

EVOLUTION OF U.S. POLICY ON SMALL ARMS

The following is a compilation of speeches, official documents, and policy notes by U.S. government officials on small arms from 1995-2006. This summary is intended to be a survey of the evolution of U.S. governmental policy, in order to give a broad history of, as well as insight into, the U.S. position on the small arms issue in future international forums.

2006

June 19, 2006: U.S. State Department Media Note, “Stemming the Illicit Trade in Small Arms and Light Weapons”

A [press release](#) issued by the U.S. State Department describes the position of the United States on the Review Conference (RevCon) of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (U.N. Small Arms Conference), to be held June 26 – July 7, 2006. The release identifies the main goal of the United States at the RevCon as strengthening implementation of the Program of Action (PoA). The State Department supports a focus on transfer controls, end-use certification processes, as well as best-practice guidelines as means to improve PoA implementation.

Undersecretary of State for Arms Control and International Security Robert Joseph emphasized that legitimate civilian possession of firearms remains a prominent redline for the U.S. delegation, stating, “We look forward to working with others to tighten international arms export controls, stockpile security, and brokering legislation, while protecting the well-established rights of Americans to keep and bear arms.” Joseph also made remarks in support of the overall goals of the RevCon, stating, “It is in mankind's interest to combat the global illicit trade in small arms and light weapons, which exacerbates disputes and hinders post-conflict progress.”

The release highlights the U.S. record on marking and tracing small arms and light weapons, revealing that, “the Bureau of Alcohol, Tobacco, Firearms and Explosives traced over 10,000 firearms for law enforcement officials in over 50 countries in 2005 alone,” giving the United States “one of the world’s best records in marking and tracing weapons.”

June 9, 2006: U.S. State Department Fact Sheet: “Actions by the United States to Stem the Illicit Trade in Small Arms and Light Weapons”

The U.S. State Department issued a [fact sheet](#) in advance of the Review Conference (RevCon) of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (U.N. Small Arms Conference), to be held June 26 – July 7, 2006. The fact sheet

highlights that the United States has spent more than \$27 million to destroy, “approximately 900,000 small arms and light weapons and over 80 million pieces of ammunition in 25 countries, a record of assistance unmatched by any other nation.” This number does not include the 18,600 MANPADS [shoulder-fired missiles] that the United States has also destroyed. In the last two years, spending on SALW destruction has tripled and current fiscal year expenditures total \$8.7 million.

The fact sheet reviews actions taken by the United States to stem the illicit trade in small arms and light weapons since the conclusion of the original U.N. Small Arms Conference, held in 2001. When compared to the rest of the international community, the United States is:

- “one of only eight countries since 2001 that have reviewed existing national laws governing SA/LW production, export, import, and brokering as well as laws on criminalization of illicit possession, trade, and manufacturing.”
- “one of 22 states that publish annual reports on domestic arms exports.”
- “one of 36 countries that regularly destroys its surplus SA/LW.”
- “one of 32 countries that regulate the activities of brokers of SA/LW.”
- “one of 33 countries that require all licensed importers to mark arms and is one of 50 countries that obligate domestic manufacturers to mark SA/LW at the time of production.”
- “one of 42 countries to work actively in the tracing of SA/LW.”
- “one of 16 countries that have submitted three or more annual reports on national implementation of the Program of Action to the U.N. Department of Disarmament Affairs during the past four years.”

The U.S. redlines for the RevCon remain the same as they have been throughout the U.N. Small Arms process. The United States will oppose any initiative at the RevCon that restricts civilian possession of firearms or weapons sales to non-state actors, and will not discuss ammunition or explosives. The United States does not support the re-opening of the Programme of Action (PoA), and does not support subsequent mandatory review conferences.

The United States does support the United Kingdom’s Transfer Control Initiative as well as furthering implementation of the PoA through a variety of bilateral and multilateral initiatives. Additionally, the United States considers cooperation on and assistance for weapons destruction to be an important activity to pursue after the RevCon. For its part, “the United States stands ready to do more to assist countries in their efforts to destroy surplus weapons of war, enhance stockpile security measures, improve border controls, and implement effective import and export control legislation.”

May 25, 2006: H.R.5333 Passed in U.S. House of Representatives

On May 25, the House International Relations Committee (HIRC) unanimously passed the [Shoulder-Fired Missile Threat Reduction Act of 2006](#) (H.R.5333) en bloc with several other bills and resolutions designated by HIRC chairman Henry Hyde, R-Calif., as “noncontroversial.”

May 9, 2006: Rep. Ed Royce, R-Calif., introduces Shoulder-Fired Missile Threat Reduction Act of 2006

The [Shoulder-Fired Missile Threat Reduction Act of 2006](#) (H.R.5333) was introduced in the House of Representatives and referred to the House Committee on International Relations. The text of the bill authorizes appropriations of \$15 million in FY 07 and \$20 million in FY 08 to the Nonproliferation, Anti-Terrorism, Demining, and Related Programs account to be used for “activities related to the securing, removal, or elimination of stocks of MANPADS [shoulder-fired missiles] and other conventional weapons and related equipment and facilities.”

