



**SAFERWORLD**  
PREVENTING VIOLENT CONFLICT. BUILDING SAFER LIVES

# China and the Arms Trade Treaty

## Prospects and challenges



May 2014



Saferworld is an independent international organisation working to prevent violent conflict and build safer lives. We work with local people affected by conflict to improve their safety and sense of security, and conduct wider research and analysis. We use this evidence and learning to improve local, national and international policies and practices that can help build lasting peace. Our priority is people – we believe that everyone should be able to lead peaceful, fulfilling lives, free from insecurity and violent conflict.



Sussex Centre for Conflict and Security Research

The Sussex Centre for Conflict and Security Research is an interdisciplinary research centre of the University of Sussex, established in 2011, dedicated to supporting research, and informing public and policy debate, on issues of conflict and security. The core missions of the Centre are to support the development and dissemination of research on conflict and security, building upon Sussex's longstanding reputation for rigorous, theoretically informed and challenging scholarship on these and other global issues; and to promote engagement with policymakers and practitioners working on conflict and security issues. It is directed by Dr Jan Selby.

COVER PHOTO: General Assembly approves global Arms Trade Treaty. © UN PHOTO



**UK OFFICE**

The Grayston Centre  
28 Charles Square  
London N1 6HT, UK

Phone: +44 (0)20 7324 4646  
Fax: +44 (0)20 7324 4647  
Email: [general@saferworld.org.uk](mailto:general@saferworld.org.uk)  
Web: [www.saferworld.org.uk](http://www.saferworld.org.uk)

Registered charity no. 1043843  
A company limited by guarantee no. 3015948

---

# China and the Arms Trade Treaty

**Prospects and challenges**

**Dr Anna Stavrianakis and He Yun**

---

## About the authors

**Dr Anna Stavrianakis** is Senior Lecturer in International Relations at the University of Sussex. Her research focuses on the international arms trade, arms control, war, militarism and militarisation. She is the author of *Taking Aim at the Arms Trade: NGOs, Global Civil Society and the World Military Order*, published by Zed Books (June 2010), and co-editor with Jan Selby of *Militarism and International Relations: Political Economy, Security, Theory*, published by Routledge (August 2012). She has published on the international arms trade and arms control, NGO activism and global civil society, and academic activism, in *Conflict Security and Development*; *Contemporary Security Policy*; *Journal of International Relations and Development*; and *Millennium*.

**He Yun** was a Fulbright Scholar at the Center for International and Security Studies of Maryland University (CISSM) and visiting scholar at Cambridge University, UK. She has written extensively on security issues related to arms control. Currently she is working as the Director of China Programme for the Alliance of Religions and Conservation (ARC) while finishing her Ph.D at Tsinghua University, Beijing.

This report is part of a collaboration between Saferworld and the University of Sussex to connect academic and practitioner voices on arms transfer controls. It seeks to contribute to international debate and dialogue by introducing independent academic voices into the policy discourse. This report is the second joint research project on the Arms Trade Treaty between Chinese and UK scholars. It follows the publication of a report on *Arms and the Responsibility to Protect: Western and Chinese Involvement in Libya*, published by Saferworld in November 2013. This report was written by Dr Anna Stavrianakis and Ms He Yun in their personal capacity. The opinions expressed in the report are the authors' own and do not necessarily reflect the view of Saferworld.

## 1

# Introduction

**ON 2 APRIL 2013**, the UN General Assembly passed a resolution to adopt the Arms Trade Treaty (ATT) by a majority vote of 155 to 3. The treaty aims to set the highest possible common international standards for the regulation of conventional arms transfers and to prevent and eradicate the illicit trade in and diversion of conventional arms in order to contribute to international and regional peace and security, reduce human suffering and promote cooperation, transparency and responsible action by states parties. It is based in part on states' existing obligations under international law. There are three express prohibitions, stipulating that state parties shall not authorise transfers that would: violate their obligations under Chapter VII of the UN Charter; violate their obligations under international agreements, especially those relating to the transfer or illicit trafficking in weapons; or be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions, attacks on civilians, or other war crimes. Further, the treaty is based on existing good practice in national export control systems. State parties must establish national control systems to assess whether transfers would contribute to or undermine peace and security; and to assess the risk that weapons could be used in serious violations of international humanitarian and human rights law, or in terrorism or transnational organised crime. They must also assess the risk of diversion and take the risk of gender-based violence into account.<sup>1</sup> It applies to a range of military equipment, from battle tanks and warships, to missiles, small arms and light weapons (SALW) and ammunition.<sup>2</sup> It will come into force once it has been ratified by 50 states; at the time of writing, 118 states have signed, and 31 have also ratified.

China was among the 22 states that abstained on the vote of 2 April 2013.<sup>3</sup> Explaining why China took this position, Mr Wang Min, Deputy Permanent Representative to the UN, said, "We expect all parties to reach consensus on an effective treaty to regulate the conventional arms trade and to combat illicit trafficking of small arms and light weapons" and that "we could support a treaty reached through consensus"<sup>4</sup> – referring to the conference's failure to achieve consensus, and the move to a majority vote to adopt the treaty. Even though China did not cast a positive vote in the end, its position towards the ATT and its content has shifted significantly over the span of the negotiations. China consented to the inclusion of SALW in the scope of the treaty;

<sup>1</sup> These criteria receive different treatment in the text of the treaty, due to the politics of the negotiating process. For discussion of the relative merits of the treatment of the various criteria, see e.g. Glenn McDonald, 'Worth the paper? The Arms Trade Treaty', 17 April 2013, [www.e-ir.info/2013/04/17/worth-the-paper-the-arms-trade-treaty/](http://www.e-ir.info/2013/04/17/worth-the-paper-the-arms-trade-treaty/); Kirk Jackson, 'The Arms Trade Treaty: A historic and momentous failure', 29 April 2013, [www.ceasefiremagazine.co.uk/failure-arms-trade-treaty/](http://www.ceasefiremagazine.co.uk/failure-arms-trade-treaty/); Women's International League for Peace and Freedom, 'Human Rights in the Arms Trade Treaty?', 12 June 2013, [www.wilpfinternational.org/human-rights-in-the-arms-trade-treaty/](http://www.wilpfinternational.org/human-rights-in-the-arms-trade-treaty/).

