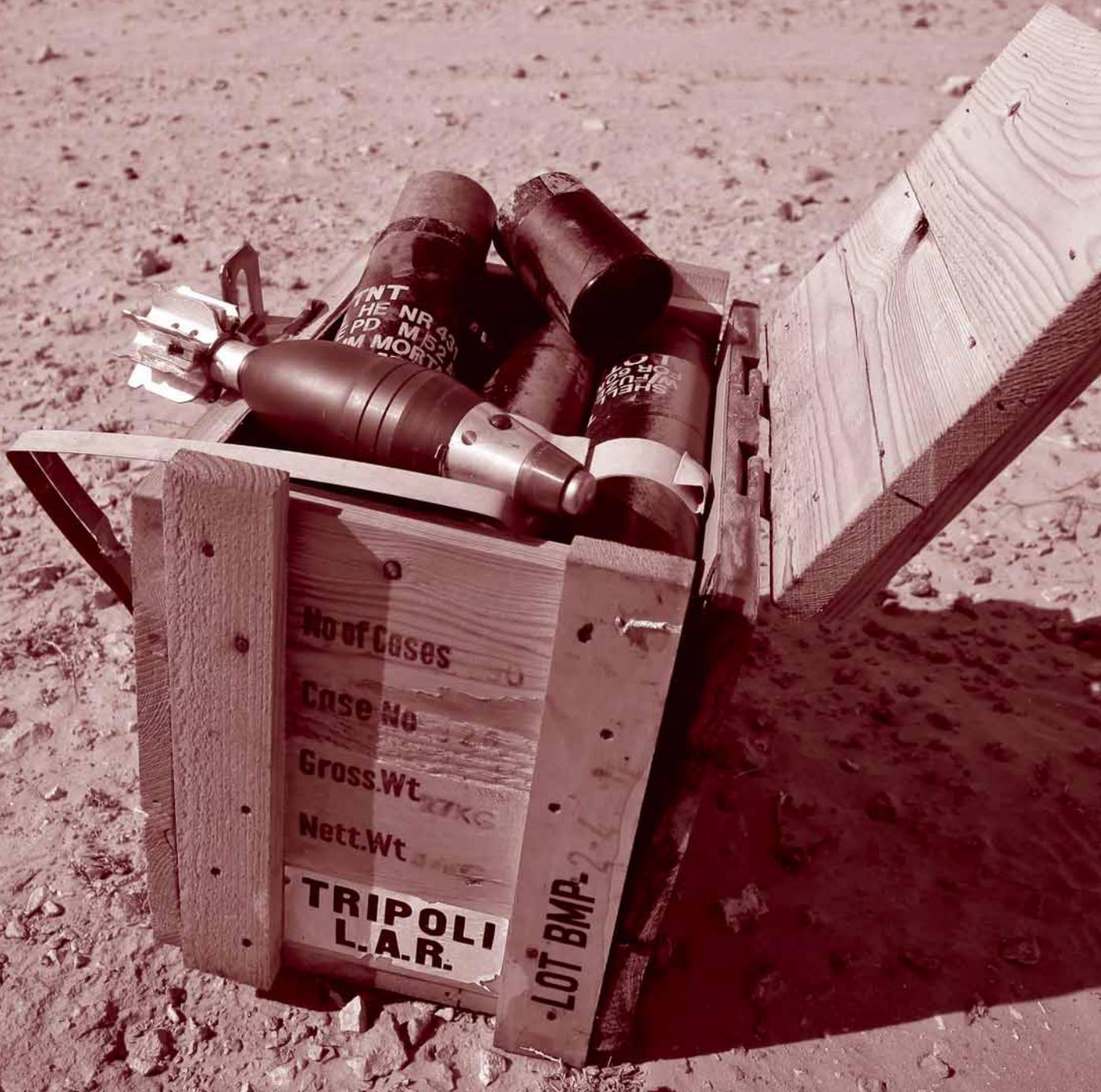


A crate of mortar rounds lies in the desert near Col. Muammar Qaddafi's hometown of Sirte, Libya, September 2011. © John Cantlie/Getty Images



# Trade Update

## AFTER THE 'ARAB SPRING'

### INTRODUCTION

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On 19 October 2014, US Air Force C-130 transport aircraft dropped 28 bundles of small arms and ammunition for Kurdish forces defending the Syrian city of Kobani from attack by the non-state armed group Islamic State (IS) (US, 2014a). IS claimed to have picked up at least one of the bundles and showed the seized shipment in a video posted on YouTube two days later (Rogin, 2014). The Pentagon confirmed that IS had intercepted one of the bundles (Simeone, 2014). This is not an isolated example of a state with robust transfer controls authorizing a risky delivery of small arms and ammunition to a non-state armed group in a volatile region of the world. This chapter explores such decisions—and their consequences—in relation to the Middle East and North Africa (MENA), a region with high levels of armed violence and political instability.

The key findings of the chapter include the following:

- In 2012, the top exporters of small arms and light weapons (those with annual exports of at least USD 100 million), according to available customs data from the United Nations Commodity Trade Statistics Database (UN Comtrade), were (in descending order) the United States, Italy, Germany, Brazil, Austria, South Korea, the Russian Federation, China, Belgium, the Czech Republic, Turkey, Norway, and Japan.
- In 2012, the top importers of small arms and light weapons (those with annual imports of at least USD 100 million), according to available customs data, were (in descending order) the United States, Canada, Germany, Australia, France, the United Kingdom, Thailand, and Indonesia.
- The five largest exporters of small arms during 2001–12, according to available customs data, were (in descending order) the United States, Italy, Germany, Brazil, and Austria. The United States was also, according to available customs data, the world's largest importer of small arms during 2001–12. The next four largest small arms importers during this period were Canada, Germany, France, and the UK.
- There is little evidence that the 'Arab Spring' has had a significant impact on the policies of top or major exporters of small arms to the Middle East and North Africa. Considerations that presumably include regional and national security concerns are exerting a strong influence on arms export decision-making, effectively outweighing the risk of misuse or diversion in the eyes of these exporters.
- Small arms exporters have also authorized exports of small arms to non-state armed groups that are inclined to fight extremist groups, again notwithstanding the risk of misuse or diversion in these cases.
- Regional intergovernmental information exchanges on small arms transfers are not contributing to public transparency, yet regional reporting instruments that cover broader categories of conventional arms are releasing annual reports to the public.

The chapter consists of three distinct sections. The first analyses multi-year trends in the authorized small arms trade, focusing on the most significant exporters and importers. The second section examines small arms flows to Egypt, Libya, and Syria, both before and after the ‘Arab Spring’, with a view to identifying any changes in the export policies of top and major exporters. This section includes a brief overview of small arms supplies pledged or delivered to the Kurdish *peshmerga* (militia) in August–September 2014. The third and final section assesses the contribution made by regional reporting instruments to increased transparency in small arms transfers.

## AUTHORIZED SMALL ARMS TRANSFERS

Like previous editions of the *Survey*, this one provides information on authorized small arms transfers. This section presents the top and major exporters and importers of small arms in 2012, according to UN Comtrade,<sup>1</sup> and maps changes in values transferred by top exporters and importers between 2001 and 2012.

### Top and major exporters and importers in 2012

In 2012, the top exporters of small arms—having transferred at least USD 100 million that year—were, in descending order, the United States, Italy, Germany, Brazil, Austria, South Korea, the Russian Federation, China, Belgium, the Czech Republic, Turkey, Norway, and Japan (see Table 4.1). There were 13 top exporters in 2012, down from 14 in 2011. The new top exporters in 2012 were Japan (whose exports increased from USD 97 million to USD 106 million) and Norway (USD 81 million to USD 129 million). Israel, Spain, and Switzerland left the group of top exporters in 2012, with exports dropping down to the USD 50–99 million range, while Italy joined the United States in reporting more than USD 500 million worth of exports annually.

The number of top and major exporters—with at least USD 10 million in annual exports—was 38 in 2012, one less than in 2011, but the total value of this group’s reported exports increased by USD 340 million

Russian president Vladimir Putin visits a small arms factory in Izhevsk, Russian Federation, September 2013. © Michael Klimentyev/AFP Photo/RIA Novosti





compared to the previous year.<sup>2</sup> The new major exporter in 2012 was Bulgaria (with exports growing from USD 7 million in 2011 to USD 20 million in 2012), while Pakistan and Hong Kong left the rank of major exporters in that year. Overall, the United States remains the largest exporter of small arms, with at least USD 935 million worth exported in 2012, around USD 19 million more than in 2011.

In 2012, the top importers—importing at least USD 100 million of small arms annually—were, in descending order, the United States, Canada, Germany, Australia, France, the United Kingdom, Thailand, and Indonesia (see Table 4.2). While the number of top importers (eight) did not change between 2011 and 2012, Italy left the group as it imported only USD 57 million worth of small arms in 2012 (compared to USD 108 million in 2011) and Indonesia joined the group for the first time since 2001, as it imported USD 111 million in 2012 (up from 32 million in 2011).

As was the case for exporters, the total number of top and major importers decreased, from 64 in 2011 to 56 in 2012, but the total value of their reported imports increased—by USD 341 million.<sup>3</sup> Cambodia, China, Côte d'Ivoire, the Dominican Republic, Honduras, Hungary, Kenya, Luxembourg, Morocco, Sudan, and Venezuela left the rank of top and major importers in 2012. Meanwhile, Egypt (increasing its reported imports from USD 9 million in 2011 to USD 25 million in 2012), Kazakhstan (up from USD 8 million to USD 14 million), and Paraguay (up from USD 8 million to USD 11 million in 2012) joined this group in 2012.

Table 4.1 presents the top and major exporters, by both reported export value and Small Arms Trade Transparency Barometer 2014 score. The latter measure provides some, admittedly imperfect,<sup>4</sup> indication of the likely reliability of estimates of small arms exports for particular countries, since higher Barometer scores reflect a greater availability and specificity of information provided by states on their exports. For example, the estimated value of exports for a tier 2 exporter (with exports of USD 100–499 million in 2012) whose name is highlighted in black (level 1 transparency) is probably more reliable than that of an exporter in the same tier whose name is highlighted in red (level 3 transparency). A general rule of thumb is that if an exporter has a low Barometer score (level 3 or 4), there is a strong possibility that the reported value of its exports is an underestimate.

**Table 4.1 Exporters of small arms based on UN Comtrade, 2012, with transparency indicators**

Category		Value (USD)	Exporters (listed in descending order of value exported)
Top exporters by value	Tier 1	≥500 million	2: United States, Italy
	Tier 2	100-499 million	11: Germany, Brazil, Austria, South Korea, Russian Federation, China, Belgium, Czech Republic, Turkey, Norway, Japan
Major exporters by value	Tier 3	50-99 million	10: United Kingdom, Spain, Israel, Croatia, Finland, Canada, Switzerland, Mexico, France, Serbia
	Tier 4	10-49 million	15: Sweden, India, Philippines, Singapore, Portugal, Hungary, Bulgaria, Argentina, Taiwan, <sup>9</sup> Cyprus, Romania, Australia, Ukraine, Denmark, Poland

Transparency indicators (followed by Small Arms Trade Transparency Barometer 2014 scores):

Level 1 (18.75-25.00); Level 2 (12.5-18.5); Level 3 (6.25-12.25); Level 4 (0.00-6.00)

**Table 4.2 Importers of small arms based on UN Comtrade, 2012**

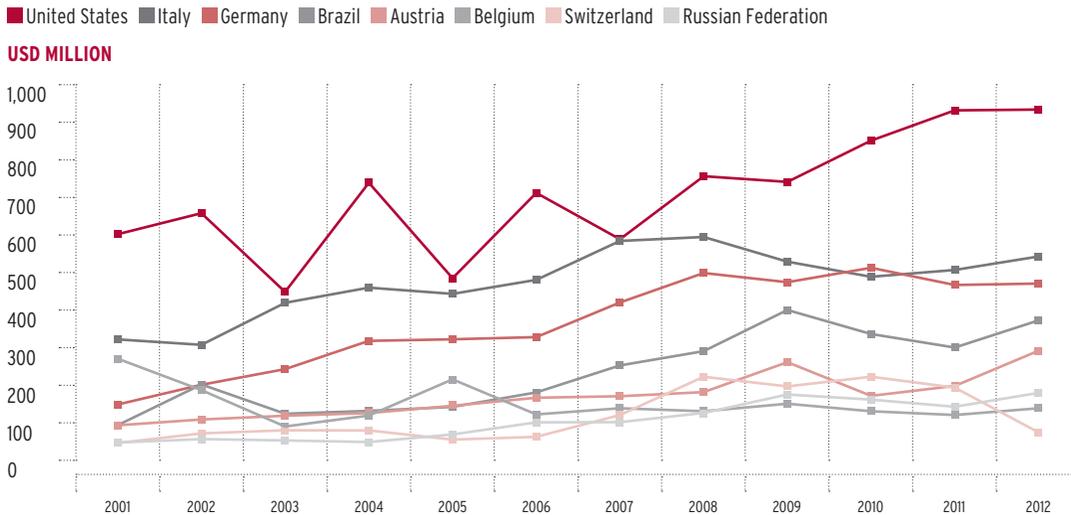
Category		Value (USD)	Importers (listed in descending order of value imported)
Top importers by value	Tier 1	≥500 million	1: United States
	Tier 2	100-499 million	7: Canada, Germany, Australia, France, United Kingdom, Thailand, Indonesia
Major importers by value	Tier 3	50-99 million	16: Russian Federation, Mexico, Belgium, Chile, United Arab Emirates, Norway, Philippines, Italy, Saudi Arabia, Estonia, Malaysia, Austria, Israel, Denmark, Turkey, South Korea
	Tier 4	10-49 million	32: Switzerland, Sweden, Spain, Poland, Netherlands, Colombia, Jordan, Lebanon, New Zealand, Singapore, South Africa, Japan, Portugal, Finland, Egypt, Czech Republic, Afghanistan, Slovakia, Pakistan, Iraq, Ukraine, India, Kuwait, Argentina, Kazakhstan, Brazil, Greece, Peru, Oman, Bulgaria, Paraguay, Cyprus

### Global trends, 2001-12

The *Small Arms Survey 2014* notes that, according to UN Comtrade, the global value of the small arms trade almost doubled between 2001 and 2011 (Holtom, Pavesi, and Rigual, 2014, p. 113). The value has continued to increase, with the reported global trade reaching its highest value since 2001: USD 5.057 billion worth of small arms were reportedly transferred in 2012. Ammunition still represented the largest category exported from 2001 to 2012, while exports of pistols and revolvers saw the largest value increase from 2011 to 2012 (increasing by USD 169 million) (Holtom, Pavesi, and Rigual, 2014, p. 114; NISAT, n.d; UN Comtrade, n.d.).