The bill also authorizes the use of sanctions against those countries that transfer shoulder-fired missiles to known terrorist organizations or governments that support terrorism.

April 21, 2006: Plenary Meeting of the Defense Trade Advisory Group

Assistant Secretary of State for Political-Military Affairs John Hillen spoke at the April 21, 2006 plenary meeting of the Defense Trade Advisory Group (DTAG). In his [remarks](#), Hillen discussed two strategic initiatives he had recently presented to Secretary of State Condoleezza Rice that concerned defense trade issues. The first urges increased defense cooperation with close allies of the United States, most notably the United Kingdom and Australia. The second initiative addresses defense trade licensing and the need to make it a more efficient process that effectively deals with resource and personnel deficiencies within the Directorate of Defense Trade Controls (DDTC).

Hillen also commented on U.S. defense trade policy towards various countries of interest. Hillen referred to India as “the next big export market for defense trade,” specifically citing the multi-role combat aircraft that India will be developing. Hillen said that China’s lack of transparency in regards to its defense planning and budgeting presented a, “complex challenge in planning for a cooperative relationship.” Finally, in regards to Venezuela and the recently announced U.S. ban on military sales to Venezuela, Hillen stated firmly, “we must not aid Chavez in his plans, but be responsible and protect U.S. interests.”

Hillen’s Deputy Assistant Secretary Greg Suchan addressed DTAG as well, focusing on the defense trade export licensing process. Suchan said that the number of license applications had increased eight percent annually during the past three years and that in order to more effectively process these applications, D-Trade, the electronic licensing system, would become mandatory “in the not so distant future.”

April 21, 2006: United States and Russia Issue Joint MANPADS Statement

The United States and Russia issued a [joint statement](#) at the conclusion of the second expert-level meeting on implementation of the U.S.-Russia MANPADS Arrangement on Cooperation in Enhancing Control of Man-Portable Air Defense Systems.

According to the statement, “the delegation discussed the results of our second bilateral exchange of information on the transfer of MANPADS to third countries; they discussed eliminating MANPADS from black markets; and they exchanged information on destruction

practices and stockpile security and management practices. The sides expressed satisfaction with the results of the work accomplished and look forward to their next meeting possibly in late 2006 or early 2007.”

The [U.S.-Russia MANPADS Arrangement](#) was signed in February 2005 and established, “a bilateral framework for cooperation in the control of shoulder-fired anti-aircraft missiles.”

April 6, 2006: “Conventional Arms Disarmament Act” Reintroduced in Senate

The “Conventional Arms Disarmament Act of 2005” (Title II of S. 1929), co-sponsored by Sen. Richard Lugar, R-Ind., and Sen. Barack Obama, D-Ill., was reintroduced to the U.S. Senate as the [“Cooperative Proliferation Detection and Interdiction Assistance Act of 2006”](#) (Title II of S. 2566). The changes in the new bill reflect the outcome of negotiations between the State Department and the Senate Foreign Relations Committee that have been ongoing since the introduction of S. 1929, in November 2005. Key differences in the new bill are:

- S. 2566 authorizes \$524,430,000 for fiscal year 2007 (S. 1929 authorized \$20,000,000 for FY 06) for activities authorized under the Nonproliferation, Anti-terrorism, Demining, and Related Programs account of the Foreign Operations Appropriations bill.
- S. 2566 also establishes that a minimum of \$95,050,000 of the total authorizations be used for non-proliferation and export control assistance as designated under Chapter 9 of Part II of the Foreign Assistance Act, and that a minimum of \$33,600,000 be used for, “clearance of unexploded ordnance, the destruction of small arms and light weapons, MANPADS, and other conventional weapons, including tactical missile systems and associated ammunition, and related activities.”
- S. 2566 does not contain the proposal (originally included in S. 1929) to redesignate the Office of Weapons Removal and Abatement as the Office of Conventional Arms Threat Reduction

Secretary of State Condoleezza Rice affirmed the State Department’s support for the new version of the bill at the April 5 Senate Foreign Relations Committee hearing on “United States-India Atomic Energy Cooperation.”

March 30, 2006: House International Relations Committee, Subcommittee on International Terrorism and Nonproliferation Hearing: “The Terrorist Threat from Shoulder-Fired Missiles”

International Terrorism and Nonproliferation Subcommittee chairman, Rep. Edward Royce, R-Calif., commenced the March 30, 2006 hearing by expressing his serious concern that the fiscal year (FY) 2007 budget request for small arms and light weapons (SALW) destruction remained at the same level as FY 06 funding. Royce described how his legislation, which is currently pending introduction in the House of Representatives (co-sponsored by subcommittee ranking member Rep. Brad Sherman, D-Calif., and titled “The Shoulder-Fired Missile Threat Reduction Act of 2006”), would attempt to rectify this situation by increasing funding for SALW

destruction executed by the State Department's Office of Weapons Removal and Abatement (WRA) to \$15 million in FY 07 and to \$20 million in FY 08.