<sup>2</sup> See Brück, Tilman and Paul Holtom (2013) 'Will the arms trade treaty be stuck in the past?', [www.sipri.org](http://www.sipri.org), 13 March 2013, for a discussion of some of the remaining limitations of the scope of the treaty.

<sup>3</sup> The Angolan delegation initially hit the "abstain" button by mistake; it later changed its vote to a Yes.

<sup>4</sup> 'Arms Trade Treaty Should be Reached through Consensus: China', *Xinhua News*, 3 April 2013, [news.xinhuanet.com/english/video/2013-04/03/c\\_132281188.htm](http://news.xinhuanet.com/english/video/2013-04/03/c_132281188.htm).

and it acquiesced to the exclusion of a ban on the transfer of weapons to non-state actors, even though preventing transfers to non-state actors is one of its chief concerns and a stated principle in its own national arms export control policy. It also dropped its opposition to inclusion of language of human rights and international humanitarian law (IHL) in the criteria of the treaty. The fact that in the after-vote statement, China's main reason for abstention was the issue of consensus, suggests that China's frustration may have lain chiefly with the voting procedure rather than the substance of the treaty itself.

This report examines the shifts in China's position in the years leading up to the final vote; discusses the procedural, diplomatic, institutional and security factors that could influence China's future decisions towards the ATT; and outlines three key issues on which further debate is needed. These are: the challenge of incorporating human rights and humanitarian provisions into Chinese law and practice; international disagreement as to what constitutes an 'illicit' transfer; and the different interests in, and pressures on, Chinese involvement in the arms trade.

## 2

# The Arms Trade Treaty process

## Early stages of the ATT process (2006–2010)

**AT THE BEGINNING OF THE ATT PROCESS**, the Chinese government had deep doubts about the necessity and appropriateness of an international treaty regulating the arms trade. In explaining its reservation about supporting the 2006 draft resolution that requested the UN Secretary General to seek the views of Member States on the feasibility, scope and draft parameters of a potential treaty,<sup>5</sup> the Chinese government explained that:

*“Legal arms trade is related to the security, defence need[s] and economic interest[s] of every country. How to conduct this kind of trade should be decided by arms exporters and importers. Whether it is necessary to establish shared rules or international laws to regulate the arms trade is very complicated and sensitive.”<sup>6</sup>*

Later that year, while 153 states voted in favour of a resolution towards an arms trade treaty, China was not alone in its scepticism. It abstained, along with 23 other states (including Russia and India, major arms exporter and importer, respectively); the US was the only state to vote against the resolution. Two years later, China abstained in another vote, on UN draft resolution L.39 (2008), ‘Towards an Arms Trade Treaty: Establishing Common International Standards for the Import, Export and Transfer of Conventional Arms’, citing that it differed from a report by the UN Group of Government Experts (GGE) earlier that year, which had been reached by consensus.

The Chinese government was also concerned that the ATT process would weaken the authority and function of the Conference on Disarmament (CD) as the only multi-lateral arms control negotiation institution.<sup>7</sup> However, the CD has been stuck in gridlock since 1996, unable to agree a programme of work,<sup>8</sup> suggesting that existing multilateral fora are not operating effectively. Yet this concern would be repeated throughout the ATT negotiation process by China, and eventually became one of the reasons cited by China as to why it abstained from the final vote.

Consensus was a significant issue for many other states, as well. Early on, it was presented as a key reason for US opposition to the idea of a treaty, but with the election

<sup>5</sup> ‘Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms’, UN Draft Resolution A/C.1/61/L.55 (2006).

<sup>6</sup> Chinese Delegation at the First Committee of the 61st Session of UNGA in Explaining its Position after the Voting of Draft Resolution Titled ‘Towards an Arms Trade Treaty’ (L. 55). [www.fmprc.gov.cn/mfa\\_chn/ziliao\\_611306/zjyh\\_611308/t309158.shtml](http://www.fmprc.gov.cn/mfa_chn/ziliao_611306/zjyh_611308/t309158.shtml).

<sup>7</sup> Chinese Delegation at the First Committee of the 63rd Session of UNGA in Explaining its Position after the Voting of Draft Resolution Titled ‘Towards an Arms Trade Treaty’, [www.fmprc.gov.cn/mfa\\_chn/wjbxw\\_602253/t521632.shtml](http://www.fmprc.gov.cn/mfa_chn/wjbxw_602253/t521632.shtml).

<sup>8</sup> Paul Holtom and Mark Bromley, ‘Next Steps for the Arms Trade Treaty: Securing Early Entry into Force’, June 2013, [www.armscontrol.org/act/2013\\_06/Next-Steps-for-the-Arms-Trade-Treaty\\_Securing-Early-Entry-Into-Force](http://www.armscontrol.org/act/2013_06/Next-Steps-for-the-Arms-Trade-Treaty_Securing-Early-Entry-Into-Force).

of Barack Obama as President of the United States and a more positive US disposition towards multilateralism, the US position on the ATT started to change. By 2009, the US was able to vote in favour of UN Security Council Resolution 64/48 and support the process towards an ATT. However, consensus remained a priority; emphasising its importance, then Secretary of State Hilary Clinton set out the new US view that it would indeed support the ATT, “as long as that Conference operates under the rule of consensus decision making”.<sup>9</sup> She described the US stance as aiming to “promote the same high standards for the entire international community that the United States and other responsible arms exporters already have in place to ensure that weaponry is transferred for legitimate purposes.”<sup>10</sup>

China also raised concerns that a “divergence of views still exists on many important issues such as purpose and objectives, scope of application, relevant principles and elements of the ATT”.<sup>11</sup> The government did not go into the specifics of this divergence, but rather stated its concern in broad terms. This showed the Chinese government’s overall scepticism about the feasibility of an effective ATT and its necessity. This attitude began to change, however, as it saw a growing number of supporters of the treaty inside the UN, especially from Africa. China started to take the ATT process more seriously and began to raise specific concerns with regard to the purpose, scope and relevant principles of the proposed treaty.

### Warming up to the ATT (2010–12)

In 2010 and 2011, China viewed the conclusion of an ATT as a very gradual process. Chinese Ambassador Mr. Wang Qun stated China’s position at the General Debate of the 65th and 66th Sessions of United Nations General Assembly thus: “The negotiation of [the] Arms Trade Treaty should proceed step by step and in an open, transparent and consensual manner”.<sup>12</sup> Beginning in 2012, China dropped the term “step by step”, signalling that China shared the view that the ATT was coming to its final phase of negotiation and agreement might soon be reached.