Figure 4.1 illustrates changes in the values exported by the eight largest exporters of small arms during the period 2001–12, highlighting the clear domination of the United States in this market. US exports of small arms reached a value of USD 8.464 billion over the period, with a systematic increase since 2010. The next four largest exporters of small arms for the period 2001–12 were Italy (which exported small arms worth USD 5.7 billion), Germany (USD 4.420 billion), Brazil (USD 2.835 billion), and Austria (2.049 billion), according to UN Comtrade (see Table 4.3 on p. 90). The five largest exporters—the United States, Italy, Germany, Brazil, and Austria—accounted for 53 per cent of the reported value of small arms exports between 2001 and 2012. The top and major exporters that have experienced the largest increase in their small arms exports between 2001 and 2012 were, in descending order, China (with an increase of 1,456 per cent), Norway (777 per cent), South Korea (636 per cent), Turkey (467 per cent), and Brazil (295 per cent)

**Figure 4.1 Changes in export values for the eight largest exporters of small arms, based on UN Comtrade (USD million), 2001-12\***



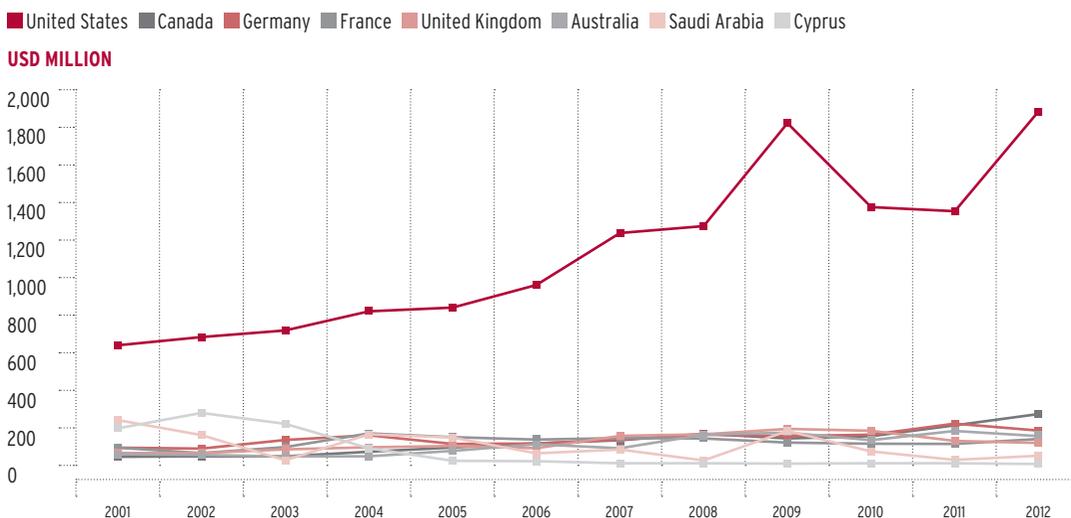
Notes: \* All values are expressed in constant 2012 US dollars; all figures have been rounded to the nearest million.

Sources: NISAT (n.d.); UN Comtrade (n.d.)

(see Table 4.3).<sup>6</sup> None of the largest exporters experienced a decrease in their reported exports between 2001 and 2012, except for Belgium (-48 per cent).

Figure 4.2 underlines the United States' unrivalled position as the world's largest importer of small arms as reported to UN Comtrade data.<sup>7</sup> Between 2001 and 2012, the country imported USD 13.884 billion worth of small arms, accounting

**Figure 4.2 Changes in import values for the eight largest importers of small arms, based on UN Comtrade (USD million), 2001-12\***



Notes: \* All values are expressed in constant 2012 US dollars; all figures have been rounded to the nearest million.

Sources: NISAT (n.d.); UN Comtrade (n.d.)

**Table 4.3 Trends in small arms exports per top exporter and for all exporters, as reported to UN Comtrade, 2001-12\***

Exporter	Total value exported, 2001-12 (USD million)	2001 value (USD million)	2012 value (USD million)	Absolute change, 2001-12 (USD million)	% change 2001-12
United States	<b>8,464</b>	603	935	332	55%
Italy	<b>5,700</b>	323	544	221	68%
Germany	<b>4,420</b>	150	472	322	214%
Brazil	<b>2,835</b>	95	374	280	<b>295%</b>
Austria	<b>2,049</b>	95	293	198	210%
Belgium	1,822	271	140	-132	-48%
Switzerland	1,440	48	76	28	60%
Russian Federation	1,269	49	181	132	273%
Japan	1,261	77	106	29	38%
South Korea	1,143	37	275	237	<b>636%</b>
Spain	1,049	75	89	14	19%
Canada	1,040	64	83	19	29%
Czech Republic	1,025	64	136	72	113%
Turkey	994	23	132	109	<b>467%</b>
Israel	961	25	89	64	256%
United Kingdom	949	61	90	29	48%
China	777	10	150	140	<b>1,456%</b>
France	731	39	53	14	36%
Norway	716	15	129	114	777%
Sweden	537	23	48	25	112%
All exporters	<b>44,582</b>	<b>2,426</b>	<b>5,057</b>	<b>2,631</b>	<b>108%</b>

Notes: \* All values are expressed in constant 2012 US dollars; all figures have been rounded to the nearest million. Each exporter in this table has been ranked as a top exporter (exporting USD 100 million or more annually) for at least one year between 2001 and 2012. Values in bold are the five largest totals and five greatest changes in relevant columns.

Sources: NISAT (n.d.); UN Comtrade (n.d.)

for 30 per cent of reported global small arms imports. After a significant decrease in 2010 and 2011, US imports reached their peak since 2001, with USD 1.907 billion worth of reported small arms imports in 2012.

The next four largest importers during 2001–12 were, in descending order, Canada (with imports totalling USD 1.788 billion), Germany (USD 1.771 billion), France (USD 1.496 billion), and the UK (USD 1.494 billion) (see Table 4.4). The top importers that experienced the largest increase in their small arms imports between 2001 and 2012 were, in descending order, Indonesia (an increase of 8,602 per cent), Pakistan (3,789 per cent), Thailand (558 per cent),

**Table 4.4 Trends in small arms imports per top importer and for all importers, as reported to UN Comtrade, 2001–12\***

Importer	Total value imported, 2001–12 (USD million)	2001 value (USD million)	2012 value (USD million)	Absolute change, 2001–12 (USD million)	% change 2001–12
United States	<b>13,884</b>	662	1,907	1,245	188%
Canada	<b>1,788</b>	69	296	228	<b>332%</b>
Germany	<b>1,771</b>	97	188	92	95%
France	<b>1,496</b>	64	143	79	125%
United Kingdom	<b>1,494</b>	71	121	50	70%
Australia	1,341	62	163	101	162%
Saudi Arabia	1,290	244	54	-190	-78%
Cyprus	928	200	10	-190	-95%
South Korea	894	130	51	-79	-61%
Spain	872	36	44	8	21%
Italy	831	84	57	-26	-31%
Thailand	683	18	116	98	<b>558%</b>
Japan	679	38	27	-11	-30%
Egypt	373	7	25	18	<b>267%</b>
Indonesia	351	1	111	110	<b>8,602%</b>
Pakistan	336	1	21	20	<b>3,789%</b>
All importers	<b>45,552</b>	<b>2,624</b>	<b>5,087</b>	<b>2,463</b>	<b>94%</b>

Notes: \* All values are expressed in constant 2012 US dollars; all figures have been rounded to the nearest million. Each importer in this table has been ranked as a top importer (importing USD 100 million or more annually) for at least one year between 2001 and 2012. Values in bold are the five largest totals and five greatest changes in each column.

Sources: NISAT (n.d.); UN Comtrade (n.d.)

Canada (332 per cent), and Egypt (267 per cent) (see Table 4.4). For the years 2001–12, nine states were both top exporters and importers: Canada, France, Germany, Italy, Japan, South Korea, Spain, the UK, and the United States.

During 2001–12, the six main importers of US exports were Canada (which imported USD 1.252 billion worth of materiel), South Korea (USD 669 million), Australia (USD 639 million), Japan (USD 444 million), Israel (USD 407 million), and Egypt (USD 311 million). Australia, Canada, Israel, Japan, and South Korea were regularly<sup>8</sup> among the annual top five importers of US small arms during 2001–12; Colombia, Egypt, and Saudi Arabia also figured in the top five on occasion.<sup>9</sup>

In addition to the small arms transfer trends noted in previous editions of the *Survey*—such as the steady global increase in the value of transfers, and the US domination of the trade—emerging trends involve new actors that are increasingly shaping the global market, such as China, whose small arms exports are steadily growing, and Indonesia, a new top importer. As the next section—but also the above figures concerning Egypt—reveal, the recent upheavals in the Arab world do not appear to have disrupted the international flow of small arms to that region.

## AUTHORIZED SMALL ARMS TRANSFERS TO THE MIDDLE EAST AND NORTH AFRICA, 2001-14

Parts of the Middle East and North Africa suffer from very high levels of armed violence, armed conflict, and political instability.<sup>10</sup> Between 2007 and 2012, conflict-related deaths were recorded in almost one out of two countries or territories in the region: Algeria, Egypt, Iran, Iraq, Lebanon, Libya, the Palestinian Territories, Syria, and Yemen (Geneva Declaration Secretariat, 2014). These nine countries and territories also rank among the 25 countries and territories with the lowest scores for ‘political stability and absence of violence’ in 2012, according to the World Bank’s worldwide governance indicators (World Bank, n.d.). The risk of small arms diversion to non-state armed groups in these states is also considered high.<sup>11</sup> These factors help to explain why governments in the region seek to import small arms—for example, to bolster weak or recently re-established national security forces that are fighting well-equipped non-state armed groups. The ‘Arab Spring’ heightened many of the concerns cited above, with parliamentarians and civil society organizations questioning earlier decisions to arm seemingly stable governments that had reputations for serious violations of human rights or that were accused of supporting terrorist organizations.<sup>12</sup>

This section examines the effect of increased armed violence and political instability in Egypt, Libya, and Syria on the policies of significant small arms exporters to the region by comparing the small arms flows of two periods: 2001–10 and 2011–13 (see Boxes 4.1 and 4.2).<sup>13</sup> These three countries have been chosen for two reasons. First, the World Bank’s worldwide governance indicators for ‘political stability and absence of violence’ for Egypt, Libya, and Syria show the largest drops from 2010 to 2011 (the years before and after the Arab uprisings) among all MENA countries. Second, each case offers an opportunity to examine the influence of different multilateral arms restrictions. For example, while agreement was secured in the UN Security Council to impose an arms embargo on Libya in 2011, efforts to impose such an embargo on Syria failed (see Table 4.5). The option has not been discussed with regard to Egypt. As described below, the embargoes on these countries, including several regional and unilateral ones, have not stopped the authorization of small arms transfers that carry a high risk of misuse or diversion to these states.