Assistant Secretary of State John Hillen delivered [testimony](#) and answered questions from members of the International Terrorism and Nonproliferation subcommittee on the administration's strategy to protect the United States from possible terrorist attacks involving unsecured shoulder-fired missiles (or MANPADS). Reiterating a now-common administration sentiment – that MANPADS pose the second greatest proliferation threat to the United States, after weapons of mass destruction – Hillen revealed that since FY 04, the State Department has spent approximately 80 percent of funds appropriated for SALW destruction on MANPADS-specific activities. These activities have, since 2003, resulted in the destruction of over 18,500 shoulder-fired missile systems and Hillen noted that WRA has “firm commitments” to destroy 5,000 more systems.

In his written testimony, Hillen profiled the following progress on U.S. efforts to destroy MANPADS:

- Cambodia: 233 shoulder-fired missiles destroyed
- Bosnia-Herzegovina: nearly 6,000 destroyed
- Hungary: 1,540 destroyed
- Nicaragua: 1,000 destroyed
- Ukraine: at least 1,000 to be destroyed, beginning in spring 2006

Hillen also stressed that, in addition to bilateral agreements, the United States is working to combat MANPADS proliferation in multilateral forums as well, highlighting the administration's work to adopt common international standards on MANPADS transfers in the Wassenaar Arrangement. These forums include the Organization for Security and Cooperation in Europe (OSCE), the Asia Pacific Economic Cooperation forum (APEC), and the Organization of American States (OAS).

Hillen remarked that WRA was “not a resource-starved environment,” but that, “planning and prioritizing is a recurring fiscal challenge when factoring in the political will, or lack thereof, for another country to agree to MANPADS destruction. We have been constrained in our current programs by the disconnect between a one-year budget process and the often multi-year challenge of negotiating and implementing destruction agreements.” Hillen added that the State Department “looks forward to working with Congress to develop the most effective and responsive MANPADS and Conventional Weapons threat reduction program possible and to ensure that this program is adequately resourced in the context of all of our global responsibilities.”

In response to most questions from subcommittee members, Hillen remarked that their concerns would be best addressed in a classified hearing to be held in the near future.

Feb. 9, 2006: Senate Foreign Relations Committee (SFRC) Hearing: “New Initiatives in Cooperative Threat Reduction”

SFRC Chairman, Sen. Richard Lugar, R-Ind., delivered the [opening statement](#) for the Committee's hearing on New Initiatives in Cooperative Threat Reduction. After elaborating on the dangers posed worldwide by stockpiles of conventional weapons, Sen. Lugar expressed a desire that stockpile security and destruction programs be joined into one cohesive program at the State Department with "a budget that is commensurate with the threat posed by these weapons." Lugar pointed out the \$43 million increase in the president's budget request for the Nonproliferation, Anti-Terrorism, Demining, and Related Programs (NADR) account as a step in the right direction towards giving due consideration to the threat of conventional weapons. In conclusion, Lugar stated his belief that, "the Bush administration recognizes the problems that we are trying to address" and concluded by expressing that he and Sen. Barack Obama, D-Ill., "look forward to working closely with the Administration to get this done."

Robert Joseph, Undersecretary of State for Arms Control and International Security, delivered [testimony](#) to SFRC. Joseph identified "the huge remaining stockpiles of dangerous conventional weapons" as one of the four proliferation challenges facing the United States and specifically highlighted unsecured shoulder-fired missiles (or MANPADS) as a critical nonproliferation issue for the administration. He stated, "other than stopping weapons of mass destruction, I personally do not think that there is, in the area that I work, a higher priority than keeping these shoulder-fired weapons out of the hands of the wrong people." Joseph further expressed that the State Department fully shares in the goals of S.1949, the Cooperative Proliferation Detection, Interdiction Assistance, and Conventional Threat Reduction Act of 2005, and that the department has increased its efforts at destroying or disabling MANPADS, persistent landmines, SALW and "other conventional arms of greatest concern."

The undersecretary highlighted the achievements to date of the State Department's various efforts to combat the "humanitarian as well as security dangers" posed by conventional weapons stockpiles:

- Since 1993, the United States has allocated over \$1 billion to address persistent landmines in over 40 countries.
- Since 2001, the United States has destroyed over 800,000 small arms and light weapons and 80 million pieces of ammunition.
- The United States has destroyed or disabled over 17,000 MANPADS and has commitments for the destruction of 7,000 more at-risk MANPADS.
- Eleven countries provided matching funds for conventional arms security projects in Ukraine, and further projects are being planned for Tajikistan, Kazakhstan, and Georgia.

Echoing Lugar, Joseph concluded in stating that the State Department, "must work closely with Congress in meeting this essential national security goal."

January 2006: First Preparatory Committee Meeting for the First Review Conference of the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

January 11, 2006: U.S. Statement to the Preparatory Committee Meeting for the First Review Conference of the United Nations Program of Action for Small Arms and Light Weapons

Steven Costner, deputy director for the State Department's Office of Weapons Removal and Abatement (WRA), delivered the [U.S. statement](#) at the UN Small Arms Preparatory Committee (PrepComm) meeting, in which he outlined the U.S. priorities for both the PrepComm and the Review Conference (RevCon), which will be held in June and July 2006. Costner highlighted six issues that the United States strongly supports as part of the UN process: effective transfer controls, restraint in arms transfers to conflict-affected regions, observance and enforcement of UN arms embargoes, stronger regulations of arms brokers, increased transparency in arms exporting, and stockpile security/management and weapons destruction. Costner described these issues as, "the core of a regime that, if implemented by all countries, would greatly mitigate the problems we have all gathered here to address."