In terms of the scope of the treaty, China initially resisted including SALW and ammunition into the treaty, but this was beginning to change as well. At the July 2012 diplomatic conference, while drafting the final version of treaty text, China did not insist on their exclusion. In China’s previous policy statements, it made clear that the scope of the ATT should conform to the seven major categories of weapons under the UN Register of Conventional Arms. This position was later quietly replaced by “the scope of ATT should be defined properly by covering as a priority those conventional arms that have been clearly defined internationally and accepted universally.”<sup>13</sup> The new position gave much more flexibility on the final acceptable scope of weapons to be covered by the ATT.

China’s emphasis on economic development also began to change. In 2010, the Chinese Ambassador emphasised that from China’s perspective, only reducing poverty and developing a nation’s economy could help “eliminate the breeding ground for illicit transfer of SALW from its root” in the long term – the solution lies in development, not in regulating the arms trade.<sup>14</sup> However, this position began to change as more African states came on board with the idea of an ATT, and China began to focus on the specifics of an eventual treaty. In later statements, economic development was quietly dropped; the focus began to centre solely on regulating the arms trade itself.

<sup>9</sup> Hilary Rodham Clinton, ‘US Support for the Arms Trade Treaty’, 14 October 2009, US State Department press statement, [www.state.gov/secretary/20092013clinton/rm/2009a/10/130573.htm](http://www.state.gov/secretary/20092013clinton/rm/2009a/10/130573.htm).

<sup>10</sup> *Ibid.*

<sup>11</sup> Statement by the Chinese Delegation at the Thematic Debate on Conventional Weapons at the First Committee of the 64th Session of the UNGA, [www.fmprc.gov.cn/eng/wjzb/zjzg/jks/kjfywj/t621648.shtml](http://www.fmprc.gov.cn/eng/wjzb/zjzg/jks/kjfywj/t621648.shtml).

<sup>12</sup> ‘Statement by H. E. Mr Wang Qun, Ambassador for Disarmament Affairs of China, at the General Debate of the First Committee of the 66th session of UNGA’, 7 October 2011, [www.fmprc.gov.cn/eng/wjzb/zjzg/jks/jkxw/t865572.htm](http://www.fmprc.gov.cn/eng/wjzb/zjzg/jks/jkxw/t865572.htm).

<sup>13</sup> Statement by the Chinese delegation at the General Debate of United Nations Conferences on the Arms Trade Treaty, 9 July 2012.

<sup>14</sup> Statement by H.E. Li Baodong, Ambassador at UNSC open debate on ‘The Impact of Illegal Sales and Transfers of Arms on the Peace and Security of Central Africa’, 19 March 2010, [www.fmprc.gov.cn/mfa\\_chn/wjdt\\_611265/zwbdt\\_611281/t674182.shtml](http://www.fmprc.gov.cn/mfa_chn/wjdt_611265/zwbdt_611281/t674182.shtml).



China's position changed from "sharing the view that the international community should take proper measures to regulate relevant arms trade and combat illicit arms trafficking";<sup>15</sup> to "subscribing itself to international efforts to adopt proper measures to regulate relevant arms trade and combat illicit arms trafficking";<sup>16</sup> to "China supports the international efforts in combating illicit trade in small arms and light weapons".<sup>17</sup> China also attached greater importance to the ATT, believing that "it is essential to conclude an ATT for regulating the international arms trade".<sup>18</sup> In July 2012, however, the 'final' diplomatic conference failed once the US delegation asked for more time to scrutinise the text, and Russia and other states followed suit. A Western diplomat was quoted as saying the US had "derailed" the process, and that no further action would likely be taken until after the US elections in November of that year.<sup>19</sup>

### Final voting (2013)

Immediately after the failure of the July 2012 Diplomatic Conference, over 90 states signed a joint statement articulating their determination "to secure an Arms Trade Treaty as soon as possible".<sup>20</sup> In December that year, states, including China, voted at the UN General Assembly to hold a final negotiating conference in March 2013. On the last day of that conference, Iran, Syria and North Korea objected to the adoption of the treaty text; a small number of other states "indicated they would not support" its adoption; while a few others "expressed serious reservations" about the text. After further wrangling over procedure, the President "ruled that consensus had not been reached" and thus, the treaty was not adopted.<sup>21</sup> A group of the leading proponents of an ATT – including, at this stage, the US<sup>22</sup> – immediately drafted a resolution to adopt the ATT, and this was tabled on 2 April 2013 at the UN General Assembly and passed by an overwhelming majority.

China was among the 22 countries that abstained from the vote after a failure to achieve consensus. China's stated reason was, as explained by Foreign Ministry Spokesperson Hong Lei, that "avoiding consensus may lead to wider differences and even confrontation. Neither is helpful for the effectiveness and universality of the treaty".<sup>23</sup> It seems that the principle of agreement by consensus weighed heavily upon China's decision-making process, both because of the potential negative effect of a lack of consensus on effective implementation of the treaty, and because of the possibility of majority voting displacing consensus as the norm for passing agreements in multi-lateral arms control negotiations. This is not a favourable option for China, and this worry is exacerbated by the concern that the CD – where consensus is mandatory – would be sidelined by any such development.

However, precedents have been set whereby an arms control treaty could be passed by the General Assembly short of consensus and still enjoy Chinese support. In 1996, when the negotiation of the Comprehensive Nuclear Test Ban Treaty (CTBT) was held up by one state, India, but favoured by all other states, Australia took the draft text to the General Assembly, where it received a clear majority of votes. China was one of the states that voted for the resolution. Moreover, it was a 2012 UN General Assembly resolution – which China voted in favour of, that "called upon the President of the

<sup>15</sup> Statement by H.E. Ambassador Mr. Wang Qun, Head of the Chinese Delegation at the General Debate of the First Committee of the 65th Session of United Nations General Assembly, 7 October 2010, [www.fmprc.gov.cn/eng/wjzb/zjzgjks/jkxw/t865572.htm](http://www.fmprc.gov.cn/eng/wjzb/zjzgjks/jkxw/t865572.htm).

<sup>16</sup> *Ibid.*

<sup>17</sup> Position Paper of the People's Republic of China at the 67th Session of the United Nations General Assembly, 21 September 2012, [www.fmprc.gov.cn/eng/zxxx/t970926.htm](http://www.fmprc.gov.cn/eng/zxxx/t970926.htm).

