



**PARLIAMENTARY FORUM**  
ON SMALL ARMS AND LIGHT WEAPONS

## **Policy Statement on Transparency in the State and the Secrecy Related to Weapons and Defence**

Board of the Parliamentary Forum on Small Arms and Light Weapons, meeting in Berlin, Germany on the 30<sup>th</sup> of November 2013

Government openness is one of the cornerstones of well-functioning democracies. It is therefore essential to provide parliamentarians with relevant data to be able to provide oversight of government actions and to hold it accountable. The United Nations has stressed that transparency and accountability are required to achieve optimal results, maximizing efficiency and reducing corruption.<sup>1</sup> Although this is widely accepted within democratic countries, there is an exception to the rule, namely national security. In defence and security establishments, secrecy is the norm, which keeps actions in this sphere of the government more or less out of sight for parliamentarians.

The security and defence sectors have been one of the least open sectors of government. For example, their audits and the defence budgeting process are often concealed from the wider population as well as from parliamentarians. When it comes to arms transfers, both governments and arms producers have incentives to retain high levels of secrecy; offering buyers anonymity while keeping government operations concealed. Since the state is first and foremost responsible for the security of its citizens and protecting its borders against foreign attacks, it is argued that an exception for national security is necessary. However, developments in information technology increasingly undermine the national security exception and the need for secrecy because more and more information can be found in open sources.

Secrecy thus comes at a price. A lack of transparency leads to a lack of governmental accountability, which makes the defence sector and the international arms trade particularly vulnerable to the abuse of corruption. Corruption reduces the operational effectiveness of the armed forces and security

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<sup>1</sup> Strengthening the UN. Retrieved July 23, 2013, from <http://www.un.org/en/strengtheningtheun/accountability>

services, and reduces public trust in them. Without sufficient control of arms transfers, other interests are put before security and quality, putting soldiers' lives at risk. Not only does corruption in the defence and security sector harm defence institutions – it hurts countries' economic and social development, weakens governments through a lack of integrity, reduces the public's trust in the authorities, and debilitates peacekeeping operations. Transparency International estimates that at least US\$ 20 billion is lost to corruption in the sector every year.<sup>2</sup>

It has been argued that transparency in arms transfers hurts arms producing countries as some potential markets might be sensitive to being exposed. However, studies have shown this assumption to be incorrect; there is no correlation between the degree of transparency and the production of weapons.<sup>3</sup> Instead, a lack of transparency and control due to high levels of secrecy surrounding arms transfers leads to leakages into the illicit trade through theft or corruption and puts arms in the hands of insurgents, guerrilla groups, gang members, pirates and terrorists. This is especially relevant when it comes to SALW. The illicit circulation of SALW and their ammunition destabilises communities and impacts security and development in all regions of the world.

Publishing data on the production transfer of arms, stockpiling and defence budgets is a sensitive issue for many states. However, transparency comes with clear advantages. Publicly accessible data on arms transfers is crucial for assessing states' arms export and arms procurement policies, and helps determine if an excessive or destabilizing accumulation of arms is taking place. Furthermore, when states behave in a predictable and transparent way, the exchange of information between states builds confidence and enhances cooperation. Publishing data also strengthens the defence sector by reducing corruption, by encouraging restraint in the transfer or production of arms and can contribute to preventive diplomacy. Transparency can thus limit the exaggeration of threats, misinterpretations and miscalculations that can lead to arms races and armed conflict can be avoided.

To ensure openness from as many countries as possible, well-functioning international rules and standards are needed. The UN Register of Conventional Arms (UNROCA) was established for such purposes. Since its inception in 1991, the UN Register has received reports from more than 170 States. UNROCA is an important tool, giving practical significance to the concept of 'transparency in armaments'. Despite the high level of participation in UNROCA in the early 2000s, participation has dropped significantly in recent years. In particular, opportunities to expand the scope of UNROCA to include reporting on transfers of SALW as an 8th category have not been seized.