The overarching U.S. priority regarding the entire UN Small Arms process is furthering implementation of the Programme of Action (PoA). To that extent, Costner highlighted three particular ways in which the United States is able to assist other states in implementing the PoA, namely via the State Department's small arms and light weapons (SALW) destruction programs, the Defense Department's Defense Threat Reduction Agency's assistance and advice on best practices for stockpile management, and the Justice Department's Bureau of Alcohol, Tobacco, and Firearms' courses on firearms identification and tracing. Costner discussed U.S. support for the U.K.'s Transfer Control Initiative and indicated that the United States would be in favor of adding a discussion on transfer controls to the RevCon agenda.

Costner also reviewed what the United States would not discuss at the RevCon. The U.S. redlines remain unchanged from the 2001 UN Conference and are: issues that would impinge upon the legal trade in small arms; domestic regulation of civilian use and ownership of firearms; recommendations on ammunition or explosives; a ban on arms transfers to non-state actors. The United States also opposes reopening the PoA document, seeing it as unproductive, and does not want to revisit the agenda for the Governmental Group of Experts on arms brokering. In conclusion, Costner expressed the U.S. desire that the PrepComm accomplish all of its goals by the Jan. 20, 2006 deadline and reavowed the U.S. delegation's full support for the UN Small Arms process.

2005

December 7, 2005: Remarks to the 5th General Conference of the Council for Security Cooperation in the Asia Pacific (CSCAP)

In his [remarks](#), entitled "Toward a Policy of Zero Tolerance for Violations of Nonproliferation Treaties," Stephen G. Rademaker, acting assistant secretary of state for international security and nonproliferation, highlighted the need for increased bilateral export controls and information sharing to prevent the uncontrolled proliferation of weapons of mass destruction, and also conventional weapons and sensitive dual-use technology. Although making his comments in reference to UN Security Council Resolution 1540 (which addresses WMD proliferation

specifically), he highlighted U.S. programs, such as the Export Control and Related Border Security (EXBS) program, through which the United States helps foreign countries increase the capacity of their customs and border patrols to prevent diverted weapons from crossing borders, in violation of international nonproliferation treaties.

November 3, 2005: Address to the 18th Annual Global Trade Controls Conference

In his [address](#) to the conference, Assistant Secretary of State for Political-Military Affairs John Hillen repeatedly emphasized the U.S. commitment to strong arms export controls, stating that he intended to direct all the energies of his office towards preventing the combination of “bad actors and bad materials.” Besides weaponry, Hillen identified the need for strong export controls on sensitive technology as well. Hillen highlighted several areas in which the United States was working to enforce compliance with the U.S. export control regime and curb the global illicit trade in small arms. Hillen discussed the Bureau of Political-Military Affairs’ program to destroy shoulder-fired missiles (MANPADS) – which has destroyed 14,000 MANPADS to date, and has agreements in other countries to destroy 10,000 more – as well as the increasing numbers of pre-license and post-shipment checks performed by the State Department’s Blue Lantern end-use monitoring program.

Hillen also took particular care to mention that international defense cooperation was still crucial for supporting the war on terror, and that the United States was committed to making arms exports and defense technology collaboration as expedient as possible for its key allies. However, Hillen did warn that lifting the EU embargo on China would, “raise a major obstacle to future U.S. defense cooperation with Europe.”

November 1, 2005: Sen. Lugar, R-Ind., and Sen. Obama, D-Ill., introduce Conventional Arms Disarmament Act of 2005

The [Conventional Arms Disarmament Act of 2005](#) (Title II of S.1949) was introduced to the Senate and referred to the Senate Committee on Foreign Relations. The text of the bill authorizes appropriations of \$20 million for, “Nonproliferation, Anti-Terrorism, Demining, and Related Programs for fiscal year 2006 for activities related to the securing, removal, or elimination of stocks of MANPADS, other conventional weapons, tactical missile systems, and related equipment and facilities.”

On the same day as the bill’s introduction, Lugar delivered [remarks](#) on the expansion of Cooperative Threat Reduction in an on-the-record meeting at the Council on Foreign Relations, stating that, “The Lugar-Obama bill recognizes that the proliferation of conventional weapons is a major obstacle to peace, reconstruction, and economic development in regions suffering from conflict and instability. It calls upon the State Department to implement a global effort to seek out and destroy surplus and unguarded stocks of conventional armaments and to cooperate with allies and international organizations when possible.”