<sup>18</sup> Statement by the Chinese delegation at the General Debate of United Nations Conferences on the Arms Trade Treaty, 9 July 2012.

<sup>19</sup> Farrah Zughni and Darryl G Kimball, 'Bid to craft Arms Trade Treaty stalls', *Arms Control Today*, September 2012, [www.armscontrol.org/act/2012\\_09/Bid-to-Craft-Arms-Trade-Treaty-Stalls](http://www.armscontrol.org/act/2012_09/Bid-to-Craft-Arms-Trade-Treaty-Stalls).

<sup>20</sup> States' statement on the ATT Diplomatic Conference, 27 July 2012, available at Saferworld, 'Arms Trade Treaty', [www.saferworld.org.uk/what/arms-trade-treaty-](http://www.saferworld.org.uk/what/arms-trade-treaty-)

<sup>21</sup> Ray Acheson and Beatrice Fihn, 'The failure of consensus', *Arms Trade Treaty Monitor: The Blog*, 1 April 2013, [www.attmonitor.blogspot.co.uk/2013/04/the-failure-of-consensus.html#more](http://www.attmonitor.blogspot.co.uk/2013/04/the-failure-of-consensus.html#more).

<sup>22</sup> As well as Argentina, Australia, Costa Rica, Finland, Japan, Kenya, Mexico, New Zealand, Nigeria, Norway, and the UK.

<sup>23</sup> Foreign Ministry Spokesperson Hong Lei's Regular Press Conference, 3 April 2013, [fmprc.gov.cn/eng/xwfw/s2510/2511/t1028801.shtml](http://fmprc.gov.cn/eng/xwfw/s2510/2511/t1028801.shtml).

Final United Nations Conference on the Arms Trade Treaty to report on the outcome of the Conference to the General Assembly” – which paved the way for the conference President to bring the draft text to the UN General Assembly.<sup>24</sup> It was recognised at the time to be a means of repeating the strategy used at the negotiation of the CTBT. So there have been occasions in the past on which the Chinese government has been prepared to countenance engagement in a process without consensus.

---

<sup>24</sup> Resolution adopted by the General Assembly, 24 December 2012, [www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/67/234&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/67/234&Lang=E). [www.europarl.europa.eu/meetdocs/2009\\_2014/documents/sede/dv/sede012313ungares67\\_/sede012313ungares67\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/sede/dv/sede012313ungares67_/sede012313ungares67_en.pdf).

## 3

## Factors influencing China's engagement with the ATT

**HAVING ABSTAINED FROM THE UN GENERAL ASSEMBLY VOTE**, what are the prospects for and factors shaping Chinese engagement with the process and substance of the ATT? The failure of consensus, discussed above, was an obstacle for China up to the time of the UN General Assembly vote, but now that the ATT has a very real possibility of coming into force, three other factors will shape how China engages. The first is diplomatic, in terms of which other states have signed and ratified. Traditionally, the US' position on any arms control agreement has wielded significant influence over Chinese decisions. Although it has signed, there is little prospect of the US government ratifying the ATT any time soon. A new US Presidential Directive, issued in January 2014, includes language of human rights and international humanitarian law, regional stability and peaceful conflict resolution, counterterrorism and transnational organised crime – all key elements of the ATT – as well as an emphasis on US and allied technological superiority, maintenance and expansion of security partnerships, interoperability with allies and strengthening of the industrial base. The US government has publicly stated that all its arms transfer decisions will be consistent with international obligations, including international humanitarian law.<sup>25</sup> In this, US law is deemed to be consistent with, if not stronger than, the ATT. The Chinese government has watched closely, albeit with scepticism, as the USA slowly changed its position towards the ATT. Some speculate that Washington's signing of the ATT may put pressure on China to act accordingly. This, however, is unlikely: although there has been some interest among the Chinese press towards Secretary of State John Kerry's signing of the ATT on 25 September 2013, some media outlets were quick to note that the treaty was unlikely to be ratified on the Hill, and therefore would not lead to any practical policy changes in the United States.<sup>26</sup> Other media reports also noted that the US' signature would not affect US overseas arms sales.<sup>27</sup> Therefore, while US policy shapes Chinese engagement, and will likely remain a key factor, the US' preference for unilateralism and differing political judgments around arms transfers remain a source of scepticism and suspicion between the two states.

<sup>25</sup> The White House, 'Presidential Policy Directive – United States Conventional Arms Transfer Policy', 14 January 2014, [www.whitehouse.gov/the-press-office/2014/01/15/presidential-policy-directive-united-states-conventional-arms-transfer-p-27/061028312678.shtml](http://www.whitehouse.gov/the-press-office/2014/01/15/presidential-policy-directive-united-states-conventional-arms-transfer-p-27/061028312678.shtml)

<sup>26</sup> 'US Signing ATT: Signing an empty check?' (美国签署武器贸易条约: 签了也白签?), [news.sina.com.cn/w/2013-09-27/061028312678.shtml](http://news.sina.com.cn/w/2013-09-27/061028312678.shtml)

<sup>27</sup> 'US claims that participating in the Arms Trade Treaty will not affect its overseas arms sales' (美国称加入武器贸易条约不会影响其海外军售), *China News Online*, 8 November 2013 [www.chinanews.com/gj/2013/11-08/5477929.shtml](http://www.chinanews.com/gj/2013/11-08/5477929.shtml).

Beyond this diplomatic issue are domestic institutional factors. Specifically, internal power dynamics inside China's military-defence establishment, and between this establishment and China's Ministry of Foreign Affairs (MFA), will be significant. The MFA appears to be in favour of China signing the ATT, while the People's Liberation Army (PLA), which has close ties to the state-owned corporations which are licensed to export conventional weapons,<sup>28</sup> is more sceptical. While corporations and the military authorities benefit economically from arms sales and are therefore unlikely to be in favour of any internationally mandated restrictions on them, the MFA traditionally seeks to avert China's arms sales to conflict areas for fear of international pressures. The different priorities of the MFA and the military-defence establishment could serve to balance the profitability of arms sales against their potential consequences. However, the MFA often finds itself not quite the equal in making these decisions, with corporations and the military having the final say. There are thus competing definitions of the national interest and institutional imbalances in play, which will shape the Chinese decision whether to sign the ATT or not.