This section also addresses the supply of small arms to non-state armed groups engaged in conflict with repressive governments or extremist organizations in MENA. On the one hand, there is a risk that non-state armed groups will

**Table 4.5 Multilateral arms embargoes targeting government and non-government entities in Egypt, Libya, and Syria, in force during 2001-13**

Target country	United Nations	European Union (EU)	League of Arab States
Egypt	None	EU Council Conclusions on Egypt (21 August 2013)*	None
Libya	UN Security Council Resolution 748 (31 March 1992-12 September 2003)	European Political Cooperation Presidency Statement (14 April 1986-11 October 2004)	None
	UN Security Council Resolution 1970 (26 February 2011)	Council Common Position 2011/137/CFSP (28 February 2011)	None
Syria	None	Council Common Position 2011/273/CFSP (9 May 2011)	League of Arab States Statement (3 December 2011)

Notes: \* The EU Foreign Affairs Council meeting of 21 August 2013 did not impose an arms embargo on Egypt, but noted that EU member states had agreed (a) ‘to suspend licences for export to Egypt of any equipment which might be used for internal repression’ and (b) ‘to reassess export licences for military equipment and review their security assistance to Egypt’ (EU, 2013a, para. 8).

Source: SIPRI (n.d.a)

### Box 4.1 Monitoring small arms transfers to MENA: a note on the sources

Monitoring authorized armed transfers is challenging as there is no single, comprehensive source of information and as data is usually provided by states on a voluntary basis. In regions that are experiencing high levels of armed violence, armed conflict, and political instability, small arms procurement can be particularly sensitive. Moreover, the MENA region has generally been relatively opaque with regard to small arms imports, rendering the monitoring of authorized small arms transfers to the region difficult.

Publicly available information on arms transfers, both authorized and delivered, can be found in a variety of sources, including multilateral instruments to which governments provide information—such as the UN Register of Conventional Arms (UN Register) and UN Comtrade—national reports on arms exports, arms company press releases, UN reports, NGO and academic reports, specialist arms trade publications, the media, and social media. This wide range of sources can assist in building a comprehensive picture of authorizations and deliveries of small arms to MENA. Yet these different data sources are rarely comparable and may even provide conflicting information, such as when figures in official reports from exporting and importing states diverge.

The UN Register was established in 1991 to promote transparency in armaments and to build confidence among UN member states (UNODA, n.d.). Since its inception, at least 170 UN member states have voluntarily reported at least once on their annual imports or exports of major conventional arms (UNODA, n.d.). Since 2003, UN member states have been invited to provide background information on international transfers of small arms and light weapons. While 80 states have provided such information at least once (UNGA, 2013a, para. 24), Lebanon is the only MENA country to have done so. In addition, Lebanon, as well as and Qatar, responded to the UN Secretary-General's invitation to provide national 'views' on the inclusion of small arms as a separate category in the UN Register in 2014 (UNGA, 2013b, para. 6(a); 2014, p. 119). At present, the UN Register provides only a partial snapshot of small arms flows to MENA because the major small arms suppliers Belgium, China, Israel, and the Russian Federation do not provide information to the UN Register on their small arms transfers. Some of the most significant small arms transfers to Egypt, Libya, and Syria, as reported to the UN Register by exporters, are presented in Tables 4.6-4.10.

UN Comtrade is not a transparency instrument *per se*, but a repository for national customs data for all commodities. The data provided by countries under 'arms and

ammunition; parts and accessories thereof' (World Customs Organization code 93) can be used to capture some small arms deliveries. Countries voluntarily provide such information and therefore UN Comtrade data is skewed towards transfers involving transparent states. Another limitation to the use of UN Comtrade for small arms trade monitoring is that its categorizations mix small arms with larger-calibre weapons. Moreover, many countries provide little or no data on their transfers of military weapons. For instance, in 2011, nine top exporters did not report to UN Comtrade on their military firearm transfers: Austria, Belgium, Brazil, China, Germany, Italy, the Russian Federation, Spain, and Sweden (Holtom, Pavesi, and Rigual, 2014, annexe 4.1). Yet some MENA countries provide information on certain small arms imports to UN Comtrade rather than to the UN Register.

Tables 4.6-4.10 present two columns for UN Comtrade: one for imports reported by Egypt, Libya, and Syria, and one for exporter reports. The juxtaposition of these two columns highlights many significant, and in some cases very large, discrepancies between the information provided by importers and exporters.

While 39 states have provided information on small arms exports via national or regional arms export reports at least once in 2001-14,<sup>14</sup> none of them is located in the MENA region (SIPRI, n.d.b). National export reports typically provide information on authorizations (licences) and actual deliveries, broken down by destination and 'EU Military List' categorization, which differs from both the UN Register and UN Comtrade weapons categories. Again, these reports are produced by more transparent states. One limitation, however, is that major European exporters tend to provide information only on authorizations for small arms exports, not actual deliveries. Tables 4.6-4.10 contain information on deliveries extracted from national or regional reports.

In an attempt to provide a fuller picture of small arms flows to MENA, this chapter complements official government data with available open-source information. While such information is often considered less reliable than that contained in official government sources, it is useful for monitoring small arms flows to the MENA region. The United Arab Emirates, for instance, did not report to any public transparency instrument on its small arms exports in 2001-14 but has been cited in UN reports as having been involved in small arms transfers to armed groups in Libya and Syria (Small Arms Survey, n.d.; UNSC, 2014a, annexe V). In an effort to map, as comprehensively as possible, small arms flows to Egypt, Libya, and Syria before and after the Arab uprisings, this chapter thus taps into a wide range of complementary sources.

commit human rights abuses or violations of international humanitarian law with transferred weapons, not to mention the risk of them being diverted to other groups that may be more likely to misuse them. On the other hand, some non-state armed groups seek to address the pressing humanitarian needs of civilian populations that are threatened by armed conflict and repression. The case studies on Libya and Syria explore various facets of this two-pronged issue, with Box 4.3 focusing on the arming of the Kurdish militia (the peshmerga) in Iraq in response to the advance of IS.

Western and Gulf Cooperation Council governments have delivered, or considered the delivery of, small arms to non-state armed groups that opposed the regimes of Qaddafi in Libya and of al-Assad in Syria on the following grounds:

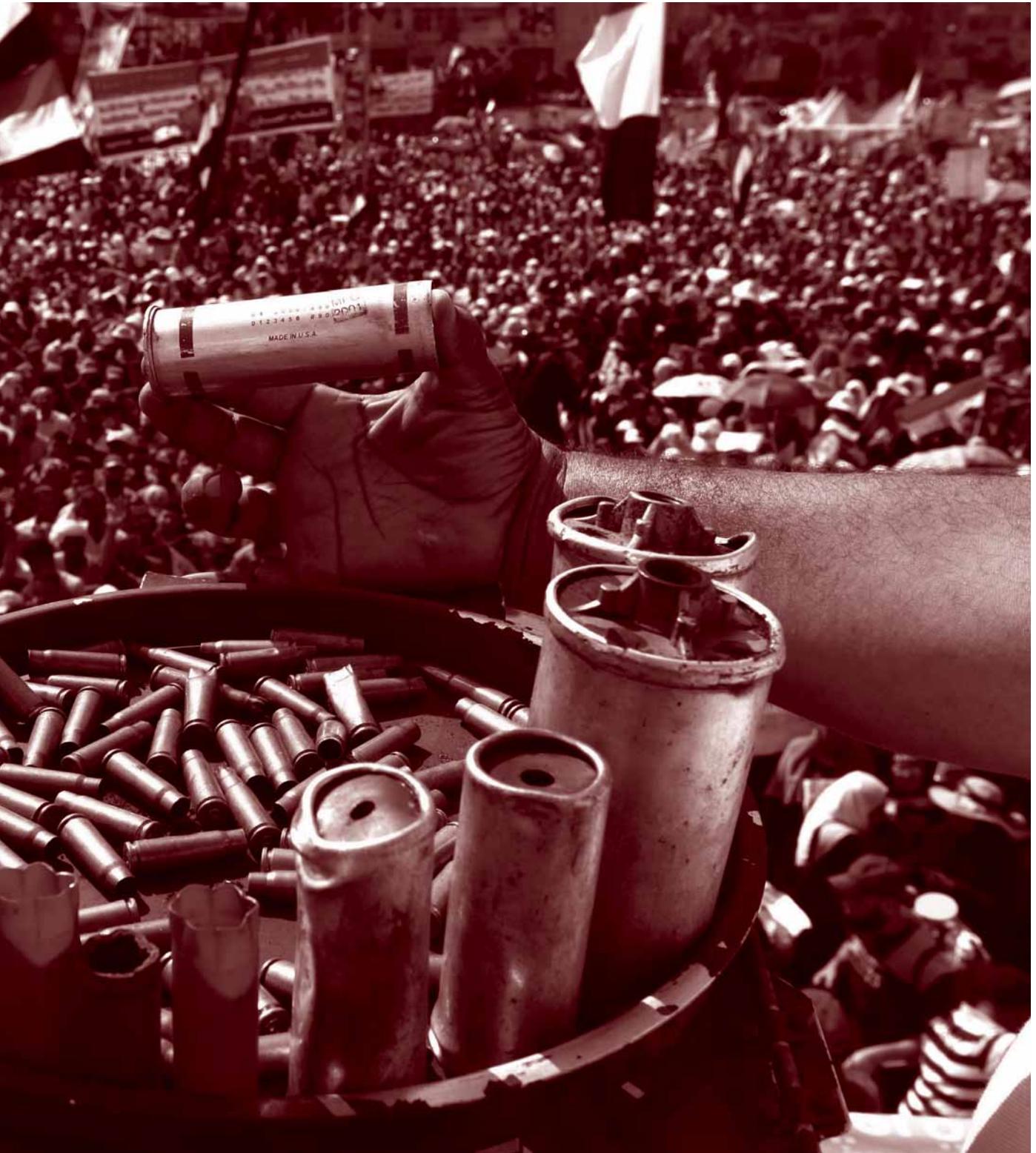
- humanitarian intervention: providing non-state armed groups with arms to protect civilians at risk of attack from government forces;
- regime change support: assisting non-state armed groups that seek to overthrow repressive regimes; and
- counter-terrorism efforts: arming non-state armed groups to help them fight 'extremist' non-state armed groups or designated terrorist groups.

All three case studies begin by examining recent levels of internal armed violence, armed conflict, and political stability; next, they review authorized small arms transfers for the period 2001–10 and consider whether conditions in each country since 2011 have had any impact on small arms export policies and deliveries made in 2011–13. In short, the question is whether the political instability of 2011–13 in the three states resulted in any significant changes in decision-making and small arms flows from significant exporters.

## Egypt

Since the establishment of the Republic of Egypt in 1953, the country's presidents have made use of the Emergency Law (Law No. 162 of 1958) to grant extended powers to state security forces and to restrict fundamental rights and freedoms (OHCHR, 2011, p. 5). Nevertheless, Egypt experienced relative political stability until January 2011, when hundreds of thousands of demonstrators took to the streets, calling for economic, political, and legal reforms. In several cases, security forces responded with lethal force involving the use of small arms.