July 11, 2005: U.S. report to the Second Biennial Meeting of States on Implementation of the United Nations Program of Action for Small Arms and Light Weapons (SALW)

Steven Costner, deputy director for the State Department's Office of Weapons Removal and Abatement, delivered the [U.S. report](#) on implementation of the UN Small Arms Programme of Action (PoA). Costner expressed the U.S. insistence on detailed reporting by all states participating in the UN Small Arms process, stating that, "We believe that we cannot seriously consider 'the way forward' or develop new initiatives for 2006 until we have thoroughly assessed progress in fulfilling commitments made in the PoA." Costner praised the efforts of various member states to implement effective controls over transfers of shoulder-fired missiles (MANPADS) as a success story for the PoA, and also singled out Ukraine for taking advantage of NATO assistance in efforts to commence SALW destruction. Costner also highlighted three major U.S. contributions to implementation of the PoA, namely: the State Department's SALW destruction program (operated by the Office of Weapons Removal and Abatement), the Defense Department's stockpile management program (operated by the Defense Threat Reduction Agency), and the Justice Department's firearms identification and tracing courses (operated by the Bureau for Alcohol, Tobacco, Firearms and Explosives). In conclusion, Costner remarked that "much progress has been achieved" towards full implementation of the PoA, but urged that much more remained to be done.

June 7, 2005: OAS General Assembly Passes Resolution on Control and Security of Man Portable Air Defense Systems (MANPADS)

The General Assembly adopted [Resolution 2145](#) in its fourth plenary session, resolving to urge member states to adopt strict national controls and security measures, ban all transfers of MANPADS and their essential components to non state actors, destroy surplus MANPADS, and adopt a series of recommended guidelines attached to the resolution. The guidelines expand on the resolution, further defining the scope of the recommended controls, as well as specific steps that address stock control, security, and transfers.

April 12, 2005: Remarks to the Organization of American States Small Arms/Light Weapons (SALW) Meeting

In his [prepared statement](#), Amb. Robert G. Loftis, Acting Deputy Assistant Secretary of State for Political-Military Affairs, outlined his priorities with regard to stemming illicit SALW trafficking. The main points include:

1. "The United States supports in all aspects the 2001 UN Program of Action (POA) on the Illicit Trade of Small Arms and Light Weapons. We believe that small steps by individual countries and collective steps by regional and subregional organizations will go a long way toward establishing norms and practices that lead to the Program's effective implementation."
2. "As a CIFTA [Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials] signatory, the U.S. supports the Convention and OAS member states' efforts to aggressively implement it consistent with the implementation of the Plan of Action."
3. "The adoption by the OAS of the Inter-American Drug Abuse Control Commission (CICAD) model regulations on the control of transnational movement of firearms is an important step forward."

4. “[P]urchasing countries should make sure their import systems are transparent and provide maximum cooperation with the export control officials of exporting countries in certifying legitimate shipments.”
5. “[T]he U.S. encourages all states to adopt APEC [Asia-Pacific Economic Cooperation]-like guidelines on control and security of MANPADS stockpiles and offers its assistance to interested states.”
6. “The U.S. believes that [marking and tracing of illicit small arms and light weapons] should be practical and effective, enabling the timely and reliable identification and tracing of illicit small arms and light weapons, and should not counter already existing commitments in other fora—including the OAS.”
7. “We encourage other states in a position to do so to render financial technical assistance in small arms and light weapons destruction and stockpile management and security, export controls, and law enforcement training.”

March 3, 2005: New Lugar Disarmament Initiative Approved

The Senate Foreign Relations Committee unanimously approved the Foreign Affairs Authorization Act for fiscal years 2006 and 2007, which included the [Conventional Arms Disarmament Act of 2005](#) (CADA), introduced by Senator Richard Lugar, and authorizing the Secretary of State to “carry out an accelerated global program to secure, remove, or eliminate stocks of MANPADS, other conventional weapons, and tactical missile systems, as well as related equipment and facilities” The bill would also redesignate the State Department’s Office of Weapons Removal and Abatement as the Office of Conventional Arms Threat Reduction, and fund the office with no less than \$20 million to carry out its stated mission. CADA follows a similar bill introduced by Lugar in November 2004, [The Conventional Arms Threat Reduction Act of 2004](#), a free-standing bill that contained many of the same elements that were later reintroduced in CADA.

Feb. 17, 2005: Statement by U.S. Alternate Representative for Special Political Affairs to the United Nations

Amb. Stuart Holliday addressed the issue of illicit trade in small arms and light weapons in his [statement](#) in front of the United Nations Security Council, citing the need for effective control, enforcement, and destruction as part of an overall policy: “Focused efforts to identify and curb the sources and methods of the illicit trade via robust export controls, law enforcement measures, and efforts to expeditiously destroy excess stocks and safeguard legitimate government stocks from theft or illegal transfer are among the best ways to attack this problem.”

In the area of control, Holliday noted that “[a]ny export control system should contain reliable and meaningful mechanisms for the licensing of production and transfer of small arms and light weapons. Countries should exercise due diligence in authenticating End-User Certificates (EUCs) to ensure that exported arms are destined for legitimate end-users Unregulated arms brokers and inadequate enforcement of arms embargoes imposed by Council resolutions are additional causes of weapons getting to the black market.” Holliday also recalled the achievements of the United States’ small arms and light weapons destruction program, noting

that since its inception it had overseen the destruction of over 700,000 small arms, 10,000 MANPADS, and 75 million rounds of ammunition in 15 countries.

