eradicating the illicit trade in SALW in all its aspects, and to other international obligations such as full respect for UN arms embargoes; and
 - Stimulating the development and maintenance of appropriate national monitoring, record-keeping, and information management systems.
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The Contribution of Information Exchange and Transparency Arrangements

Potential benefits of information exchange

It should be noted that information exchanged between governments may remain confidential and may not be made publicly available, in the interests of law-enforcement, justice, or legitimate commercial secrecy as well as national security. In practice, for example, governments have often been more willing to exchange confidential military information to potential adversaries than to their own parliaments and citizens. This partly reflects the fact that decision-makers are often at least as concerned that information will stimulate politically-sensitive debates within their own countries as they are about possible damage to national security.

The contribution of transparency arrangements

Confidential inter-governmental information exchanges have an important role to play in an effective international action programme on SALW. But it is also important to develop transparency arrangements.

For the purposes of this briefing, transparency involves the provision of publicly available official information. Thus transparency relates to making official information available both among governments and between governments and their parliaments and citizens. With regard to SALW, this information could for example relate to some or all of the following: policies, laws, arms reduction and control activities, or production, holdings, stockpiles, and transfers.

Transparency is a key feature of democratic governance and open societies. Parliaments and similar legislative bodies should have access to sufficient information to be able to exercise appropriate oversight over the conduct of government policies. Citizens should as far as possible have access to information that concerns their welfare and their society, and that enables them to understand and contribute to national policies.

At the regional and international level, transparency arrangements can play a valuable role in each of the ways noted above in relation to confidential information exchange: enabling co-operation, improving capacity and awareness, enhancing mutual confidence, and stimulating development of appropriate national monitoring and control systems. Indeed, making official information more widely available can bring additional benefits.

Firstly, transparency facilitates wide dissemination of relevant information, so that all interested agencies and groups can use it rather than just the narrow set of groups specified in confidential exchanges. In practice, information disseminated on a 'need to know' basis often does not actually reach the officials and organisations that could make good use of it.

Secondly, the provision of publicly available information facilitates effective involvement of parliamentarians and civil society. It promotes effective parliamentary oversight, because the information becomes available to parliamentarians and provides a focus for legitimate parliamentary debate. More widely, it enables citizens, NGOs, industry, media and other parts of civil society to become properly involved in such debates. Availability of *official* information helps to avoid false or misleading rumours and reports, and provides a firm basis for public debate. By promoting accountability, transparency arrangements can also be expected to enhance responsibility and restraint – for example with respect to manufacture and transfers of SALW.

The Contribution of Information Exchange and Transparency Arrangements

The contribution of transparency arrangements

Thirdly, decisions to provide regular information to parliaments or the public stimulate efforts to ensure that national systems are in place for effective and reliable data collection, record-keeping and reporting. The maintenance of systematic consistent, detailed and reliable information - for example, on production, stocks and transfers of SALW – requires clear rules and procedures and significant resources to collect, manage and disseminate relevant data. Ad-hoc measures and excessive secrecy normally result in inconsistent, incomplete or unreliable data. The obligation to provide regular and systematic reports stimulates government and parliamentary efforts to ensure that adequate resources and procedures are in place. Moreover, wider scrutiny can help to identify problems and inconsistencies, which can then be investigated and rectified.

It is important to note that inadequate or inconsistent national information systems relating to SALW are a problem in all states, not just less developed ones. For example, information on the USA's annual exports of SALW is provided in a number of reports, including the 655 Report (prepared jointly by the Departments of State and Defense), the Annual report of the Bureau of Alcohol, Tobacco and Firearms (BATF), and annual customs reports from the US Census Bureau. These reports are relatively detailed and transparent, but unfortunately the information contained in them is not comparable and in places seemingly contradictory. The fact that they are publicly available means that problems can be spotted and helps efforts towards continual improvement.

Fourthly, transparency can help to mobilise appropriate international assistance. One of the greatest challenges in tackling SALW problems is to develop mechanisms that enable needs to be rapidly identified and matched with those willing and able to help. If relevant official information on the situation faced by a country, and on its policies and programmes, is publicly available, it is relatively likely to reach a wide range of groups and agencies that are in a position to assist.