Chinese arms control experts attending conferences in Beijing in May 2013<sup>29</sup> and February 2014<sup>30</sup> revealed that China is currently undertaking an internal inter-agency process of analysis of the treaty text – co-ordinated by the MFA – that may determine its future position. Some speculate that there may be reforms in Chinese arms sales regulations following the Third Plenum's decision in November 2013, dictating that private capital should be injected into the state's arms industry. Whether this materialises, and what its significance will be, only time will tell. At the very least, as Ambassador Wu Haitao recently noted at the 68th session of the UN General Assembly, "China will remain engaged with all parties on the follow-up work of this Treaty and make joint efforts to build a regulated and reasonable international arms trade order".<sup>31</sup>

A third factor shaping Chinese engagement on the ATT is the growing interest in gun control for reasons relating to internal security. China has a strict ban on firearms domestically and the government is very cautious of arms – some of them made in China – being smuggled (back) into the country from the international black market, especially through the north-east (via North Korea), the south-west (the 'golden triangle') and the north-west (via the Xinjiang region). The newly established Chinese National Security Agency – which includes members from defence, foreign affairs, public security, state security and other departments – is said to have set domestic security as a priority.<sup>32</sup> It is thus possible that domestic considerations will compel China to seek tighter arms trade regulations, especially as this relates to less sophisticated weapons.

<sup>28</sup> There are currently 11 such companies; four of them are authorised to export SALW and two others are authorised to export manportable air defence system (MANPADS): Bromley, Mark Mathieu Duchâtel and Paul Holtom (2013) 'China's exports of small arms and light weapons', SIPRI Policy Paper 38, October 2013.

<sup>29</sup> *The Next Steps of the UN Arms Trade Treaty (ATT)*, a seminar held under the aegis of the Africa-China-EU Expert Working Group on Conventional Arms Control and hosted by the China Arms Control and Disarmament Association (CACDA), in co-operation with Saferworld, Beijing, 16 May 2013.

<sup>30</sup> *The Arms Trade Treaty (ATT): towards Entry into Force and Future Implementation*, a seminar co-hosted by China Arms Control and Disarmament Association (CACDA) and Saferworld, Beijing, 27 February 2014.

<sup>31</sup> Statement by H.E. Ambassador Wu Haitao, Head of the Chinese Delegation at the General Debate of the First Committee of the 68th Session of the United Nations General Assembly, 8 October 2013, [www.china-un.org/eng/hyyfy/t1086012.htm](http://www.china-un.org/eng/hyyfy/t1086012.htm).

<sup>32</sup> 'Domestic security threats, not diplomacy, to be priority of China's new National Security Agency', *South China Morning Post*, 24 February 2014.

# 4

## Key issues for international debate

**THE PROSPECTS FOR CHINA'S SIGNATURE** and ratification of the ATT are thus mixed. On the one hand, the Chinese delegation did not raise objections to the content of the final draft of the treaty at the final UN Diplomatic Conference. On the other, officials point to China's existing national export control system to claim that its arms exports are already well regulated and thus fulfil the basic requirements of state responsibility under the ATT. Russia and India, also important players in the global weapons market, have made similar claims as reasons not to join the ATT.<sup>33</sup> However, the ATT establishes a "floor, not a ceiling"<sup>34</sup> to export standards, and so these arguments are not grounds in themselves for these states not to sign and ratify. At least three issues remain that could usefully be debated within China and between states: the challenge of incorporating human rights and humanitarian provisions into Chinese law, regulations and practice; disagreement as to what constitutes an 'illicit' transfer; and the different interests in, and pressures on, Chinese involvement in the arms trade.

China has a national arms export control system comprising both laws and regulations.<sup>35</sup> Its regulatory framework is provided by 'The Regulations of the People's Republic of China on the Administration of Arms Exports', established in 1997 and amended in 2002. This represented a shift from an administratively based system in the form of executive decrees, to a system based on law and regulations that is more thoroughly codified and transparent. The Regulations set out the three principles guiding decision making on Chinese arms transfers: self-defence; peace security and stability; and non-interference. In addition, factors to be taken into consideration include whether the proposed export is against the international conventions or commitments China has acceded to, or whether the recipient is under a UN Security Council arms embargo. Only a limited number of authorised companies are allowed to engage in arms export activities, and there is an inter-agency system for the approval of export licences. Export licensing includes a system of end-use certification when contracts are approved: in this, recipients commit not to re-transfer equipment to a third party without the consent of Chinese authorities. If the MFA later receives intelligence reports that weapons were indeed re-transferred, it sends a request to the embassy officials in-country to check the end-use of the equipment. Observers of Chinese policy admit, however, that this is both expensive and diplomatically sensitive.

<sup>33</sup> 'Arms Trade Treaty too low to join – Moscow', *Russia Herald*, 26 September 2013.

<sup>34</sup> This phrase circulated widely amongst state and civil society representatives during and after the negotiations.

<sup>35</sup> See CACDA and Saferworld (2012) 'The Evolution of EU and Chinese Arms Export Controls', [www.saferworld.org.uk/resources/view-resource/687](http://www.saferworld.org.uk/resources/view-resource/687).

In one respect, Chinese policy is more restrictive than that of EU states or the USA: it has a policy of not transferring weapons to non-state actors. However, the human rights and international humanitarian law provisions of the ATT pose a challenge for the Chinese government if it were to sign and ratify the treaty. China does not have legal or policy requirements for arms exports to be assessed against human rights criteria;<sup>36</sup> nor does it include humanitarian considerations such as war crimes or crimes against humanity.<sup>37</sup> So while its arms transfers are regulated, they do not currently meet the standard set out in the ATT, in which a legitimate arms transfer is one that complies with human rights and humanitarian law obligations as set out in international law.