A supporter of ousted Egyptian President Mohammed Morsi displays empty cartridges following clashes with soldiers near the Republican Guard headquarters, Cairo, July 2013. © Mohamed Abd El Ghany/Reuters

Table 4.6 Reported deliveries of small arms to Egypt by known significant exporters, 2001-10\*

Exporters	Egyptian reports to UN Comtrade on values imported (year), USD	Exporter reports to UN Comtrade on values exported (year), USD	Exporter national and regional reports on values exported (year), USD	Exporter reports to the UN Register on small arms exported, units
Czech Republic	3,699,452 (2004-05; 2008-10), including at least 2,016 pistols and revolvers, 8 sporting and hunting rifles, shotgun cartridges, and ammunition	6,767,876 (2001-10), including at least 22,455 pistols and revolvers (including parts and accessories), 181 sporting and hunting rifles or shotguns, shotgun cartridges, and ammunition	12,768,703 (2003-09)	-
Germany	577,136 (2001-10), including at least 117 pistols and revolvers (including parts and accessories) and 26 sporting and hunting shotguns	3,421,454 (2001-10), including at least 3,946 pistols and revolvers (including parts and accessories), 1,332 sporting and hunting rifles or shotguns (including parts and accessories), and ammunition	-	2,093 sub-machine guns (2007; 2009)
Italy	4,378,140 (2001-10), including at least 107 pistols and revolvers (including parts and accessories), 17,466 sporting and hunting rifles or shotguns (including parts and accessories), and shotgun cartridges	10,061,335 (2001-10), including at least 7,780 pistols and revolvers (including parts and accessories), 4,144 sporting and hunting rifles or shotguns (including parts and accessories), and shotgun cartridges	-	7,828 pistols and revolvers and 18,823 rifles and carbines (2007-10)
South Korea	-	4,824,809 (2001; 2008-09), including at least military firearms, parts and accessories of pistols or revolvers, shotgun cartridges, and ammunition	-	-
Switzerland	123,369 (2003; 2007; 2009-10), including at least 83 sporting and hunting shotguns, parts and accessories of pistols or revolvers, and shotgun cartridges and barrels	4,430,505 (2001-03; 2005-10), including at least 451 pistols and revolvers (including parts and accessories), 18 sporting and hunting rifles, 1,190 military rifles, 26 grenade launchers, and ammunition	6,619,876 (2001-10)	2 sub-machine guns, 123 assault rifles, and 2 under-barrel grenade launchers (2008)

Table 4.6 Continued

Exporters	Egyptian reports to UN Comtrade on values imported (year), USD	Exporter reports to UN Comtrade on values exported (year), USD	Exporter national and regional reports on values exported (year), USD	Exporter reports to the UN Register on small arms exported, units
Turkey	1,355,116 (2004; 2006; 2009-10), including at least 428 sporting and hunting shotguns or rifles, parts and accessories of pistols or revolvers, shotgun cartridges, and ammunition	5,828,982 (2001-10), including at least 15,720 pistols and revolvers (including parts and accessories), 44,717 sporting and hunting rifles or shotguns (including parts and accessories), military firearms, shotgun cartridges, and ammunition	–	1,312 semi-automatic pistols (2006-08; 2010)
United States	464,887 (2002; 2004; 2008-10), including at least 313 pistols and revolvers (including parts and accessories), 4,677 sporting and hunting rifles or shotguns (including parts and accessories), and ammunition	253,895,514 (2001-10), including at least 1,365 pistols and revolvers (including parts and accessories), 7,771 sporting and hunting rifles or shotguns (including parts and accessories), 60,559 military rifles, 478 military weapons, 148 grenade launchers, shotgun cartridges, and ammunition	95,118,000 (2001-09), including at least 3 carbines, 2,439 machine guns, 992 rifles, and cartridges up through .22 calibre	–

Notes: \* Only states that have reported small arms exports to Egypt worth at least USD 1 million using at least one reporting mechanism during the period under review are included in the table. See Box 4.2 for details on the methodology used in developing the table. Official government information on small arms exports to Egypt in 2001-10 is contained in Annex 4.4.

Sources: EU (n.d.); NISAT (n.d.); SIPRI (n.d.b); UN Comtrade (n.d.); UNODA (n.d.)

The crackdown claimed at least 840 lives and left more than 6,000 people injured (AI, 2011, p. 25); they also prompted President Hosni Mubarak to step down in February 2011, after 30 years in power. The military remained in power under the Supreme Council of the Armed Forces, headed by Field Marshal Mohamed Hussein Tantawi, but promised to hand over power to civilian authorities (Spencer, 2012).

Parliamentary elections took place in November 2011 and presidential elections were held in June 2012. The Muslim Brotherhood and Freedom and Justice Party performed well in both elections, with their candidate, Mohamed Morsi, securing 51.7 per cent of the presidential vote in 2012 (Kirkpatrick, 2012). Morsi took office on 30 June 2012 but was ousted from power by the Egyptian military one year later, on 3 July 2013, following large popular protests against his rule (HRW, 2014, p. 27). Supporters of the Muslim Brotherhood and Egyptian security forces clashed repeatedly and violently in July and August 2013, with several incidents spurring widespread condemnation of the security forces (OHCHR, 2013). Overall, the period 2011–14 has been characterized by acute political instability and the use of force involving small arms by Egyptian security forces against protestors.

### Small arms transfers to Egypt, 2001-10

Egypt has its own small arms industry, which has produced licensed copies of Belgian, Italian, Soviet/Russian, and US small arms. It currently produces Helwan 9 mm automatic pistols, Misr assault rifles, semi-automatic rifles, 7.62 × 51 mm general-purpose machine guns, 40 × 35 mm automatic grenade launchers, and 40 × 46 mm under-barrel grenade launchers (MEIC, n.d.).

Egypt reports small arms imports to UN Comtrade but has not provided information on small arms imports to the UN Register as part of so-called 'background' information on small arms transfers.<sup>15</sup> Exporters of small arms and ammunition to Egypt provide information to UN Comtrade that is higher in volume and value than the corresponding information contained in Egypt's own Comtrade reports.<sup>16</sup>

#### Box 4.2 Methodology and a note on data tables

Tables 4.6-4.10 provide official government information on deliveries of small arms to Egypt, Libya, and Syria during the periods 2001-10 and 2011-13. The three types of sources used for the data contained in the tables are UN Comtrade (importer and exporter reports); national and regional reports on arms exports; and the UN Register of Conventional Arms. Each column in the tables refers to one of these reporting instruments, each of which utilizes different definitions or categories for small arms. For this reason, the values shown in the different columns are not directly comparable. In addition, this chapter applies varying thresholds to determine the minimum value required for the inclusion of an exporter in Tables 4.6-4.10. For example, the threshold for the reported value of small arms exports to Egypt is at least USD 1 million for 2001-10, but USD 500,000 for 2011-13. The threshold for Syria is much lower, at just USD 100,000 for the period 2001-10. The varying thresholds facilitate the monitoring of changes in policies and flows by major suppliers for each country, in view of the fact that the volumes of reported small arms transfers to Egypt, Libya, and Syria vary greatly. A full list of all transactions reported by all countries for Egypt, Libya, and Syria during 2001-13 is available online in Annexe 4.4.

The **first column** in Tables 4.6-4.10 contains the declared value of small arms transfers in US dollars and the number of units transferred to Egypt, Libya, or Syria, as reported to UN Comtrade by the importing countries, for the periods 2001-10 and 2011-13.

The **second column** contains information provided by significant exporters to Egypt, Libya, and Syria. The following UN Comtrade categories are utilized to record small arms transfers: 930100 (military weapons), 930120 (rocket and grenade launchers, etc.), 930190 (military firearms), 930200 (revolvers and pistols), 930320 (sporting and hunting shot-guns), 930330 (sporting and hunting rifles), 930510 (parts and accessories of revolvers and pistols), 930521 (shotgun barrels), 930529 (parts and accessories of shotguns and rifles), 930621 (shotgun cartridges), 930630 (small arms ammunition).

The **third column** presents national data drawn from national or regional reports on deliveries of items contained in the European Union Common Military List categories 1, 2, and 3, which cover small arms (and components), light weapons and artillery (and components), and ammunition, respectively (EU, 2014a).<sup>17</sup> It is worth noting that many significant suppliers do not provide delivery information for all small arms transfers. Even if countries provide data on deliveries, the information provided is not always comprehensive. For example, the United States provides data only for small arms and ammunition deliveries conducted as part of government-to-government foreign military sales and does not include items purchased outside government-to-government arrangements. In other cases, states may not disaggregate the data, thereby precluding the identification of the country of import or the end user. For example, Serbian national reports indicate that Libya was one of several potential end users for deliveries of pistols, hunting carbines, sub-machine guns, automatic rifles, hand-held grenade launchers, and ammunition in 2007-09 (Serbia, 2009, pp. 38, 49; 2010, pp. 38, 41, 54, 57; 2011, pp. 49, 62-63). Some reports clearly identify Libya as the end user but include small arms and ammunition with other items, rendering a determination of the actual value of only the small arms and ammunition component of deliveries in a given year impossible. Finally, the third column does not include any of the following categories, which have been omitted as they could also cover items that fall beyond the Survey's definition of small arms and ammunition: missiles, other ammunition and components, rocket launchers and rockets, and weapons spares.

The **fourth column** consists of exporter reports to the UN Register of Conventional Arms for all categories contained in the 'background information' on small arms transfers.

Data for Tables 4.6-4.10 is drawn from EU annual reports (EU, n.d.); the NISAT Database of Small Arms Transfers (NISAT, n.d.); UN Comtrade (n.d.); the UN Register of Conventional Arms (UNODA, n.d.); and national reports (SIPRI, n.d.b).

Egypt reported to UN Comtrade the import of USD 25 million worth of small arms from 18 countries during 2001–10, yet 34 countries reported exporting USD 292 million worth of small arms to Egypt over this period. Thirteen countries reported to the UN Register on the export of small arms to Egypt during 2004–10;<sup>18</sup> Table 4.6 lists the largest reported volumes of small arms deliveries to Egypt. Based on reports to UN Comtrade and national report data, the largest exporter of small arms to Egypt during 2001–10 was the United States, followed by Italy, the Czech Republic, Turkey, South Korea, Switzerland, and Germany (see Table 4.6). In the US row of Table 4.6, the third column identifies deliveries of small arms and ammunition under the US foreign military sales programme, which were probably funded as part of US military aid to Egypt.<sup>19</sup>

### **Small arms exporter policies towards Egypt, 2011–13**

Egypt's known significant small arms suppliers differed in their reactions to the events of January–February 2011 and July–August 2013. The response to the former was mixed. Although the US government announced in January 2011 that it was reviewing the provision of military aid to Egypt, arms deliveries continued throughout 2011 on the grounds that maintaining the provision of assistance was in the interests of US national security (US, 2011; Cornwell and Mohammed, 2012; see Table 4.7). In contrast to the United States, several significant European small arms suppliers—the Czech Republic, France, Germany, the Netherlands, and Spain—announced in January and February 2011 that they had frozen or suspended arms export licences and would not approve any new licences (AI, 2011, p. 34). Yet the EU did not impose an arms embargo on Egypt and EU member states authorized and delivered small arms to Egypt in 2011–13 (see Table 4.7).

**The EU did not impose an arms embargo on Egypt.**

It appears that the United States took a harder line with the Egyptian military following the overthrow of the Morsi government and the use of force by Egyptian security forces in mid-2013. On 3 July 2013, US president Barack Obama urged 'all sides to avoid violence' and initiated a review of US assistance to Egypt, including military aid (US, 2013a). In late August 2013, the White House denied reports that the United States had suspended military aid to Egypt (Klapper, 2013; US, 2013b). Yet in late 2013, the US national security adviser, Susan Rice, stated that in response to the use of force against civilians in July and August, the United States had 'withheld delivery of some major weapons systems pending progress towards democratic reforms and inclusive governance'. She did not comment on whether this also applied to deliveries of small arms and ammunition (Rice, 2013).

The EU reaction to Morsi's ouster and the use of force by Egyptian security forces was muddled. While German chancellor Angela Merkel raised the prospect of imposing an EU arms embargo in response to the Egyptian government's use of force against protestors (Rettman, 2013a), the 28 EU members were divided on this issue (Duquet, 2014, pp. 14–15). These differences were reflected in the conclusions of the Council of the EU's emergency meeting on foreign affairs on 21 August 2013, which failed to reach a consensus on adopting a legally binding arms embargo on Egypt (EU, 2013a). The Council of the EU imposed a politically binding embargo only on the supply to Egypt of 'any equipment which might be used for internal repression', noting that EU member states agreed to 'reassess export licences of equipment covered by Common Position 2008/944/CFSP and review their security assistance with Egypt' (EU, 2013a, para. 8).

The embargo on 'internal repression' equipment leaves considerable room for interpretation in terms of how and for how long it should be applied and the types of equipment to which it applies. To assist with the latter issue, an internal EU guideline was developed for EU member states; it outlined 11 categories of 'internal repression' equipment, including firearms, ammunition, weapons sights, bombs, and grenades (Rettman, 2013b). Similar guidance was provided for sanctions imposed on Belarus in 2011, Côte d'Ivoire in 2010, and Libya in 2011.