2004

Dec. 7, 2004: OSCE Principles for Export Controls of MANPADS

The Ministerial Council of the Organization for Security and Cooperation in Europe (OSCE) endorsed a [decision rendered by the organization's Forum for Security Cooperation in May 2004](#), which reinforced the implementation of the OSCE Document of Small Arms and Light Weapons by adopting principles drawn from the Wassenaar Arrangement on the export of MANPADS. The guidelines provide for the strengthening of export controls, as well as more secure storage, handling, transportation, and disposal.

July 8, 2004: Senators Feinstein, Leahy, Akaka Introduce Bill to Curb International Small Arms Sales

“Senators Dianne Feinstein (D-CA), Patrick Leahy (D-VT), and Daniel Akaka (D-HI) have introduced [legislation](#) to address the growing threat of small arms and light weapons.” The legislation introduced on July 8 would:

1. “Express the sense of Congress that the United States should enter into negotiations for comprehensive international agreements on small arms.”
2. “Urge the President to conclude an international agreement on the marking of small arms and light weapons for international export.”
3. “Call on the President to implement the Program of Action of the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and require a report on its implementation.”
4. “Affirm U.S. policy to maintain the highest standards for the management and transfer of small arms and light weapons exports, and that it is U.S. policy to refrain from exports that could be used in internal repression, human rights abuses and international aggression.”
5. “Require the President to report to Congress on the grant of any license for the export of small arms and light weapons in the amount of \$1 million or less to a country where there is a clear risk the article will be used to commit human rights abuses.”
6. “Direct the President to establish and maintain a registry of the serial numbers of small arms and light weapons that require a license for international export.”
7. “Require a report from the Secretary of State on states who have not cooperated in programs related to small arms and light weapons.”

June 9, 2004: G-8 Secure and Facilitated International Travel Initiative (SAFTI)

Driven by the United States, [SAFTI](#) “commits the G-8 to additional steps to counter the threat to civil aviation” posed by MANPADS. More specifically, the G-8 agreed to:

1. “Accelerate efforts to destroy excess and/or obsolete MANPADS.”
2. “Strengthen controls on the transfer of MANPADS production technology.”

3. Develop a methodology to assess airport vulnerability to the MANPADS threat and effective countermeasures.”

Jan. 19, 2004: Statement by U.S. Alternate Representative for Special Political Affairs to the United Nations

In his [address](#) to the United Nations Security Council, Amb. Stuart Holliday commended recent action by a UN Group of Governmental Experts for “expanding the [UN Register of Conventional Arms](#) to include reporting on transfers of man-portable air defense systems (MANPADS), and voluntary reporting on small arms and light weapons,” and called on member states to “provide full and accurate reporting of MANPADS transfers in their annual submissions to the UN Register of Conventional Arms, and encourage the adoption of MANPADS guidelines developed by the G-8 and the [Wassenaar Arrangement](#).”

Holliday stated the United States’ desire to “seek partnerships with countries requiring assistance in the areas of small arms and light weapons destruction, physical security and management of stockpiles, export controls, and law enforcement training,” as well as to “actively participate in regional and international efforts such as the Inter-American Drug Abuse Control Commission (CICAD) Group of Experts meeting, which successfully developed and adopted Model Arms Brokering Regulations for the countries of the Organization of American States.”

2003

Oct. 21, 2003: Asia-Pacific Economic Cooperation (APEC) Initiatives on Counterterrorism

At the [11th APEC Economic Leaders' Meeting](#), heads of state agreed to a set of initiatives “not only to liberalize and facilitate regional trade and investment, but also to protect our peoples and societies against threats to their security.” The [security initiatives](#), which were strongly supported by President George W. Bush, commit APEC member states to “adopt strict domestic export controls on [man-portable air defense systems] MANPADS; secure stockpiles; regulate MANPADS production, transfer, and brokering; ban transfers to non-state end-users; and exchange information in support of these efforts.” Leaders also vowed “to continue to strengthen national controls on MANPADS and review progress at next year's Leaders meeting in Chile.”

July 7, 2003: U.S. report to the First Biennial Meeting of States on Implementation of the United Nations Program of Action for Small Arms and Light Weapons

The [United Nations Biennial Meeting of States](#) to Consider the Implementation of the UN Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects at the National, Regional and Global levels took place from July 7-11, 2003, as part of the follow-up process to the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. This meeting was a review conference that highlighted the success and failures of States, regional and international organizations, as well as civil society, in implementing the Program of Action ([PoA](#)). The meeting did not have the mandate to negotiate any new agreements.

In his [report](#) to the First Biennial Meeting of States, Lincoln P. Bloomfield, Jr., Assistant Secretary for Political-Military Affairs, highlighted the importance of focusing on the illicit trade of small arms and light weapons (SALW), the danger these weapons pose to U.S. forces abroad, and their impediment to conflict mediation. Bloomfield also stated that he hopes countries will redouble their commitment to stem the illicit trade in SALW and that the United States is “ready to engage in very practical ways to reduce the terrible costs being exacted by these illicit weapons of local destruction.”