The Draft International Action Programme

Information Exchange and Draft Document L.4/Rev.1

The Draft International Action Programme (L.4/rev.1) to be considered at the UN 2001 Conference includes significant text to promote information exchange and transparency. For example, Section II states that States should establish national points of contact for inter-state and regional liaison (paras 3 and 24), and provide information on markings to assist in identification and tracing of weapons (para 5). Regions are encouraged to establish regional information sharing networks (para 27), and develop regional transparency measures (para 30). The UN Secretariat is requested to collate and circulate national reports and other information provided voluntarily by States (para 32).

Similarly, section III encourages information exchange in many areas: for example, exchange of experience and training among competent officials (paras 7, 8, 14, 15); information exchange on marking systems (para 12) and tracing and detection technologies (para 10); tracing co-operation (para 11); information exchange amongst regional organisations (para 5) and enforcement agencies (para 9); and the development of research and resource centres (para 18).

The need for systematic information exchange and transparency arrangements

These provisions in the Draft action programme are all welcome. But experience shows that generalised commitments for enhanced information exchange may not be enough. Positive and specific arrangements are needed to ensure adequate information exchange and transparency. The reality is that relevant ministries and agencies will not greatly enhance the information they exchange with their counterparts in other States without the establishment of agreed information exchange mechanisms or co-operation arrangements. This is particularly the case for information that is presently considered to be confidential, or that is not at present systematically collected.

It is noteworthy that several states have proposed amendments to the Draft international action programme (L4/rev 1) where it provides for information exchange and transparency. For example, the Arab Group, China, and several other states have proposed inserting phrases such as 'on a voluntary basis', 'where appropriate' and 'whenever possible' into the draft provisions for transparency and information exchange in Section II, paragraphs 22 and 30. To a point, such proposals can be incorporated without significant weakening of the Document. The whole Document to be agreed at the UN 2001 Conference will be politically rather than legally binding, and in that sense implementation is voluntary. Reminders of the voluntary nature of the information exchange arrangements can provide useful reassurance and improve negotiability.

However, it is important to learn from past experience of international calls for information exchange. Many governments forget or neglect to provide the agreed information unless (i) relevant national officials and ministries know what information they should provide and when and to whom it should be provided, and (ii) there are some (formal or informal) arrangements for reminding and assisting governments to provide agreed submissions. Vague calls for voluntary information exchange contained in a UN document are unlikely to induce significant responses unless there is some follow-up.

The Programme of Action agreed at the Conference in July should thus include some more specific commitments to develop information exchange and transparency arrangements relating to SALW at the global level, to complement and re-inforce any regional arrangements. Follow-up meetings could then develop specific guidelines on the ways and means of implementing such arrangements. Some key areas requiring attention are briefly discussed below.

Information exchange arrangements to combat and prevent illicit arms trafficking

There are several recent regional and sub-regional initiatives that include measures to enhance information exchange amongst crime prevention and law enforcement agencies to improve co-operation to combat and prevent illicit manufacture of, and trafficking in, SALW. Examples include the 1997 OAS Convention, the EU Programme of Action (1997), MERCOSUR agreement (1998), NATO Euro-Atlantic Partnership Council/Partnership for Peace Work Programme (1999), the OSCE Document (2000), the Bamako Declaration (2000), the Brasilia Declaration (2000), The Nairobi Initiative (2000), the SADC Declaration (2001), and programmes of ECOWAS and ASEAN. At a global level, the recently adopted UN Protocol Against Illicit Manufacturing of, and Trafficking in, Firearms, their Parts and Components and Ammunition (UN Firearms Protocol)², should contribute substantially to international information exchange and co-operation in this area.

Nevertheless, specific arrangements for information exchange to combat and prevent illicit arms trafficking need to be established in the international action programme on small arms. These should complement and re-inforce regional and global measures such as those outlined above. Although the commitments of the UN Firearms Protocol will be valuable when implemented, this Protocol is primarily a crime prevention and law enforcement agreement. Its provisions for information exchange and co-operation apply to the prevention, investigation and prosecution of transnational illicit arms trafficking where offences involve a transnational criminal group. We need to look to the UN 2001 Conference process to ensure that similar co-operation and information exchange takes place for combating and preventing lines of supply of arms that contribute to the excessive and destabilising accumulation and spread of SALW, particularly within regions of tension or conflict.