Table 4.7 Reported deliveries of small arms to Egypt by known significant exporters, 2011-13\*

Exporters	Egyptian reports to UN Comtrade on values imported (year), USD	Exporter reports to UN Comtrade on values exported (year), USD	Exporter national and regional reports on values exported (year), USD	Exporter reports to the UN Register on small arms exported, units
Czech Republic	14,237,459 (2011-13), including at least 15,246 pistols and revolvers (including parts and accessories) and ammunition	27,011,021 (2011-13), including at least 56,076 pistols and revolvers (including parts and accessories), 9 sporting and hunting rifles or shotguns, and ammunition	4,639,125 (2011-12)	53,329 pistols and revolvers and 7,493 assault rifles (2012-13)
Germany	575,437 (2011-13), including at least 13 pistols and revolvers (including parts and accessories), 1,140 sporting and hunting rifles or shotguns, shotgun cartridges, and ammunition	769,776 (2011-13), including at least 1 pistol or revolver (including parts and accessories), 639 sporting and hunting shotguns (including parts and accessories), shotgun cartridges, and ammunition	–	–
Italy	1,634,018 (2011-13), including at least 4 pistols and revolvers (including parts and accessories), 1,360 sporting and hunting shotguns, and shotgun cartridges	1,120,933 (2011-13), including at least 12 pistols and revolvers (including parts and accessories), 193 sporting and hunting rifles or shotguns (including parts and accessories), and shotgun cartridges	–	–
Slovakia	–	1,858,960 (2011-13), mainly small arms ammunition	758 (2011-12)	1 revolver or pistol (2011) and 2 revolvers or pistols (2012)
South Korea	–	1,604,785 (2011-12), including at least shotgun cartridges and ammunition	–	–
Spain	647,518 (2011; 2013), including shotgun cartridges	296,328 (2012-13), including at least 11 sporting and hunting shotguns, shotgun cartridges, and 24 pistols	935,374 (2011-12), including shotguns and shells	–
Turkey	501,786 (2011-12), including at least 3,702 sporting and hunting rifles or shotguns (including parts and accessories) and parts and accessories of revolvers or pistols	2,835,002 (2011-13), including at least 55 pistols and revolvers (including parts and accessories), 11,812 sporting and hunting rifles or shotguns (including parts and accessories), and shotgun cartridges	–	–

Table 4.7 Continued

Exporters	Egyptian reports to UN Comtrade on values imported (year), USD	Exporter reports to UN Comtrade on values exported (year), USD	Exporter national and regional reports on values exported (year), USD	Exporter reports to the UN Register on small arms exported, units
UK	420 (2012-13), including at least parts and accessories of revolvers or pistols	8,886 (2012), including at least shotgun cartridges	–	94 pistols and revolvers, 150 sporting rifles, 700 rifles and carbines, 200 sniper rifles, 1,900 assault rifles, and 18 heavy machine guns (2012-13)
United States	672,793 (2011-13), including at least 695 pistols and revolvers (including parts and accessories), 1 sporting or hunting rifle, and ammunition	21,522,840 (2011-13), including at least parts and accessories of pistols and revolvers, 4,167 sporting and hunting rifles or shotguns (including parts and accessories), 1,584 military rifles, 5 grenade launchers, and ammunition	1,808,000 (2011), including at least 188 carbines, 47 machine guns, 686 rifles, and cartridges up through .22 calibre	–

Notes: \* Only states that have reported small arms exports to Egypt worth at least USD 500,000 using at least one reporting mechanism during the period under review are included in the table. See Box 4.2 for details on the methodology used in developing the table. Official government information on small arms exports to Egypt in 2011-13 is contained in Annex 4.4.

Sources: EU (n.d.); NISAT (n.d.); SIPRI (n.d.b); UN Comtrade (n.d.); UNODA (n.d.)

The case of Egyptian orders for Czech small arms provides clear evidence that states apply varying interpretations of the politically binding EU arms embargo. In 2013, the Czech arms producer Česká Zbrojovka won a tender to supply 50,000 CZ P-07 Duty pistols to the Egyptian interior ministry (Radio Praha, 2013). The Czech Republic reported to the UN Register the delivery of 50,000 pistols and 5,000 assault rifles in 2013. Austria, Germany, and Poland all reportedly denied permission for the land and sea transit of the 50,000 pistols (Pavel, 2014). In early 2014 it was announced that Czech companies had signed a contract to export 29,000 CZ 75 P-07 Duty pistols and 10 million 9 mm rounds to Egypt's ministry of interior, with Egypt expressing an interest in an additional 50,000 (Pavel, 2014).

In February 2014, the Russian media reported that 'light weapons and ammunition' were included in a USD 3 billion arms deal that was being discussed between the Russian Federation and Egypt and that was to be paid for by Saudi Arabia and the United Arab Emirates (Nikolskii and Khimshiashvili, 2014). There were indications that this option was being explored in light of delays in the delivery of US arms (Mustafa, 2013). This case shows that a government that is subjected to restrictive practices by some of its established small arms suppliers is likely to seek alternative sources of supply.

## Libya

Col. Muammar Qaddafi maintained power and relative stability in Libya for four decades. Yet most of that period was characterized by the country's isolation from the international community, the result of the regime's poor human rights record and support for international terrorist and insurgent groups (Lutterbeck, 2009, p. 511; Mangan and Murtaugh, 2014, p. 7; UNHRC, 2011a, paras. 30-34, 240). Peaceful demonstrations in mid-February 2011, which called

for fundamental reforms, were met with the use of lethal force by security forces in several cities. This sparked an armed revolt against Qaddafi's rule, which, by the end of February 2011, had acquired the characteristics of a civil war (UNHRC, 2011a, paras. 37–39, 244).

Anti-Qaddafi forces in Libya, supported by NATO aircraft, defeated the regime after several months of fighting and Qaddafi was executed on 20 October 2011 (Al Jazeera, 2011a). Despite his demise and the relatively peaceful election of a General National Congress in 2012, Libya has since fragmented into rival regional factions (McQuinn, 2012; UNSC, 2014a, p. 5, paras. 18, 39, 41, 94, 98). The factions are well armed following the looting of Libya's extensive arms stockpiles and arms deliveries that took place during the civil war. From 2011 to 2014, Libya experienced high levels of armed violence and political instability; this situation has had a negative impact on the security and stability of the broader Sahel region (UNSC, 2014a, para. 37).

### **Small arms transfers to Libya, 2001–10**

**Libya's factions are well armed following the looting of extensive arms stockpiles and arms deliveries.** Libya's 2010 national report on the implementation of the UN Programme of Action on small arms stated that 'no weapons are manufactured in the Jamahiriya' (Libya, 2010, p. 2). Yet some reports indicate that the Soviet Union had built, or had almost finished building, a small arms factory in Libya in 1985 (Felgenhauer, 2007; Lenta, 2010). The Russian media reported in February 2010 that a contract had been signed to build a factory and grant a licence to Libya to manufacture Kalashnikov AK-103 assault rifles (Nikolskii, 2010). Nevertheless, Libya relied on imports to meet its small arms procurement needs.

During the cold war, Brazil, France, Italy, and the Soviet Union supplied a significant quantity of small arms and ammunition to Libya.<sup>20</sup> In April 1986 the European Community imposed an arms embargo on Libya in response to the country's support for terrorism, most notably its reported involvement in an attack in Berlin in 1986 (EPCP, 1986; SIPRI, n.d.c). A UN arms embargo was introduced in March 1992, following Libya's lack of cooperation in investigating its connections to terrorist attacks on US and French civilian airliners (UNSC, 1992). Qaddafi's assistance with these investigations in the late 1990s and his cooperation in efforts to combat al-Qaeda following the 11 September 2001 terrorist attacks on the United States, together with his decision to abandon the pursuit of weapons of mass destruction, led to the lifting of the UN arms embargo in 2003 and the EU arms embargo in 2004. This prompted many small arms exporters to explore opportunities to supply Libya with small arms (see Table 4.8 and Annexe 4.4).

During the period 2001–10, Libya reported to UN Comtrade only in 2009 and 2010, noting small arms imported from three countries and valued at USD 83,071 (see Table 4.8a in Annexe 4.4). In contrast, 18 countries reported exporting USD 15 million worth of small arms to Libya during this period. Three countries reported small arms exports to the UN Register in 2009–10. According to UN Comtrade and national reports, the largest exporters of small arms to Libya in 2001–10, by order of importance, were Italy, South Korea, the UK, Austria, and Iran (see Table 4.8 and Annexe 4.4). While Ukraine reported a transfer of 100,000 'assault rifles or sub-machine guns' to Libya in 2006, it did not specify the value of the transfer, as noted in Table 4.8.

Both France and the Russian Federation appear to have delivered small arms to Libya since 2006, although no information was provided to the reporting instruments reviewed for inclusion in Table 4.8. While the Russian Federation has not made public information on small arms deliveries to Libya since 2000, evidence shows that the country exported AK-103-2 assault rifles to Libya between 2007 and 2011 (Jenzen-Jones, 2011a; 2011b). France reportedly delivered 1,000 MILAN-3 anti-tank guided weapons to Libya between 2008 and 2011 (IHS Jane's, 2014, p. 30; SIPRI, n.d.d).

Table 4.8 Reported deliveries of small arms to Libya by known significant exporters, 2001-10\*

Exporters	Libyan reports to UN Comtrade on values imported (year), USD	Exporter reports to UN Comtrade on values exported (year), USD	Exporter national and regional reports on values exported (year), USD	Exporter reports to the UN Register on small arms exported, units
Austria	–	30,520 (2005-06; 2008-10), including at least 25 sporting and hunting rifles or shotguns (including parts and accessories) and parts and accessories of pistols or revolvers	251,602 (2005-10)	–
Iran	–	255,011 (2004), including at least parts and accessories of pistols and revolvers		
Italy	8,743 (2010), including at least 37 sporting and hunting shotguns	11,647,130 (2009-10), including at least 7,500 pistols and revolvers and 3,770 sporting and hunting rifles and shotguns	–	7,500 pistols and revolvers, and 3,706 rifles and carbines (2009)
Serbia	–	7,182 (2005-06), including at least 4 pistols and revolvers and 23 sporting and hunting rifles or shotguns	–	35,000 light machine guns (2009)
South Korea	–	2,596,616 (2009), including at least grenade launchers and shotgun cartridges	–	–
Turkey	–	81,860 (2006; 2010), including at least ammunition	–	–
UK	–	648,486 (2005; 2008; 2010), including at least 4 sporting and hunting rifles or shotguns, shotgun cartridges, and ammunition	–	4 shotguns (2009) and 1 sniper rifle (2010)
Ukraine	–	–	100,000 units of assault rifles or sub-machine guns (2006), value unknown	–

Notes: \* Only states that have reported small arms exports to Libya worth at least USD 50,000 over the period under review using at least one reporting mechanism are included in the table. See Box 4.2 for a detailed explanation of the methodology used in developing the table. Official government information on small arms exports to Libya in 2001-10 is contained in Annexe 4.4.

Sources: EU (n.d.); NISAT (n.d.); SIPRI (n.d.b); UN Comtrade (n.d.); UNODA (n.d.)

### Small arms exporter policies towards Libya, 2011-13

Libya is the only state affected by the 'Arab Spring' to be the subject of UN sanctions, including an arms embargo. On 26 February 2011, all 15 members of the UN Security Council voted in favour of Resolution 1970, which imposed an arms embargo on Libya in response to 'the violence and use of force against civilians' and 'the gross and systematic violation of human rights' (UNSC, 2011a; 2011b). The African Union, League of Arab States, and Organization of the Islamic Conference called upon Security Council members to vote in favour of the resolution and its sanctions (UNSC, 2011a, p. 4). Yet there was no consensus on Resolution 1973, which was adopted a month later with abstentions from Brazil, China, Germany, India, and the Russian Federation (UNSC, 2011c). It authorized UN member states to enforce the arms embargo by inspecting suspicious shipments, including on the high seas (UNSC, 2011d, para. 13). It also authorized member states to 'take all necessary measures [ . . . ] to protect civilians and civilian populated areas under threat of attack', after notifying the Secretary-General (para. 4). Some member states used this language as a justification for delivering small arms and ammunition to non-state armed groups during 2011, but neither the UN Secretary-General nor the UN's Libya Security Council Committee was notified of all such weapons deliveries at that time, as discussed below.

Libya is the only state affected by the 'Arab Spring' to be the subject of UN sanctions.

Indeed, the UN Panel of Experts appointed to monitor the implementation of the sanctions investigated several cases of arms shipments that were delivered to anti-Qaddafi forces during 2011 with the involvement of France and Gulf Cooperation Council states. The Panel did not regard France's delivery of machine guns, rocket-propelled grenades, or anti-tank missiles to non-state actors in the western Nafusa mountains as a violation of the embargo because France had notified the UN Secretary-General of the delivery in accordance with terms of Security Council Resolution 1973 (UNSC, 2012b, paras. 76-78). Russian foreign minister Sergey Lavrov, however, characterized the transaction as a 'flagrant violation of UNSCR resolution 1970' (Russian Federation, 2011a). The Russian Federation and South Africa called for a closed meeting of the UN's Libya sanctions committee to discuss the French delivery; that meeting took place on 7 July 2011 (Lee, 2011; UNSC, 2012a, para. 40). Conversely, the Panel considered re-export of small arms and ammunition to anti-Qaddafi forces from Qatar and the United Arab Emirates, made without the authorization of the original exporting states, to be violations of Resolution 1973 because the deliveries had been carried out without notifying the UN Secretary-General (UNSC, 2012b, paras. 86-102; 2013b, paras. 59-100; 2014a, paras. 56-57).

While noting that officials from the Qaddafi regime also tried to procure arms and ammunition, the Panel of Experts collected 'only limited information relating to potential sanctions violations committed by the Qaddafi government' (UNSC, 2012b, para. 51; 2013b, para. 57). The only specific case discussed in Panel reports refers to meetings that took place in July 2011 between representatives of the Libyan regime and Chinese arms exporters (UNSC, 2012b, paras. 54-56). Yet Chinese government officials have stated that no Chinese companies delivered arms to Libya during the arms embargo (Bromley, Duchâtel, and Holtom, 2013, p. 12).