Bloomfield highlighted U.S. work in curbing the illicit trade in arms at national, regional and international levels:

1. “At the national level, the U.S. has a robust and transparent system of laws and regulations governing national holdings, manufacture, and the international movement of SA/LW. All firearms, by law, are marked at the time of manufacture and import. Inventories of all national military holdings of SA/LW are subject to strict security controls and registration by serial number to ensure that they are not lost or stolen.”
2. “At the regional and global levels, since July 2001, the United States has sponsored resolutions in the Organization of American States (OAS) to destroy excess SA/LW and to develop model arms brokering regulations for the Western Hemisphere. We have sought to include SA/LW in the Wassenaar Arrangement arms reporting categories. We have supported OSCE (Organization for Security and Cooperation in Europe) efforts to develop ‘Best Practice’ guides to assist states in establishing effective controls over SA/LW, and made similar efforts elsewhere.”
3. “Our law enforcement training programs include a focused curriculum on illicit arms trafficking for the countries of Southern Africa. Export control and border security programs in over 30 countries worldwide provide legal assistance, training, and equipment to prevent the illicit traffic in dangerous goods, including SA/LW.”
4. “Perhaps our most significant contribution under the Program has been in the area of destruction assistance programs. Since early 2001, U.S.-supported programs in 10 countries have resulted in the destruction of over 400,000 excess or illegal SA/LW and 44 million rounds of ammunition.”

In compliance with the UN Secretary General’s request for States to provide national reports on the implementation of the PoA, the United States developed a [matrix](#) entitled “United States Support for the United Nations Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.” The matrix explains in detail the extent to which the U.S. government has met the terms of the PoA.

2002

December 2002: Wassenaar Arrangement Nonbinding Guidelines on SALW

The participating states of [the Wassenaar Arrangement](#) (WA) approved a document setting out [nonbinding guidelines](#) for exporting SALW. These voluntary guidelines list the criteria states should abide by when assessing a possible sale of small arms or light weapons, and detail the

situations in which the export of these weapons ought to be refused. The United States was one of the main supporters of this new initiative, as SALW are the weapons of choice for terrorists. Also at this meeting, Participating States agreed to review WA guidelines related to MANPADS in order to ensure their ability to prevent terrorist use of these weapons.

Jan. 23, 2002: U.S. Views: The UN Small Arms and Light Weapons Conference and the Program of Action

In his [remarks](#) at the Follow-up Meeting on the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects in Tokyo, Japan, Edward Peartree, Foreign Affairs Officer, Bureau of Political-Military Affairs, reported that the United States is pleased that the UN Conference produced a consensus Program of Action. However, he also noted that “United States would have preferred stronger measures in the area of export controls and the regulation of commercial arms brokers. We also believe that the POA should have established norms for arms transfers. Nevertheless, the POA provides immediate and active steps that all countries can take to curb the illicit trade in SALW – and that, after all, is our goal.” Peartree also indicated that the United States is ready to assist countries in the areas of stockpile management and destruction of excess SALW; export and import controls; and law enforcement.

2001

December 2001: Security Assistance Act Provisions on Small Arms

The U.S. Congress approved provisions related to small arms and light weapons. These provisions, approved Sec. 206 and 241 of the 2002 Security Assistance Act (S.1803), and sponsored by [Sen. Dianne Feinstein](#), D-Calif.:

1. Reduced the notification and reporting requirements on exported small arms and light weapons from \$14 million to \$1 million.
2. Required the Secretary of State to write an annual report on arms brokers, including a list of all registered brokers.
3. Required the Secretary of State to write an annual unclassified report on “the numbers, range, and findings of end-use monitoring of United States transfers in small arms and light weapons.”
4. Amended sec. 655 (b)(3) of the 1961 Foreign Assistance Act on annual military assistance reports by inserting a section that states that “in the case of defense articles that are firearms controlled under category I of the United States Munitions List, a statement of the aggregate dollar value and quantity of semiautomatic weapons, or related equipment, the manufacture, transfer, or possession of which is unlawful under section 922 of title 18, United States Code, that were licensed for export during the period covered by the report.”
5. Required the Secretary of the Treasury to write an annual report on investigations by the Bureau of Alcohol, Tobacco, and Firearms (ATF) to stop United States source weapons from being used in terrorist acts.
6. Allocated \$10,000,000 for the destruction of surplus stockpiles of SALW and other munitions.

July 9, 2001: U.S. Statement at Plenary Session, UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

At [the United Nations Conference on the Illicit Trade in Small Arms and Lights Weapons in All Its Aspects](#), that took place from 9 to 20 July 2001 in New York, a consensus program of action ([PoA](#)) was adopted.

In his [remarks](#) to the UN on the draft PoA, John Bolton, Under Secretary of State for Arms Control and International Security Affairs, made a few statements supporting the draft, while refuting a large portion of it.

Bolton stated that the United States strongly supports:

1. "...measures in the draft Program of Action calling for effective export and import controls, restraint in trade to regions of conflict, observance and enforcement of UNSC embargoes, strict regulation of arms brokers, transparency in exports, and improving security of arms stockpiles and destruction of excess. These measures, taken together, form the core of a regime that, if accepted by all countries, would greatly mitigate the problems we all have gathered here to address."