The Draft Programme of Action (L.4/Rev.1) encourages States to use the facilities of Interpol, in particular through the timely and complete provision of information to its International Weapons and Explosives Tracking System (IWETS) database (Section III, para 9). This is a valuable recommendation. However, it is important to recognise that the Interpol programme to upgrade IWETS, so that data can be conveniently inputted and accessed using up-to-date electronic communications, is behind schedule in part due to shortage of resources. Moreover, the value of the database depends on the information put into it. Resources should therefore be made available to ensure early and effective completion of the upgraded IWETS system, and to encourage regular and complete information inputs. To this end, countries should, for example, be encouraged as far as possible to place national firearms and SALW databases on the IWETS system, or at least to ensure effective links.

Moreover, co-operation through Interpol is customarily focussed on 'ordinary' criminal investigations. Interpol tends to avoid becoming involved in more politicised investigations relating larger arms shipments, for example to conflict regions. States at the UN 2001 Conference should consider including a clear statement clarifying that Interpol should contribute to co-operation in combating and preventing all types of criminal activity, including investigations into unauthorised flows of weapons to conflict regions. Alternatively (or in addition), States should consider establishing facilities and databases that are closely linked to Interpol but sufficiently distinct from it to enable them to be used to assist with efforts to combat and prevent dubious arms shipments contributing to excessive and destabilising accumulations and transfers of SALW. Further arrangements may also be needed for information exchange to assist global co-operation amongst customs, police, intelligence, licensing and arms control officials.

Information exchange arrangements to combat and prevent illicit arms trafficking

Furthermore it should be noted that the Draft Programme of Action contains specific recommendations relating to the enforcement of UN Security Council arms embargoes. These are detailed under Section I, para 10 and Section III, paras 14 and 31. The effective provision of information between state law enforcement agencies, Interpol and the relevant UN embargo enforcement bodies will be a crucial factor determining the success or failure of such effective embargo enforcement.

Promoting Co-operation in Tracing

The Draft Programme of Action (L.4/Rev.1) includes commitments to establish agreed international standards for marking and record-keeping, and to establish an agreement to ensure co-operation in tracing sources and lines of supply of arms that contribute to illicit trafficking in, and proliferation of, SALW. These are important commitments that should be retained.

To promote effective co-operation in tracing, information exchange arrangements are needed on national marking systems, so that authorities investigating SALW of concern can readily use the marks for tracing purposes. The UN Firearms Protocol established a compromise on national marking systems, so that states that do not at present use alpha-numeric marking systems can retain their own system provided that the marks are unique and adequate for tracing purposes. But it is essential that marks can at least be identified and communicated by investigating officials. Information exchange systems, and an international database clarifying the characteristics of different national marking systems need to be established for this purpose.

Specific commitments and procedures for cooperation in tracing investigations would need to be established through detailed agreements. These would be considered as part of the negotiation process for an international instrument to identify and trace lines of supply of SALW. As discussed in *Biting the Bullet Briefing Paper No 5*,³ such an international agreement would necessarily include detailed arrangements for the exchange of information. There is an important commitment in the Draft Programme of Action (L.4/Rev.1, Chapter IV, para 1 c) to launch such negotiations as an immediate follow-up to the UN 2001. This follow-on commitment is important, and should be retained.

Global transparency arrangements for SALW, and the role of the UN Register of Conventional Arms

It is necessary to clarify the possible role of the UN Register of Conventional Arms in promoting transparency in relation to SALW. At present, the seven categories of weapons covered by this UN Register are restricted to major weapons systems, such as battle tanks, combat aircraft, heavy artillery, and naval vessels. They do not at present include SALW.⁴ However there have been numerous calls for the categories of the Register to be revised and extended. This issue was considered in detail in the year 2000, for example, by the UN Group of Governmental Experts on the operation and further development of the Register.⁵ It is now clear that there are several practical and useful ways in which the existing categories could be revised, although it may take some time to achieve political consensus in support of their implementation.

With political support, it would be relatively straightforward to revise the categories of the UN Register to include at least some types of light weapons, including medium and light mortars, grenade launchers or heavy machine guns. These types of weapons play a major role in contemporary conflicts, as illustrated for example in recent wars in the Balkans and the Horn of Africa. Their inclusion in the UN Register would pose no special technical or administrative challenges.