UN Security Council Resolution 2009 of 16 September 2011, adopted after the insurgents had taken control of most parts of Libya, including Tripoli (SIPRI, n.d.e), changed the terms of the embargo in spite of remaining concerns over the proliferation of arms in the country and permitted transfers of arms 'intended solely for security or disarmament assistance to the Libyan authorities' (UNSC, 2011e, para. 13a). Resolution 2009 requires states to notify the Security Council Committee of their plans to deliver arms or ammunition; the committee then has five days in which to object to the proposed delivery (para. 13a). According to publicly available information, as of February 2014, the Security Council Committee had not objected to any transfer about which it had been notified (UNSC, 2014a, p. 5).<sup>21</sup> For the years 2011-13, UN Comtrade national reports and the UN Register provide information on small arms deliveries to Libya by only four states: Malta, Serbia, Turkey, and the UK (see Table 4.9).

Table 4.9 Reported deliveries of small arms to Libya by known significant exporters, 2011-13\*

Exporters	Libyan reports to UN Comtrade on values imported (year), USD	Exporter reports to UN Comtrade on values exported (year), USD	Exporter national and regional reports on values exported (year), USD	Exporter reports to the UN Register on small arms exported, units
Malta	–	129,623 (2011-13), including at least 12 pistols and revolvers, 52 sporting and hunting shotguns (including parts and accessories), and ammunition	5,084 (2012)	–
Serbia	–	–	–	19,000 revolvers and pistols, 1,500 rifles and carbines, 34,000 assault rifles, 11,000 light machine guns, 3,000 heavy machine guns, and 8,600 under-barrel and hand-held grenade launchers (2012-13)
Turkey	–	14,183,192 (2011-13), including at least 9,504 pistols and revolvers (including parts and accessories), 70,428 sporting and hunting rifles or shotguns, shotgun cartridges, and ammunition	–	9,504 semi-automatic pistols (2012-13)
UK	–	28,231 (2013), including at least 38 pistols and revolvers	–	51 pistols and revolvers, 14 rifles and carbines, and 65 assault rifles (2012-13)

Notes: \* Official government information on small arms exports to Libya during 2011-13 is contained in Annex 4.4. See Box 4.2 for details on the methodology used in developing the table.

Sources: EU (n.d.); NISAT (n.d.); SIPRI (n.d.b); UN Comtrade (n.d.); UNODA (n.d.)

The Libyan government has established a military procurement department in its ministry of defence to centralize and coordinate arms procurement in the post-Qaddafi era (UNSC, 2014a, para. 51). In practice, however, other ministries and unauthorized officials within the ministry of defence continue to procure arms (para. 52). Indeed, only one of seven notifications received by the sanctions committee since June 2013 was signed by a representative of the military procurement department—specifically, for material that included 65,000 assault rifles and 42 million rounds of 7.62 × 39 mm ammunition (para. 53). In November 2013, Greek authorities seized a shipment of ammunition that was en route from Ukraine to Libya without an authorization from the sanctions committee (para. 92). Even if a shipment of arms and ammunition to Libya is authorized by the sanctions committee and military procurement department, the risk of post-delivery diversion is considered high (para. 44). First, overall control of the Libyan national stockpile appears tenuous, which means that the risk of leakage, unauthorized sale, and theft is significant (paras. 44, 46). Second, as armed groups are slowly integrated into the formal security sector, there is a risk that officials will share the delivered materiel with them (para. 45).

## Syria

The Syrian government has kept the country in a 'state of emergency' since 1963, with state security forces accused of serious human rights violations against political opponents throughout this period (UNHRC, 2011b, paras. 14, 16–17, 26). Limited protests in Syria in February 2011 soon evolved into broader demonstrations and demands for President Bashar al-Assad to undertake wide-ranging economic, legal, and political reforms (paras. 27–28). Government security forces responded with lethal force, followed by countrywide military operations. Beginning in late spring 2011, various non-state armed groups were engaging in all-out war with the Syrian military.

By all accounts, both regime and anti-government forces have committed violations of international humanitarian and human rights law, including crimes against humanity (UNHRC, 2014). Independent observers estimate that the number of fatalities between March 2011 and April 2014 exceeded 190,000 (Price, Gohdes, and Ball, 2014, p. 3); as of mid-2014, almost half of the Syrian population had been displaced.<sup>22</sup> The civil war has undermined regional stability and security as non-state armed groups, in particular IS, have fought not only Syrian government forces and each other, but also government forces in neighbouring states, most notably Iraq. In sum, Syria has experienced high levels of armed violence and political instability during 2011–14, with its civil war destabilizing neighbouring countries and the broader region.

### Small arms transfers to Syria, 2001–10

Syria's Industrial Establishment of Defence produces some small arms ammunition (Jenzen-Jones, 2014), but the country relies on imports of small arms and ammunition to meet its needs. There is limited information regarding the



Having been intercepted by Turkey on suspicion of carrying weapons and ammunition to Syria, the Atlantic Cruiser lies at anchor in Iskenderun port, Hatay, Turkey, April 2012.

**Table 4.10 Reported deliveries of small arms to Syria by known significant exporters, 2001-10\***

Exporters	Syrian reports to UN Comtrade on values imported (year), USD	Exporter reports to UN Comtrade on values exported (year), USD	Exporter national and regional reports on values exported (year), USD	Exporter reports to the UN Register on small arms exported, units
Czech Republic	–	120,157 (2001-02), including at least 465 pistols and revolvers	35,412 (2003)	–
Egypt	46,452 (2010), including at least ammunition	2,380,652 (2008-09), including at least 500 military firearms, parts and accessories of military weapons, and ammunition	–	–
Germany	6,444 (2006; 2010), including at least ammunition	116,050 (2002; 2004; 2006; 2008; 2010), including at least 125 pistols and revolvers (including parts and accessories), 77 sporting and hunting rifles (including parts and accessories), and ammunition	–	–
Iran	–	3,013,613 (2004), including at least 964 military firearms, shotgun cartridges and barrels, and parts and accessories of shotguns or rifles	–	–
Turkey	537,833 (2009-10), including at least 1,493 pistols and revolvers	4,547,585 (2003; 2005; 2007-10), including at least 15,116 pistols and revolvers (including parts and accessories) and 51 sporting and hunting rifles	–	10,545 semi-automatic pistols and 2 rifles and carbines (2007-08; 2010)

Notes: \* Only states that have reported on small arms exports worth at least USD 100,000 over the period under review using at least one reporting mechanism are included in the table. See Box 4.2 for details on the methodology used in developing the table. Official government information on small arms exports to Syria during 2001-13 is contained in Annex 4.4.

Sources: EU (n.d.); NISAT (n.d.); SIPRI (n.d.b); UN Comtrade (n.d.); UNODA (n.d.)

volume of small arms exports to Syria in the period preceding the civil war. The United States has maintained an arms embargo on Syria since 1991, in response to reported Syrian support for acts of international terrorism, including the unauthorized re-export of arms to Hezbollah (US, 1991). In the mid- to late 1990s, the Russian Federation supplied Syria with large quantities of AKS-74U and AK-74M assault rifles, 9K111-1 Konkurs and 9K115-2 Metis-M anti-tank guided weapons systems, 9K117 Bastion gun-launched anti-tank guided missiles and guidance equipment, and PG-7VL rounds for RPG-7 and RPG-29 grenade launchers (Aliiev, 2007). However, it reportedly denied Syrian requests for the supply of Igla (SA-18 Grouse) man-portable air defence systems in 2005 and 2007 because of fears that these items

could be diverted to Hezbollah (Lantratov et al., 2007; RIA Novosti, 2007). Syria's options for small arms imports were thus restricted even before the civil war erupted in 2011.

For the period 2001–10, 14 countries reported to UN Comtrade on small arms exports to Syria valued at USD 10,485,611; however, for that same period, Syria only reported on small arms imports received from seven countries in 2006–10 and valued at USD 776,324. Only Turkey has reported to the UN Register on the export of small arms to Syria in 2004–10. The available official data indicates a limited number of significant suppliers—a list headed by Turkey, Iran, and Egypt—during the period 2001–10 (see Table 4.10 on previous page). Neither China nor the Russian Federation provided information on small arms and ammunition exports to Syria during this period, although they are probably significant small arms exporters to the country.<sup>23</sup>

### **Small arms exporter policies towards Syria, 2011–13**

**The emergence of IS has tipped the balance in favour of the supply of arms to non-state armed groups.**

Several regional organizations and exporters listed in Table 4.10 introduced arms embargoes in 2011 in response to the Syrian civil war. The EU imposed an arms embargo on Syria on 9 May 2011, Turkey in November 2011, and the League of Arab States in December 2011 (Al Jazeera, 2011b; EU, 2011; League of Arab States, 2011). There have been repeated calls for a UN arms embargo on Syria and a draft UN Security Council resolution to that effect was circulated in mid-2011 (Lauria and Malas, 2011).<sup>24</sup> Yet, to date, the Russian Federation has blocked all efforts to impose a UN arms embargo on Syria, apparently fearing that UN Security Council resolutions on Syria would lead to a Western-led military intervention and regime change, as it deems occurred in Libya (Allison, 2013, pp. 795–96). In November 2011, Russian foreign minister Sergey Lavrov asserted that non-state armed groups that 'maintain contacts with Western and Arab states' are the source of instability and violence in Syria. He indicated, moreover, that Russian opposition to an arms embargo was rooted in 'the Libya experience, and the behavior of some of our partners', citing French and Qatari arms supplies to anti-Qaddafi forces as violations of the Libyan arms embargo (Russian Federation, 2011b).

Western and Arab countries that oppose the Assad regime have given serious consideration to supplying small arms to non-state armed groups. In early 2013, France and the UK called for the terms of the EU arms embargo to be changed to enable the supply of arms to one such group, the Syrian National Coalition. They justified the policy on two grounds. First, it would send a strong signal to Assad and increase pressure for a negotiated peaceful resolution to the conflict. Second, according to former British foreign secretary William Hague and French foreign minister Laurent Fabius, it would represent a 'necessary, proportionate and lawful response to a situation of extreme human suffering' where 'there is no practicable alternative' (Spiegel, 2013). Some EU member states reportedly opposed this proposal as they feared that the arms could be misused by the Syrian National Coalition forces or diverted to radical Islamic groups (Duquet, 2014, pp. 13–14). During a foreign affairs meeting on 27 May 2013, the Council of the EU renewed the arms embargo on Syria for 12 months but included an exemption for EU member states to supply arms to the Syrian National Coalition 'for the protection of civilians' with 'adequate safeguards against misuse' (EU, 2013b). The UK government's support for this option was weakened in July 2013, when the UK's lower house of parliament voted in favour of the motion that 'no lethal support should be provided to anti-government forces in Syria without the explicit prior consent of Parliament' (UKHC, 2013).

Similar divisions have reportedly occurred within the US government (Landler and Gordon, 2013). The emergence of IS has, however, tipped the balance in favour of the supply of arms to non-state armed groups, in particular those willing to fight IS. In 2013 and 2014, several US congressional committees introduced or considered proposals for the provision of non-lethal and lethal military assistance to the Syrian National Coalition (Blanchard, Humud, and Nikitin,

2014, pp. 29–31). In June 2014, the fiscal year 2015 Overseas Contingency Operations funds included a request for USD 500 million for a ‘train and equip’ programme for 5,000 ‘appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals’ to defend the Syrian people against attacks from IS and the Syrian regime; protect the United States, its friends, allies, and the people of Syria from threats posed by terrorists in Syria; and promote the conditions for a negotiated settlement to the end of the Syrian conflict (US, 2014b, p. 56). Media and research reports indicate that Arab countries have facilitated and arranged the supply of arms and ammunition to non-state armed groups in Syria (Chivers and Schmitt, 2013; Holtom, Pavesi, and Rigual, 2014, p. 126; Schroeder, 2014, pp. 9–11), but at the time of writing there was no reliable overview of small arms flows to non-state armed groups in Syria.