The Arms Trade Treaty (ATT), which was adopted by the General Assembly on the 2 of April 2013, is a multilateral, legally-binding agreement that establishes common standards for the international trade of conventional weapons, including SALW, and seeks to reduce the illicit arms trade. The treaty

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<sup>2</sup> Transparency International. Retrieved August 2, 2013, from [http://transparency.org/topic/detail/defence\\_security](http://transparency.org/topic/detail/defence_security)

<sup>3</sup> Shining a Light on Small Arms Export: The Record of State Transparency, *Occasional Paper NO.4*, NISAT

aims to promote accountability and transparency by state parties concerning transfers of conventional arms, by requiring annual reporting of imports and exports to a treaty secretariat. The ATT should also provide parliamentarians with instruments for carrying out their roles as supervisors, giving them more control over the defence and security sector, including SALW production and transfers, in their respective countries. At the same time, parliamentarians themselves should become active and assure that the ATT is ratified by their home countries.

A transparent and detailed defence budget and an open record of arms transfers that are readily available are fundamental for parliamentarians when reviewing government approved military spending and arms exports and imports, and this process will be facilitated by the ratification of the ATT. In their role as representatives, legislators and supervisors, parliamentarians could play an important role in assisting governments in the formulation and then monitoring of national SALW control policies. This includes establishing national SALW legislative framework, taking part in formulating national SALW control policy, overseeing SALW control implementation and ensuring that the government honours and implements commitments made on issues concerning weapons and defence. The more transparency of the defence and security sector, the easier it will be for parliamentarians to take action and carry out their duties.

Many parliaments are working on improving the parliamentary oversight on SALW transfers. In the United Kingdom, four parliamentary committees on arms export controls work together to examine the government's expenditure, administration and policy on arms exports. In Sweden, a parliamentary committee is investigating the future of arms export control, with the main purpose of proposing new legislation to increase export controls to non-democratic states. In Spain, parliamentary oversight increased with new legislation accepted in 2007. This enhanced the transparency in arms exports, providing parliamentarians with information on a six month basis semi-annually as well as the option to evaluate and give recommendations to the government.

### *Objectives*

**The Board of the Parliamentary Forum on Small Arms and Light Weapons, meeting in Berlin, Germany on the 30<sup>th</sup> of November 2013;**

*Recognizes* the link between transparency and accountability, as well as the link between secrecy and corruption;

*Acknowledges* that the role of the state is to ensure security for all citizens, and that transparency in defence and security sectors is therefore a sensitive issue;

*Underscores* the importance of government transparency for parliamentarians to carry out their oversight role, holding their governments accountable for their actions;

*Draws attention to* the risks of corruption within the defence sector and arms production and transfers, brought by the secrecy that surrounds these establishments, and the devastating effects that corruption has both within states and in the relations between states;

*Recognises* that the link between secrecy and corruption is especially relevant when it comes to SALW;

*Also recognises* that with high levels of secrecy with little or no parliamentary insight, the risk of SALW being diverted into the illicit market through theft or corruption can lead to SALW reaching the hands of insurgents, guerilla groups, gang members, pirates and terrorists or other unlicensed people;

*Takes note* of the advantages of transparency in SALW transfers and defence budgets – building confidence between states enhancing cooperation, contributing to preventive diplomacy, reducing corruption, helping to determine excessive accumulations of arms, limiting the exaggeration of threats and misinterpretations that can lead to arms races – which means that armed conflict can be avoided;

*Supports* efforts on the regional level to pursue common standards on the regulation of transparency in defence and security establishments, including SALW production and transfers;

*Acknowledges* that well-functioning international rules and standards regarding SALW are needed to ensure openness, and therefore welcomes the adoption of the Arms Trade Treaty, which will extend parliamentary supervision of governmental actions in the defence and security sectors;

*Welcomes* the initiatives of those parliaments who have taken steps towards more rigorous parliamentary control and oversight;

*Mandates* the Forum, its Members and the Secretariat to undertake all necessary activities – principally capacity-building, awareness-raising and advocacy – to ensure that the Forum can, in a knowledgeable and determined fashion, voice its support for the ratification of the Arms Trade Treaty.