There are more questions about the value and feasibility of covering small arms such as pistols or assault rifles in the UN Register. These are traded in relatively large volumes from a relatively wide variety of sources, and a significant part of the international trade in such arms is civilian and between or amongst non-state actors. Thus their inclusion could imply significant administrative burdens on States. In itself, this is not a convincing argument against extending the UN Register to include small arms. If governments do not already maintain good records on their transfers, procurement and holdings of small arms, they should begin to do so for the purposes of appropriate national regulation and control.

However, it may be a higher priority to establish different arrangements to promote transparency for small arms. The UN Register is designed in a specific way to reflect its focus on confidence-building and its historical focus on major conventional weapons systems. For small arms, transparency arrangements may be better designed to support efforts to combat and prevent illicit trafficking and prevent and reduce small arms proliferation and misuse.

If so, the UN 2001 Conference should express this need, and call for the establishment of voluntary UN transparency arrangements for small arms designed to contribute to the implementation of the international action programme. As a follow-up measure, the UN General Assembly could establish a Group of Governmental Experts to develop recommendations on how this could be developed.

In any case, it would be valuable for the UN 2001 Conference and the UN General Assembly to provide guidance on the division of labour between the development of the UN Register of Conventional Arms and of any new transparency arrangements for small arms. Recently, transparency proposals relating to small arms have often been referred backwards and forwards between the two processes.

Information Exchange Networks on Small Arms

Reports of the United Nations and regional organisations, as well as analyses from research institutes and NGOs, have documented how secrecy (or inadequate data collection, information exchange and transparency) obstructs efforts to prevent and combat illicit trafficking in SALW, not least by impeding efforts to prevent diversion of legal arms to unauthorised purposes.

In this regard, the Draft Programme of Action (L.4/Rev.1) includes a recommendation that regions develop appropriate measures to enhance transparency with respect to SALW transfers, as a confidence building measure and with a view to combating their illicit trade (Section II, para 30). This valuable recommendation builds upon previous recommendations that regions consider establishing 'regional registers' on small arms and light weapons. The UN and other relevant bodies should offer all appropriate assistance in the development of such regional arrangements.

However, in line with the discussion above, voluntary transparency arrangements of this sort should also be considered at the global level. Such information exchange could begin with exchanges of information on national laws, regulations and procedures relating to transfer, production, possession, procurement and holdings of SALW, together with national contact points to facilitate follow-on enquiries. This could usefully be supplemented with specific information on issues of specific concern, such as regulations relating to arms brokering activities, or policies relating to the identification and disposal of surplus arms. Ultimately, these global transparency arrangements should be developed to include annual information on volume of transfers, procurement from national production, and holdings of SALW, which could be submitted annually to the UN Secretary-General, to be compiled and disseminated by the Department for Disarmament Affairs.

Stockpile Security and Reducing Surplus and Seized Weapons

Programmes and measures to enhance arms stockpile security and to promote responsible disposal of collected, surplus or seized weapons must be key elements of the international action programme on SALW (as discussed in *Biting the Bullet Briefing No 3*⁶). National regional and international programmes to identify and rectify problems and to develop and promote good practice are central to efforts in this area. These will involve standard setting processes and also international assistance projects. Information exchange will be essential to such efforts.

Much of the information exchange in this context should take the form of detailed exchanges between responsible officials on current arrangements and problems and exchanges of good practices. Similarly, countries requesting assistance will necessarily exchange detailed information with partners that provide assistance.

However, there is scope for further systematic information exchange and transparency arrangements in these areas. For example, states could be requested, on a voluntary basis, to provide regular information on their weapons collection and destruction programmes, including information on numbers and types of weapons that have been seized, collected or destroyed. These could be developed on a global as well as on a regional basis. They could usefully be linked with invitations to observe destruction events, to promote awareness and enhance public confidence that the weapons have been appropriately destroyed.

National Transparency

Governments should not wait for regional or global agreements before taking measures to make more official information relating to SALW available to parliaments, the public or to other governments.

Currently, at least 60 states are regularly involved in the legal export of SALW, while almost all countries in the world are involved in the legal import of SALW and occasional export of surplus second hand weapons. About 30 countries provide public information on their annual arms transfers; normally in the form of report to parliament.⁷ However only three states (USA, Italy and UK) provide systematic public information on both the value and volume of their transfers of SALW by country destination.