Due to the fact that most of Syria’s main small arms suppliers are among the least transparent exporters, it is very difficult to chart the impact of the conflict on small arms flows to the Syrian government.<sup>25</sup> Germany and Switzerland provided information to UN Comtrade on limited quantities of small arms exports to Syria in 2011. Turkey reported to Comtrade on the export of 1,016 pistols and revolvers in 2011 and 24,760 sporting and hunting rifles and shotguns in 2013 for a total value of USD 1,918,265 (see Annexe 4.4). Ukraine’s national report listed the delivery of 4,000 assault rifles in 2011 (Ukraine, 2012). Open-source information also indicates that Iran, North Korea, and the Russian Federation have sought to supply the Syrian government with small arms (Spencer, Blomfield, and Millward, 2012; UNSC, 2012c; 2014b). Although Russian president Vladimir Putin stated in mid-2012 that ‘Russia is not supplying arms that could be used in civil conflicts’ (RIA Novosti, 2012), the Russian Federation has maintained Syrian weaponry that has been used in the internal conflict and remains an important supplier of small arms

### Box 4.3 Arming the peshmerga in Iraq

In mid-2014, several Western governments decided to provide small arms and ammunition to the Kurdish Regional Government in Iraq, in particular for the Kurdish peshmerga, to respond to the threat posed by IS to regional security and their own nationals working in the region. In early August 2014, the United States had begun to provide the peshmerga with arms and equipment directly and openly, in cooperation with the government of Iraq (Khalilzad, 2014; US, 2014c). The United States also reportedly encouraged European states to supply arms and ammunition to the peshmerga in mid-2014 (Ryan, Hosenball, and Scheer, 2014). On 11 August 2014, French foreign minister Laurent Fabius called for a special meeting of the EU Council of Foreign Ministers to discuss IS and arming the peshmerga (AFP, 2014a). The formal conclusions of the resulting Council meeting, which was held four days later, encouraged individual EU member states to respond ‘positively to the call by the Kurdish regional authorities to provide urgently military material’ and noted that the supply of arms ‘will be done according to the capabilities and national laws of the Member States, and with the consent of the Iraqi national authorities’ (EU, 2014b). Several European states pledged or began to provide small arms and ammunition to the peshmerga in August and September 2014 (see Table 4.11).<sup>26</sup>

Despite the threats posed by IS, the supply of arms to the peshmerga presents clear risks of misuse and diversion. The Kurdistan Security Forces have, for example, been accused of arbitrary arrest and torture (HRW, 2007). As outlined in the opening paragraph of this chapter, diversion risks are also a concern given the challenges of delivering the arms and of ensuring that supplied materiel is not deliberately retransferred to unauthorized end users or lost as a result of poor stockpile management. To mitigate some of these risks, Germany stationed six Bundeswehr officers in Erbil to monitor the German arms provided to the peshmerga, with provisions for the marking and recording of all small arms provided to them (Pöhle, 2014).



Footage released by IS allegedly shows small arms and ammunition dropped by the United States and intercepted by IS, in Kobani, Syria, October 2014. © A3Maq News/YouTube

**Table 4.11 Small arms and ammunition pledged or delivered to peshmerga, August–September 2014**

Exporter	Pledged materiel	Declared value
Albania	22 million 7.62 x 39 mm cartridges, 15,000 hand grenades, 15,000 60 mm mortar shells, 12,000 82 mm mortar shells, 20,000 grenades for 40 mm under-barrel grenade launchers	n/a
Bulgaria	1,800 firearms and 6 million rounds of ammunition	USD 3.7 million (BGN 6 million)
Croatia	Undisclosed small arms and ammunition	n/a
Czech Republic	10 million 7.62 x 39 mm cartridges, 8 million 7.62 x 54R mm cartridges, 5,000 RPG-7 rounds, and 5,000 hand grenades	USD 2 million (CZK 41 million)
Estonia	1 million rounds of 7.62 x 39 mm ammunition	n/a
France	Browning M2 heavy machine guns and undisclosed arms and ammunition	n/a
Germany	8,000 G3 rifles and 2 million rounds of 7.62 x 51 mm ammunition, 8,000 G36 assault rifles and 4 million rounds of 5.56 x 45 mm ammunition, 40 MG3 general purpose machine guns and 1 million rounds of 7.61 x 51 mm ammunition, 8,000 P1 pistols and 1 million rounds of 9 x 19 mm ammunition, 30 MILAN anti-tank guided weapons and 500 guided missiles, 200 shoulder-fired Panzerfaust 3 rocket-assisted recoilless guns and 2,500 rockets, 40 Carl Gustaf recoilless guns and 1,000 projectiles, 100 flare guns and 4,000 rounds, and 10,000 hand grenades	USD 91 million (EUR 70 million)
Hungary	7 million cartridges and thousands of mines and armour-piercing shells	n/a
Iran	Undisclosed arms and ammunition	n/a
Italy	100 MG 42/59 general purpose machine guns and 250,000 ammunition rounds, 100 12.7 mm machine guns and 250,000 ammunition rounds, 1,000 RPG-7 grenades, 1,000 RPG-9 grenades, and 400,000 ammunition rounds for 'Soviet-made machine guns'	USD 2.5 million (EUR 1.9 million)
UK	40 Browning M2 heavy machine guns and nearly half a million rounds of ammunition	USD 2.6 million (GBP 1.6 million)
United States	Undisclosed arms and ammunition	n/a

Note: n/a = not available.

Sources: AFP (2014b; 2014c; 2014d); Albania (2014); B92.net (2014); Italy (2014, p. 13); Jones (2014); Kimball (2014); Kominek (2014); Novinite (2014); Payne (2014); UKMoD (2014); author correspondence with a small arms expert, September 2014

to the country (Holtom et al., 2013, pp. 269–70; Human Rights First, 2013). In addition, China and Iran are known to have supplied ammunition to Syrian government forces since 2011 (Jenzen-Jones, 2014).

Several EU member states, Turkey, and the United States have sought to disrupt the flow of arms from Iran, North Korea, and the Russian Federation to the Syrian government via the enforcement of transit controls and controls on the use of their flagged vessels. The United States has applied pressure on Syria's neighbours to interdict shipments heading to Syria from Iran that violate UN sanctions on Iran (Omanovic, 2013, pp. 10–11). Turkey has interdicted aircraft and ships from Iran and North Korea in an effort to prevent the supply of arms to Syria. In March 2011, for example, Turkish authorities intercepted a Yas Air (Iranian cargo airline) flight that was heading from Iran to Syria and seized assault rifles, machine guns, ammunition, and mortar shells (UNSC, 2012c, para. 37). In August 2013, Turkey reportedly found 30,000 rounds of ammunition and 1,400 pistols and rifles on a vessel travelling from North Korea to Syria (Cain, 2013).

For the UK, even the provision of insurance by UK companies to vessels shipping arms to Syria constitutes a breach of the EU arms embargo on Syria. This position caused a UK company to withdraw insurance from the MV *Alaed* as it was transporting munitions from the Russian Federation to Syria (Spencer, Blomfield, and Millward, 2012). The vessel was quickly reflagged with a Russian flag, which was largely seen as a protective measure, and reportedly delivered an arms shipment to Syria (Clover, 2012).

## TRANSPARENCY ON SMALL ARMS TRANSFERS: REGIONAL REPORTING INSTRUMENTS

Transparency helps build trust among exporters and importers of small arms. The timely provision of information on small arms transfer authorizations and deliveries also facilitates accountability and oversight of arms transfer decisions. In particular, openness on small arms transfers enables parliamentarians, civil society, and the broader public to check whether a government is complying with its national and international obligations concerning the international arms trade.

Since 2004, the *Small Arms Survey* has featured the Small Arms Trade Transparency Barometer, a tool designed to assess countries' transparency in reporting on their small arms exports. The Barometer examines countries that claim—or are believed—to have exported USD 10 million or more worth of small arms, including their parts, accessories, and ammunition, during at least one calendar year since 2001. The assessment relies on national arms export reports,<sup>27</sup> the UN Register, and UN Comtrade. The Barometer will be presented in the next edition of the *Survey* using new scoring rules that reflect important recent changes to arms trade reporting, including reporting under the Arms Trade Treaty. The revision will also take account of regional reporting instruments, a subject explored in further detail below.

Several regional reporting instruments include information provided by states on their small arms transfers. Reports that are publicly available cover authorizations, and in some cases deliveries, of all conventional arms, while information specific to small arms is currently exchanged only among governments that are part of a regional arrangement.<sup>28</sup> This section first introduces the two publicly available regional reports on arms transfers: the EU Annual Report on arms exports and the regional report on arms exports for South-east Europe. The second part describes two regional instruments that are utilized for exchanging information on small arms transfers: the *Document on Small Arms and Light Weapons* of the Organization for Security and Cooperation in Europe (OSCE) and the Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials of the Economic Community of West African States (ECOWAS) (OSCE, 2000; ECOWAS, 2006).

### Publicly available regional reports on arms transfers

The **EU Annual Report on arms exports** contains data provided by EU member states on the financial value of their arms export licence approvals and actual arms exports for the preceding calendar year, broken down by destination and the 22 categories of the EU Common Military List. EU member states also provide information on arms export licence denials, although the report aggregates this data by potential recipient and Military List category, with no information provided on states that deny a licence. Categories 1 and 3 of the EU Common Military List cover small arms and ammunition, respectively; light weapons and associated ammunition are included in categories 2 and 4, which also include larger-calibre items, such as artillery pieces (EU, 2014c). The first EU Annual Report on arms exports was produced in 1999. The EU's common position establishing common rules governing the control of exports of military technology and equipment make both the provision of information for the report and its publication legally binding (EU, 2008).

Transparency helps build trust among exporters and importers of small arms.

All EU member states provided information on the financial value of their arms export authorizations for 2013.<sup>29</sup> Nineteen of the EU's 28 member states provided disaggregated information on arms deliveries in 2013.<sup>30</sup> However, the three largest arms exporters in the EU—France, Germany, and the United Kingdom—do not provide such information due to difficulties each faces in collecting and submitting data on arms deliveries disaggregated by EU Common Military List categories. In April 2008, EU member states agreed not only to share information on brokering licence authorizations and denials, but also to provide this information in the EU Annual Report on arms exports (EU, 2009). Sixteen EU member states provided such information for 2013, including data on the relevant destination, country of origin, financial value or quantity of items, and EU Common Military List category.<sup>31</sup>

The **South-east Europe Regional Report on Arms Exports** is based on the EU Annual Report, with data on licences authorized or denied and deliveries provided by Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, and Serbia (SEESAC, n.d.). The production of a regional report was motivated, above all, by the desire to demonstrate the 'ability and willingness by the countries in the region to uphold the commitments associated with the Council Common Position 2008/944/CFSP' (SEESAC, n.d.). The South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms (SEESAC) coordinates the compilation and publication of the reports. The first report was produced in December 2009, covering licences authorized or denied for the calendar year 2007 (Bromley, 2011; SEESAC, 2009). Data on deliveries was included from the second report onwards. At the time of writing, the published reports contained information on arms export authorizations and deliveries undertaken in 2007–11. The information contained in the annual reports is also presented in the form of a searchable database on the SEESAC website (SEESAC, n.d.).

### Intergovernmental small arms transfer regional reporting instruments

The *OSCE Document on Small Arms and Light Weapons* outlines the rationale, purpose, and procedures of an annual intergovernmental exchange of information on small arms and light weapons transferred between OSCE states (OSCE, 2000). The 57 OSCE participating states provide information only on transfers among themselves, not on exports to or imports from non-OSCE members. A standardized reporting form that is annexed to the *Document* requests information on deliveries of five subcategories of small arms and eight subcategories of light weapons for the preceding calendar year, including the exporting or importing state, the number of items, the state of origin (if not the exporter), any intermediate location,<sup>32</sup> and any additional information that the reporting state wishes to provide (OSCE, 2000). The first information exchange took place in 2002 and data on transfers was submitted as of the following year. While the total number of states that participate in the exchange each year is made publicly available (see Table 4.12), the OSCE does not release details on which states participate or on the information they share.<sup>33</sup>

**Table 4.12 OSCE member participation in information exchange on imports and exports of small arms and light weapons**

Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Number of OSCE states exchanging information (out of all participating states)	45 (55)	47 (55)	50 (55)	48 (55)	46 (55)	42 (56)	48 (56)	48 (56)	48 (56)	44 (56)	40 (56)	46 (57)

Source: author correspondence with an OSCE official, 7 January 2015

In June 2014, the OSCE adopted ‘Voluntary Guidelines for Compiling National Reports on [small arms and light weapons] exports from/imports to other participating States during the previous calendar year’ in order to ‘improve the utility and relevance of the information provided’ (OSCE, 2014a). In particular, the guidelines are intended to reduce, or at least help clarify, the significant discrepancies arising between information provided by exporters and importers. The guidelines recommend that states share the methodologies used to compile their information on small arms imports and exports and include a ‘standardized cover sheet for submissions on [small arms and light weapons] exports and imports’ (OSCE, 2014b). The guidelines further urge OSCE participating states to:

- provide descriptions of small arms and light weapons being transferred;
- make wider use of the OSCE small arms and light weapons reporting template;
- provide information on sources used for collecting data;
- provide information on the types of transfers and related end users; and
- carry out bilateral consultations with states from which small arms have been imported or to which they were exported in the preceding year on the contents of the OSCE submissions.

The **ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials** was signed by the 15 ECOWAS heads of state and government in Abuja on 14 June 2006 and entered into force on 29 September 2009 (UNREC, 2009). Article 10 of the ECOWAS Convention obliges states parties to provide an annual report on their orders or purchases of small arms to the ECOWAS Executive Secretariat. The Executive Secretary is required to present an annual report on these transactions at the summit of heads of state and government and to develop a subregional database and register of small arms. As of February 2015, ECOWAS had not yet established the database or register, although the ECOWAS Commission reported plans to convene an expert meeting in 2015 to determine how to proceed with their establishment. It indicated that the implementation of the ECOWAS Convention’s transparency provisions were ‘immediate priorities’ for the Commission.<sup>34</sup> It is not yet known whether the resulting information will be made publicly available or remain confidential.