These requirements pose a challenge for China, as discussed in more detail below. But they potentially pose a challenge for the US and European states as well, despite their rhetoric and regulatory systems. Recent academic research has challenged the perception that Western arms transfer practices protect human rights, democracy and conflict prevention. For example, between 1989 and 2006, the US transferred more major conventional weapons to human rights-violating and dictatorial regimes, and states experiencing civil war, than China did.<sup>38</sup> Among EU states, meanwhile, human rights, democracy and conflict prevention concerns did not govern arms transfers of major conventional weapons between 1990 and 2004, taking a backseat to factors such as GDP per capita and oil production.<sup>39</sup> At best the effect of the EU Code of Conduct, signed in 1998, has been that “EU members no longer appear to reward poor human rights with arms transfers.”<sup>40</sup> And the “self-declared ethical turn” of major Western arms exporters in the post-Cold War period has not acted as a bar on weapons exports: the US and Western European states “have generally not exercised export controls so as to discriminate against human rights-abusing or autocratic countries during the post-Cold War period.”<sup>41</sup>

While these studies focus on major conventional weapons rather than small arms, and Western states do have regulatory systems that allow them to deny particular weapons to specific end-users based on likely end-use (which may result in little change to the overall value of transfers, but restrict the supply of technologies used most directly in human rights violations), there is insufficient evidence to be able to claim confidently that their arms export practices as a whole do protect human rights.<sup>42</sup> As the UK Committees on Arms Export Control (CAEC) wrote in 2012 in their scrutiny of UK government policy and practice, “the Government’s repeated use of the phrase ‘crowd control goods’ ... to include shotguns, small arms, semi-automatic pistols, assault rifles, sniper rifles, submachine guns, and ammunition, armoured personnel carriers, armoured vehicles” is “misleading”, would not be acceptable to “Parliament or to the wider public” and is “profoundly disrespectful” to unarmed protestors, demonstrators and activists in Arab Spring countries.<sup>43</sup> Moreover, the UK government’s new licensing suspension mechanism, introduced in response to the Arab Spring, is “not sufficient to ensure that arms exported from the UK are not used for internal repression overseas because in many, if not most, cases the arms will have left the UK before suspension occurs.”<sup>44</sup> So it is not clear that UK policy does

<sup>36</sup> Amnesty International (2010) ‘Killer Facts: The impact of the irresponsible arms trade on lives, rights and livelihoods’, p 6, [www.amnesty.org/en/library/info/ACT30/005/2010](http://www.amnesty.org/en/library/info/ACT30/005/2010).

<sup>37</sup> Saferworld (2013) *Arms and the Responsibility to Protect. Western and Chinese Involvement in Libya* (London: Saferworld).

<sup>38</sup> De Soysa, Indra and Paul Midford (2012) ‘Enter the Dragon! An Empirical Analysis of Chinese versus US Arms Transfers to Autocrats and Violators of Human Rights, 1989–2006’, *International Studies Quarterly*, 56(4) pp 843–856.

<sup>39</sup> Erickson, Jennifer L (2013) ‘Market imperative meets normative power: Human rights and European arms transfer policy’, *European Journal of International Relations*, 19(2) pp 209–234.

<sup>40</sup> *Ibid.*

<sup>41</sup> Perkins, Richard and Eric Neumayer (2010) ‘The organized hypocrisy of ethical foreign policy: Human rights, democracy and Western arms sales’, *Geoforum*, 41 pp 247–256.

<sup>42</sup> New research investigating SALW transfers is underway at the time of writing by some of the authors discussed above (de Soysa and Midford; and Erickson).

<sup>43</sup> ‘Scrutiny of Arms Exports (2012): UK Strategic Export Controls Annual Report 2010, Quarterly Reports for July to December 2010 and January to September 2011, the Government’s Review of arms exports to the Middle East and North Africa, and wider arms control issues’; HC 419-I; 13 July 2012, p 6.

<sup>44</sup> *Ibid.* p 6.

fully respect human rights, even with regard to technologies used directly in internal repression and human rights violations.<sup>45</sup>

The arms transfers of the UK, other EU member states, and the US are the most tightly regulated in the world, and these governments do not see the ATT as having any significant impact on their policy and practice. Implementation of the ATT will always be a matter of national judgement and enforcement, just as arms transfer decisions always involve judgment. So arms transfers and arms control practices are always shaped by interpretive and political battles over legitimacy and appropriate conduct, and the character of relations within and between states. The ATT could potentially play a role in mediating the different judgements that states make, if they use it to challenge each other and get a clearer sense of what is, and is not, internationally acceptable. Thus, one way in which the ATT could contribute to increased confidence among states is through debate over specific cases, in which complementary or competing judgements<sup>46</sup> can be discussed and a greater understanding of the commonalities and differences between states is reached.

For many proponents of the ATT within governmental and non-governmental communities, human rights and humanitarian law criteria form the basis of the legitimacy of arms transfers. As envisaged by proponents, a transfer is legitimate in the terms of the ATT if it is regulated by the state in line with human rights and humanitarian standards as set out under international law. However, this interpretation is not universally shared. For some states, human rights and humanitarian criteria are subjective and liable to political manipulation, and thus criteria stipulating their observance should not be included in the ATT.<sup>47</sup> And for sources close to the Chinese government, the distinction between “illicit” transfers, which are to be eradicated, and “legitimate” trade, which is to be protected, is a subjective one: any norm-building in this area needs a spirit of equality, mutual respect and benefit – and thus consensus remains crucial. Proponents of the ATT, in contrast, argue that the ATT is based on “the universal human rights standards that states have already adopted through the UN Charter, global human rights treaties and customary law.”<sup>48</sup> A key theme in many Southern states’ resistance to the ATT, such as India, Egypt and Indonesia, who all abstained, as well as Iran, North Korea and Syria, who voted against the treaty, was that they saw it as the use of law as a cover for political decisions.<sup>49</sup> As such, further diplomatic work is required in order to gain wider acceptance of the way the universality of human rights and humanitarian criteria apply to arms transfers.

A key way in which disagreement surfaced during the negotiations over the legitimacy of transfers was on the question of transfers to non-state actors. Differences of policy on this issue demonstrate that states have competing definitions of what constitutes an “illicit” transfer. Chinese national policy is that arms and military equipment are only exported to states; transfers to non-state actors are prohibited. For the Chinese government, arms transfers to non-state actors are seen as interference in the internal affairs of another state, and arms transfers to a government are not. In this sense, the Chinese government does not accept that human rights are “above” sovereignty, because human rights can be interpreted differently by various parties for their own purposes – as, indeed, can sovereignty. However, the ATT contains no clause banning transfers to non-state actors, much to the disappointment of states such as India and Russia, as well as China. The restrictions of the ATT are based on the end-use to which controlled

<sup>45</sup> See also Isbister, Roy (2013) ‘UK Arms Exports – Lessons still to be learned from the Arab Spring’, *Huffington Post*, 30 July 2013, [www.huffingtonpost.co.uk/roy-isbister/syria-rebels\\_b\\_3676816.html](http://www.huffingtonpost.co.uk/roy-isbister/syria-rebels_b_3676816.html).