In addition to national export reports, at least 33 countries currently provide information on both imports and exports of SALW to the COMTRADE database: an international customs database administered by the UN Statistical Division. However, a number of the world's major exporters of SALW, including Bulgaria, Israel and the Russian Federation, do not submit data to COMTRADE.⁸

Despite the significant progress in national transparency initiatives in recent years, unnecessary secrecy is still widespread. There is a need for all countries to review their present arrangements for making available to the public relevant official information relating to SALW and the implementation of regional initiatives and the international action programme, and to consider ways of enhancing these arrangements. The principle should be adopted that such information should be made available unless there are clear reasons to maintain confidentiality on grounds of national or commercial secrecy, law enforcement or privacy relating to personal information.

Reporting for Follow-on Meetings

The Draft Programme of Action provides for the convening of a Review Conference in 2006 to consider progress in implementing the agreed action programme, and for more regular biennial meetings to exchange information on national and regional actions to combat and prevent illicit trafficking and reduce and prevent excessive and destabilising accumulations of SALW. These follow-on meetings are very important. Participating states, and all other relevant organisations and groups, should be encouraged to submit reports on their activities and relevant policies and measures to each of these meetings. It may be useful over time to develop some guidelines on the information that could usefully be included in reports to these review meetings.

However, a major theme of this paper is that these reports should by no means be the only information exchange arrangements. Enhanced information exchange and transparency should begin to develop immediately after the UN 2001 Conference.

Conclusion

International and regional information exchanges amongst governments and other relevant organisations will be very important for the implementation of the commitments and co-operative measures agreed in the international action programme on SALW, just as they are vital for effective regional or bilateral co-operation. Specific provisions for such information exchanges should therefore be included in the international action programme to be agreed at the UN 2001 Conference. Follow-on processes will be vital to ensure that the agreed information exchange arrangements become a reality and are implemented.

Similarly, transparency needs to be enhanced in this area – that is the provision of publicly available official information relating to SALW and to progress in implementing agreed international and regional action programmes. Such transparency can have substantial benefits over and above confidential information exchange amongst governments.

The Draft Document L4 Rev 1, to be considered at the UN 2001 Conference, contains several useful commitments and programmes to enhance information exchange and transparency. These need to be retained and strengthened further in several respects. The primary aim of information exchange and transparency in this context is to enhance co-operation and accountability. Thus they may be considered voluntary, except where they are part of existing or emerging legally binding commitments. However, provisions and guidelines are needed to induce and encourage appropriate reporting. Real improvements in information exchange and transparency are needed for if the international action programme to be launched at the UN 2001 Conference is to be effective.

Endnotes

- 1 Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; Working Paper by the Chairman of the Preparatory Committee; UN General Assembly Document A/CONF.192/PC/L.4/Rev.1, United Nations, 12 February 2001.
 - 2 Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime; UN General Assembly Document A/55/383/Add.2.
 - 3 O. Greene, *Enhancing Traceability of Small Arms and Light Weapons Flows: developing an international marking and tracing regime*, Biting the Bullet Project Briefing No 5, BASIC/International Alert/Saferworld, London, 2000. See also Chair's Report and Background Paper for Franco-Swiss Workshop on Traceability of Small Arms and Light Weapons: Tracing, Marking and Record Keeping, Geneva 12 –13 March 2001.
 - 4 See, for example, *United Nations Register of Conventional Arms: 2001 Information Booklet*, United Nations, New York, 2001; M. Chalmers, M. Donowaki and O.Greene, *Developing Arms Transparency: the future of the UN Register*, Bradford University/CPDNP, 1997 and other publications in the Bradford Arms Register Studies (BARS) series.
 - 5 UN Group of Governmental Experts on the UN Register of Conventional Arms, *Report on the continuing operation of the United Nations Register of Conventional Arms and its further development*, United Nations Document A/55/281, September 2000.
 - 6 O. Greene, *Stockpile Security and Reducing Surplus Weapons*, Biting the Bullet Project Briefing No 3, BASIC/International Alert/Saferworld, London, 2000.
 - 7 See, for example, B.Mariani and A.Urquhart, *Transparency and Accountability in European Arms Export Controls: towards common standards and best practices*, Saferworld Report, London, December 2000; and *Small Arms Survey 2001: Profiling the Problem*, Oxford University Press, Oxford, 2001.
 - 8 *Small Arms Survey 2001*, op cit.
-