## CONCLUSION

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This year’s trade update chapter reviews significant trends in authorized international small arms transfers since 2001, with a particular focus on the MENA region, before and after the Arab uprisings. In preparation for a revision of the Small Arms Trade Transparency Barometer, to be presented in the 2016 edition of the *Survey*, the chapter also considers the contribution made by regional reporting instruments to overall trade transparency.

With respect to the latter issue, the final section of the chapter highlights that current regional reporting practices are something of a patchwork. The information exchange on small arms transfers undertaken by OSCE participating states remains confidential (restricted to governments) for the time being. In contrast, EU countries and states in South-eastern Europe make publicly available annual reports on export authorizations and on some deliveries of conventional arms. These latter efforts contribute towards greater transparency—as will be reflected in the 2016 edition of the Transparency Barometer.

The first section of the chapter, presenting multi-year trends in the authorized trade, shows that the United States continues to dominate the global small arms market. The country was both the largest exporter and importer of small arms between 2001 and 2012—by a large margin in the case of imports. The top and major exporters that saw the



A box of MA-15 rifle lower receivers sits on the production floor at MMC Armory, United States, June 2013. © Daniel Acker/Bloomberg/Getty Images

greatest increases in their small arms exports during the same period were China (with a 1,456 per cent increase), Norway (777 per cent), South Korea (636 per cent), Turkey (467 per cent), and Brazil (295 per cent). The top and major importers that experienced the greatest increase in their small arms imports between 2001 and 2012 were Indonesia (with an 8,602 per cent increase), Pakistan (3,789 per cent), Thailand (558 per cent), Canada (332 per cent), and Egypt (267 per cent), revealing new trade patterns that, in some cases, involved countries that were suffering from high rates of armed violence and political instability.

The bulk of the chapter examines and compares the small arms policies and flows from significant arms exporters to Egypt, Libya, and Syria in 2001–10 and 2011–14, illustrating some of the ways in which these countries responded to increased levels of armed violence, armed conflict, and political instability in MENA during and after the ‘Arab Spring’. Somewhat surprisingly, perhaps, with some exceptions, the Arab uprisings do not appear to have led to significant changes in the policies or practices of important small arms exporters to the region. Political instability and increased levels of armed violence in Egypt and Syria did not produce consensus among small arms exporters on the need for a UN arms embargo. While there was such a consensus in the case of Libya, the resulting UN arms embargo was amended after the overthrow of Qaddafi for purposes of re-equipping the new government’s security forces with small arms—notwithstanding significant associated risks of diversion and misuse.

A similar dilemma arose with respect to the authorized transfer of small arms to non-state armed groups in MENA. While the issue divided some governments, the emergence of IS tipped the balance in favour of such transfers in the eyes of many important exporters. As described in the chapter, however, arms shipments such as the ones delivered to the Kurdish peshmerga also present heightened risks of diversion and potential misuse. It will be interesting to see whether countries that have exported small arms to non-state armed groups, including the peshmerga, will include this information in their Arms Trade Treaty reports, which do not restrict the information states parties are to provide to transfers between states.<sup>35</sup> In any case, neither the prospect of the adoption and entry into force of the Arms Trade Treaty, nor pre-existing control instruments, nor national legislation or policy appear to have led small arms exporters to exercise much restraint vis-à-vis the turbulence of the Middle East and North Africa. ■

## LIST OF ABBREVIATIONS

ECOWAS	Economic Community of West African States
EU	European Union
IS	Islamic State
MENA	Middle East and North Africa
NISAT	Norwegian Initiative on Small Arms Transfers
OSCE	Organization for Security and Co-operation in Europe
SEESAC	South Eastern and Eastern Europe Clearinghouse for the Control of the Small Arms and Light Weapons
UN Comtrade	United Nations Commodity Trade Statistics Database
UN Register	United Nation Register of Conventional Arms

## ANNEXES

Online annexes at <<http://www.smallarmssurvey.org/publications/by-type/yearbook/small-arms-survey-2015.html>>

Annexe 4.1. Annual authorized small arms and light weapons exports for major exporters (annual exports of at least USD 10 million), 2012

Annexe 4.2. Annual authorized small arms and light weapons imports for major importers (annual imports of at least USD 10 million), 2012

Annexe 4.3 Importers (excluding the United States) and main recipients of shipments from the largest exporters, 2001–12

Annexe 4.4 Authorized transfers of small arms and light weapons to Egypt, Libya, and Syria, 2001–13

## ENDNOTES

- 1 The *Small Arms Survey* relies on the analysis of customs data provided by the Norwegian Initiative on Small Arms Transfers (NISAT) project at the Peace Research Institute Oslo. NISAT considers countries' self-reported exports as well as 'mirror data'—reported imports by destination countries—to generate a single value by transaction; see Marsh (2005). Figures may vary depending on the period of consultation of the UN Comtrade database as countries can revise their submissions to UN Comtrade (see Dreyfus et al., 2009, p. 54, n. 10). Data for this chapter was downloaded between September 2014 and February 2015. For brief definitions of the terms 'authorized transfers' and 'small arms', along with a discussion of the strengths and weaknesses of UN Comtrade as a source of information on the global small arms trade, see Dreyfus et al. (2009, pp. 28–31); Grzybowski, Marsh, and Schroeder (2012, pp. 247–51); Holtom, Pavesi, and Rigual (2014, pp. 110–11). On the challenges of monitoring small arms transfers to MENA, see Box 4.1 in this chapter.
- 2 See Annexe 4.1 for details on values exported, main partners, and categories reported by top and major exporters for 2012.
- 3 See Annexe 4.2 for details on values imported, main partners, and categories reported by top and major importers for 2012.
- 4 Customs (Comtrade) data used by the Barometer to evaluate exporter transparency is derived not only from exporter submissions, but also from 'mirror' data provided by importing states, weakening, at least in some cases, the tie between Barometer score and the amount of information provided by the state receiving that score. It is also important to note that the Barometer assesses the availability, quantity, and level of detail of exporter information, not its veracity. Finally, the Barometer assesses only countries that are known, or believed, to have exported at least USD 10 million worth of small arms in one or more years since 2001, thus omitting a portion of the global small arms trade. See Lazarevic (2010, pp. 11–24).
- 5 Although not a UN member, Taiwan can issue a national report on its international small arms transfers. The Small Arms Survey estimates Taiwan's small arms exports using UN Comtrade mirror data—reported imports by destination countries—as compiled by NISAT.
- 6 Note that changes in reported values transferred can be caused by an actual change in small arms transfer flows or by a change in reporting practices (increased or decreased transparency). China's level of transparency has remained within the range of 6.25–12.25 since 2001, but the country has seen the largest increase in reported transfers over the past decade. Given the country's unchanged level of transparency, this reported increase may well reflect an actual surge in exports.
- 7 A graph presenting the same figures, but excluding the United States, is provided in Annexe 4.3 (see Figure 4.2a).

- 8 These countries were among the annual top five importers of US small arms at least five times between 2001 and 2012.
- 9 See Annexe 4.3 for more information on the main recipients of small arms from the five largest exporters in 2001–12. These top exporters are, in descending order, the United States, Italy, Germany, Brazil, and Austria. Figures 4.3 to 4.7 in Annexe 4.3 reveal that Austria, Brazil, Germany, and Italy all had the same main recipient for their small arms exports: the United States.
- 10 For purposes of this chapter, the Middle East and North Africa region includes Algeria, Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, the Palestinian Territories, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, and Yemen.
- 11 The Small Arms Survey has conducted research into the proliferation of small arms to armed groups in the region. Selected sources that discuss this phenomenon include Holtom, Pavesi, and Rigual (2014, pp. 117–28); Jenzen-Jones (2013; 2014); Kartas (2013); Rigual (2014); Schroeder (2014). AI (2011); Duquet (2014); European Parliament (2012); Vranckx, Slijper, and Isbister (2011).
- 12 Boxes 4.1 and 4.2 provide details on the sources and methodology for this section. Annexe 4.4 features official data on small arms exports to Egypt, Libya, and Syria for 2001–13.
- 14 The 39 states are Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, the former Yugoslav Republic of Macedonia, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Ukraine, the United Kingdom, and the United States.
- 15 Egypt provided information on its imports and exports of major conventional weapons to the UN Register in its first year of operation (1993) but stressed that its continuing participation in the instrument would depend on the expansion of the UN Register to include weapons of mass destruction (UNGA, 1993, p. 33). It has provided no information to the Register since 1993.
- 16 See Table 4.6 and Annexe 4.4. Boxes 4.1 and 4.2 provide further information on sources and methodology.
- 17 All data from the EU report has been converted into US dollars.
- 18 Among the 13 countries was the Russian Federation, which reported the export of 98 man-portable air defence systems to Egypt in 2009 under category VII of the UN Register. The Russian Federation has not provided background information on small arms exports to the UN Register.
- 19 Sections 517 and 644(q) of the US Foreign Assistance Act of 1961 outline the conditions under which the United States designates states non-NATO allies. Egypt was granted the status of major non-NATO ally in 1989, as a result of which it receives US military aid for the purchase or lease of military equipment. Between 1987 and 2014, the United States provided around USD 1.3 billion per year in military aid to Egypt (Sharp, 2014). Small arms and ammunition represent only a very small share of the overall value of US military aid to Egypt.
- 20 Lutterbeck (2009, p. 510); NISAT (n.d.); SIPRI (n.d.d); UN Comtrade (n.d.).
- 21 The UN Security Council Committee concerning Libya reported that it received 4 notifications invoking paragraph 13a in 2011 (UNSC, 2012a, para. 25), 53 in 2012 (UNSC, 2013a, para. 29), 20 in 2013 (UNSC, 2013c, para. 31), and 2 in 2014 (UNSC, 2014c, para. 22), none of which received negative decisions. It received two further notifications that did not meet the necessary requirements for a notification in 2013 (UNSC, 2013c, para. 31), and four in 2014 (UNSC, 2014c, para. 22). In these cases, the committee requested further specifications from the notifying member states. It confirmed that the four 2014 incomplete notifications were subsequently completed by the notifying states and that no negative decisions were taken by the committee (UNSC, 2014c, para. 22).
- 22 Syria had a population of 22 million before the civil war. According to data analysed in April 2014, three million Syrians are refugees in neighbouring states, while a further 6.5 million are internally displaced (Blanchard, Humud, and Nikitin, 2014, p. 3).
- 23 In relation to China, see Grimmett and Kerr (2012) and Jenzen-Jones (2014).
- 24 For example, the UN Human Rights Council independent international commission of inquiry on Syria recommended in August 2014 ‘that the international community impose an arms embargo’ on Syria (UNHRC, 2014, para. 146(a)).
- 25 For example, China scored 7.00 (out of a maximum of 25 points), Iran 0.00, North Korea 0.00, the Russian Federation 10.25, and Ukraine 8.00 in the Small Arms Trade Transparency Barometer 2014 (Holtom, Pavesi, and Rigual, 2014, p. 130).
- 26 Australia, Canada, France, the UK, and the United States airlifted small arms and ammunition provided by other states to northern Iraq during these months (Payne, 2014).
- 27 These reports include information EU states have contributed to the EU Annual Report on military exports, produced pursuant to EU Council Common Position 2008/944/CFSP on the control of exports of military technology and equipment by EU states.
- 28 This section does not include the Inter-American Convention on Transparency in Conventional Weapons Acquisition because it does not currently require states parties to provide information on small arms transfers even though it obliges them to provide an annual report on imports of items falling within the seven categories of the UN Register (OAS, 1999). Nor does this section discuss the confidential reporting mechanism of the Wassenaar Arrangement, a multilateral—rather than regional—export control regime (Wassenaar Arrangement, n.d.).

- 29 Author correspondence with an EU official, 6 January 2015.
- 30 Author correspondence with an EU official, 6 January 2015.
- 31 Author correspondence with an EU official, 6 January 2015.
- 32 The OSCE does not provide guidance on ‘intermediate location’; however, UN guidance explains that states can use the ‘intermediate location’ column in the UN Register reporting form to identify a state where materiel is integrated into or installed on another item—such as missiles on combat aircraft—before export to the end user (UNODA, 2007, p. 13).
- 33 Spain unilaterally makes its OSCE submission publicly available by including a copy in its national report on arms exports (Spain, 2014).
- 34 Author correspondence with the ECOWAS Commission, 11 February 2015.
- 35 By contrast, according to the 2013 report of the Group of Governmental Experts on the UN Register, the latter does not apply to ‘transfers to and holdings of arms by non-State actors’ (UNGA, 2013a, para. 62).

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## ACKNOWLEDGEMENTS

### Principal authors

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