<sup>46</sup> This would be a post-transfer debate: any increased transparency generated by the ATT would relate to arms deliveries, not proposed transfers.

<sup>47</sup> For example, at the July 2012 Diplomatic Conference, states such as Algeria, Bangladesh, Brazil, China, Cuba, DPRK, Egypt, India, Indonesia, Pakistan and Venezuela all criticised what they took to be the politicised language of the proposed treaty.

<sup>48</sup> Amnesty International, Instituto Sou Da Paz, Oxfam, Project Ploughshares, Saferworld and Albert Schweizer Institute (2009) *The Arms Trade Treaty. Countering Myths and Misperceptions*, July 2009, [controlarms.org/wordpress/wp-content/uploads/2011/02/The-ATT-Countering-Myths-and-Misperceptions.pdf](http://controlarms.org/wordpress/wp-content/uploads/2011/02/The-ATT-Countering-Myths-and-Misperceptions.pdf).

<sup>49</sup> Anna Stavrianakis (2013) ‘Progressives, Pariahs and Sceptics: Who’s Who in the Arms Trade Treaty?’, *e-International Relations*, [www.e-ir.info/2013/05/29/progressives-pariahs-and-sceptics-whos-who-in-the-arms-trade-treaty/](http://www.e-ir.info/2013/05/29/progressives-pariahs-and-sceptics-whos-who-in-the-arms-trade-treaty/).

equipment will likely be put, not on the identity of the end-user (be it a state or a non-state actor). Articles 6 and 7, which set out the prohibitions and the criteria for national risk assessment, are based on states' existing obligations under international law. So, for example, if there is an "overriding risk" that a proposed transfer could be used to "commit or facilitate a serious violation of international humanitarian law", the exporting state shall not authorise it – regardless of whether the proposed recipient is a state or non-state actor. In this way, the existing provisions of the treaty could be operationalised to protect against some of the risks posed by non-state actors. As mentioned above, the ATT provisions are a "floor, not a ceiling", however. So states are free to implement a more restrictive policy and have a ban on transfers to non-state actors in addition to a national control system that assessed the risks set out in Articles 6 and 7. So while the Chinese government, were it to sign and ratify the ATT, would be free to maintain its ban on transfers to non-state actors, the ATT provisions are a common baseline, agreed through international compromise.

There is both an implementation issue and a political issue at stake here for China. The implementation issue regards the risk that Chinese arms transfers, even if transferred to states, end up in the illicit market or in the hands of non-state actors, or end up being used in violations of China's international obligations, international humanitarian and human rights law. In the case of Sudan, for example, there is no evidence to suggest that the Chinese government has knowingly or deliberately transferred weapons to non-state actors in the form of militias, armed civilians or rebel groups. Yet government-backed militia groups operating in Darfur are known to have used Chinese-made weaponry and ammunition, including some that has been manufactured since the 2004 embargo on arms transfers to Darfur.<sup>50</sup> The common vector for the spread of weapons in Sudan and the region is the Sudanese armed forces.<sup>51</sup> China has a system of end-user certification in which companies have to provide evidence that the end-user is reliable and that the equipment will not be transferred to a third party. But "In practice ... the national authorities find it difficult to monitor the use of the exported weapons due to the changing international situation and the limits of diplomatic relations", and the reluctance of the "strong-willed military men" who receive the weapons to answer questions as to their whereabouts.<sup>52</sup> So there is a question about prior risk assessment of Chinese arms transfers to Sudan. The immediate responsibility for the re-transfer lies with the Sudanese government; yet while the treatment of diversion in the ATT is weaker than that of other criteria,<sup>53</sup> under the terms of the treaty, China as the exporting state would have a responsibility not to transfer weapons if it has knowledge at the time of authorisation that the arms would be used to commit genocide, crimes against humanity or war crimes, or if its risk assessment demonstrates an overriding risk that the weapons could be used to commit or facilitate serious violations of IHL or international human rights law (IHRL).

Beyond the implementation challenge for the Chinese government in terms of stopping weapons falling into the hands of unauthorised end-users, there was also a political dispute around the treatment of transfers to non-state actors during the ATT negotiations. While the Chinese and Russian governments (among others) wanted a ban on transfers to non-state actors to be written into the ATT, the US government was equally adamantly opposed to such a ban. The ATT explicitly recognises state sovereignty and states' interests in the arms trade; its concern is with the illicit and unregulated trade. But states differ in their interpretation of what counts as "illicit". For the US government, transfers to non-state actors are not, by definition, illicit –

<sup>50</sup> Lewis, Mike (2009) 'Skirting the Law: Sudan's Post-CPA Arms Flows', HSBA Working Paper 18, [www.smallarmssurveysudan.org/fileadmin/docs/working-papers/HSBA-WP-18-Sudan-Post-CPA-Arms-Flows.pdf](http://www.smallarmssurveysudan.org/fileadmin/docs/working-papers/HSBA-WP-18-Sudan-Post-CPA-Arms-Flows.pdf); Amnesty International (2012) *Sudan: No end to violence in Darfur. Arms Supplies Continue despite ongoing human rights violations*, (London: Amnesty International).

<sup>51</sup> Small Arms Survey (2012) 'Business As Usual. Arms flows to Sudan 2009–12' Sudan Issue Brief 20.

<sup>52</sup> CACDA and Saferworld, 'The Evolution of EU and Chinese Arms Export Controls', p 21.

<sup>53</sup> Under Article 11 of the treaty, state parties must seek to prevent the diversion of weapons through risk assessment as part of a national control system. State parties are obliged to consider mitigation and prevention measures that include, but do not require, the refusal of an authorisation. This is in contrast to the criteria included in Article 7, in which state parties are required not to authorise exports if there is an overriding risk of the negative consequences set out there.



because they are regulated, and are an expression of foreign policy. A key US redline during the negotiations was its opposition to any provisions that would “unduly interfere with our ability to ... transfer arms in support of our national security and foreign policy interests”<sup>54</sup> – which includes transfers to non-state actors. For the Chinese and Russian governments, in contrast, their post-Cold War emphasis on the importance of state sovereignty means that they see transfers to non-state actors as illicit by definition (in contrast to China’s active support of liberation movements in the 1960s and 1970s), and see these transfers as the key problem of the arms trade.

China faces a variety of concerns in shaping its arms transfer and regulatory practices for the future. In its arms transfer policy, while most international attention has focused on Chinese transfers to sub-Saharan African states, China’s biggest arms customer is Pakistan, and its largest African recipient is Egypt – in part because US military aid to Egypt frees up the Egyptian defence budget to purchase other foreign-made weapons. More specifically in relation to sub-Saharan Africa, the Chinese government must weigh up the demands from clients such as Sudan for ongoing supplies of weapons, against the demands of other African states for tougher measures on arms regulation (such as Nigeria and Mali, which have both signed and ratified the treaty). China has historically played a role as a supplier of low-cost, militarily useful weaponry without political conditions to Southern states and liberation movements. But this pattern is coming under the twin pressures of the demand for stricter regulation of transfers to African states (due to the potential harm to Chinese workers overseas at the hands of Chinese-made weapons, as well as demands from African states); and the desire to get high-technology transfers from Western companies in its pursuit of military modernisation. Arms transfers to Africa may be something of a “stepping stone” for China on the way to becoming a first-tier producer and exporter.<sup>55</sup> There are efforts to grow and increase the technological sophistication of the Chinese defence industrial base in pursuit of military modernisation, through processes of liberalisation and access to private capital. In this, being seen as a responsible exporter may increase the possibility of better access to Western technology – but as long as the US and EU embargoes remain in place, this is problematic. One reason the Chinese government may wish to engage with the ATT, then, is to improve its reputation as an arms exporter and open up dialogue about its access to military technologies and the arms market.

The ways in which the political economy and politics of the arms market rub up against human rights and humanitarian concerns may be an avenue for states to negotiate their positions on ratification and implementation of the ATT. From a Chinese perspective, its weapons are cheap, effective and easy to operate, and suitable for the defensive capabilities of many developing states. China believes itself to have friends in the developing world: it is seen as trustworthy, respects sovereignty and does not interfere; its arms sales come without critical strings, which is a major advantage. Finally, some developing states are not happy with Western behaviour, including its arms sales, and this anti-Western sentiment pushes them towards China. These issues are part of the international context in which human rights and humanitarian concerns are viewed in parts of the developing world.

The Chinese government made a series of compromises during the ATT negotiations, demonstrating its willingness to shift its position. Some of the issues with which it had difficulty, such as the breakdown of consensus and the recourse to voting on the adoption of the Treaty, are not specific to the substance of the treaty, but are about the prospects of multilateralism as a form of negotiation. On substantive issues, it made some concessions, for example on the inclusion of SALW in the scope of the treaty; and held its line on others, insisting for example on the exclusion of any language covering military gifts. The issue of military gifts was a significant concern for the

<sup>54</sup> US Department of State (2013) ‘United States Signs Arms Trade Treaty on September 25, 2013’, [www.state.gov/t/isn/armstradetreaty/](http://www.state.gov/t/isn/armstradetreaty/).

<sup>55</sup> Pieter Wezeman, quoted in Colum Lynch (2012) ‘China’s arms exports flooding sub-Saharan Africa’, *Washington Post*, 25 August 2012, [www.washingtonpost.com/world/national-security/chinas-arms-exports-flooding-sub-saharan-africa/2012/08/25/16267b68-e7f1-11e1-936a-b801f1abab19\\_story.html](http://www.washingtonpost.com/world/national-security/chinas-arms-exports-flooding-sub-saharan-africa/2012/08/25/16267b68-e7f1-11e1-936a-b801f1abab19_story.html).

Chinese government, which was “willing to defy the majority, and even block consensus if necessary” on the issue.<sup>56</sup> Gifts are “under the exclusive purview of the Chinese army”, which insisted that “the MFA ensure that all such areas were excluded from the treaty”. Gifts and donations are subject to PLA procedures, separate from the national arms export regulation process.<sup>57</sup> Gifts are an element of military assistance, itself part of wider bilateral aid relations, friendship and solidarity with other developing states. Military aid is therefore not a trade matter to be regulated through international agreement. The Chinese government makes a distinction between “trade” understood as commercial transfers, and “transfers” that fall under the rubric of military aid or bilateral relations. In this, military-to-military transfers are based on a political relationship, with an agreed understanding as to how the equipment will be used. Although China stood out in specifying this issue during the ATT negotiations, there may be some common ground with other exporters. The UK government, for example, does not ask for end-user undertakings from recipients of military equipment that is gifted because it “would expect to have a relationship with countries to which we gift. This allows us to understand their need and the end-use to which the equipment being gifted would be put”.<sup>58</sup> Thus there may be some elements of commonality that could form the basis of a discussion about best practice.

---

<sup>56</sup> Bromley et al, ‘China’s exports of small arms and light weapons’.

<sup>57</sup> *Ibid.*

<sup>58</sup> Business, Innovation and Skills, Defence, Foreign Affairs and International Development Committees (2012), *Scrutiny of Arms Exports (2012): UK Strategic Export Controls Annual Report 2010, Quarterly Reports for July to December 2010 and January to September 2011, the Government’s Review of arms exports to the Middle East and North Africa, and wider arms control issues* (London: The Stationery Office,) p 284.

# 5

---

## Conclusion

**THESE ISSUES SPEAK TO THE VARIETY OF INTERESTS AND CONCERNS** the Chinese government has in relation to the arms trade and its regulation. As such, there are choices for the Chinese government to make, which may lead in different directions in terms of arms control, including but not limited to the decision whether to sign and ratify the ATT. These choices are ultimately national decisions, of course. Yet states are not monolithic – there are different branches of the state that see Chinese interests best served in different ways: the MFA, for example, seems more willing than the PLA to sign and ratify the ATT. And these choices must also be understood in their international context. The ATT negotiating process has thrown into sharp relief ongoing differences between liberal and non-liberal states as to the definition and practice of “responsible” arms transfers. The further development of Chinese arms export controls is not merely a technical issue, although technical and bureaucratic obstacles surely remain. It is a political, political-economic, and diplomatic issue, both domestically and in China’s foreign relations. Further deliberations both within the Chinese government and in multilateral and bilateral fora are needed if the ATT is to be made into a rigorous and practical instrument for tighter arms transfer controls.