However, Bolton also expressed his strong disagreement with certain parts of the draft PoA. Bolton specifically stated that:

1. "We do not support measures that would constrain legal trade and legal manufacturing of small arms and light weapons. The vast majority of arms transfers in the world are routine and not problematic. Each member state of the United Nations has the right to manufacture and export arms for purposes of national defense. Diversions of the legal arms trade that become "illicit" are best dealt with through effective export controls."
2. "We do not support the promotion of international advocacy activity by international or non-governmental organizations, particularly when those political or policy views advocated are not consistent with the views of all member states. What individual governments do in this regard is for them to decide, but we do not regard the international governmental support of particular political viewpoints to be consistent with democratic principles."
3. "We do not support measures that prohibit civilian possession of small arms."
4. "We do not support measures limiting trade in SA/LW solely to governments. This proposal, we believe, is both conceptually and practically flawed. It is so broad that in the absence of a clear definition of small arms and light weapons, it could be construed as outlawing legitimate international trade in all firearms. Violent non-state groups at whom this proposal is presumably aimed are unlikely to obtain arms through authorized channels. Many of them continue to receive arms despite being subject to legally-binding UNSC embargoes. Perhaps most important, this proposal would preclude assistance to an oppressed non-state group defending itself from a genocidal government. Distinctions between governments and non-governments are irrelevant in determining responsible and irresponsible end-users of arms."
5. "The United States also will not support a mandatory Review Conference, as outlined in Section IV, which serves only to institutionalize and bureaucratize this

process... Neither will we, at this time, commit to begin negotiations and reach agreement on any legally binding instruments, the feasibility and necessity of which may be in question and in need of review over time.”

June 28, 2001: Non-Governmental Organization Briefing on SALW

Prior to the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, Lincoln P. Bloomfield Jr., assistant secretary for political-military affairs, [reviewed](#) the six key elements that the United States hoped to incorporate into the Program of Action (PoA) in order to make it fully effective, namely:

1. A robust export control system;
2. An effective brokering measure;
3. An appropriate set of measures to address surplus weapons and unsecured stockpiles;
4. Transparency;
5. A regional approach;
6. Enforcement of United Nations Security Council embargoes.

May 31, 2001: UN Transnational Organized Crime Convention “Firearms Protocol”

At the 55th General Assembly Plenary 101st Meeting, the [U.S. representative said](#) that:

1. The U.S. delegation was “...pleased to join consensus in the adoption of the [Firearms] Protocol,” which is a legally binding agreement on measures to combat illicit trade in firearms.
2. “The United States welcomed the technical correction to article 8, paragraph 1, of the draft protocol. The corrected text better reflected the intentions of the delegations in Vienna. The United States had objected in Vienna to the inclusion in the resolution of the preambular paragraph, which reaffirmed among other things the right to self-determination of peoples, in particular, peoples under colonial or other forms of alien domination or foreign occupation. The preambular paragraph said that Article 51 of the United Nations Charter implied that states had the right to acquire arms to defend themselves, as well as the right to self-determination of all peoples. The reference to the right to self-determination did not imply the right to acquire arms to pursue that objective.”

March 2001: Third Preparatory Committee Meeting for the UN 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

March 20, 2001:

At the Third Preparatory Committee for the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, Amb. Donald J. McConnell, head of the U.S. delegation, [said that](#) the United States:

1. Found the most recent draft to be focused and concise, and attempted to represent the core ideas put before this conference. The United States believes that the most practical and effective program of action, which successfully embodies a broadly acceptable approach and which garners consensus support, is the best possible outcome to the conference.

2. Supported the inclusion of aggressive follow-up measures addressing the regulation of international brokers in the Program of Action. This issue may also take the form of revisiting the U.S. proposal in December 2000 in Oslo for Model Brokering Regulations. These regulations can serve as either a model for countries wishing to develop their own brokering legislation, or as a basis for harmonizing the laws of countries that currently have brokering laws.
3. Suggested that an appropriate venue be agreed upon in order to begin the actual development of Model Brokering Regulations. A suggestion to resolve this issue is that in the context of States Parties to the Firearms Protocol or as a follow-up to Oslo II.
4. Reiterated that the UN 2001 Conference should not duplicate the Firearms Protocol Agreement recently reached in Vienna.

McConnell also indicated that "...[e]ffective export controls are the keystone of any successful effort to mitigate the problems of the illicit trade in small arms and light weapons - as well as to better control legal transfers." The United States encourages amplification of the following themes:

1. In section II (on preventing, controlling, and curbing the illicit small arms trade), Paragraph II should be changed to call for adequate retransfer authority and "...[I]mporting countries must assure proper end-use of arms they import...[and] exporting countries must provide oversight through end-use checks and demanding authority to approve any retransfers."
2. Embargo enforcement is essential. UN Security Council (UNSC) decisions are legally binding and all member states should respect them fully. The United States believes that there are additional steps national governments can take with regard to arms embargoes. The United States "...will therefore be suggesting language in the draft that encourages states to implement national measures to impose criminal sanctions on violators of UNSC embargoes."

January 2001: Second Preparatory Committee Meeting for the UN 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Jan. 17, 2001:

At the Second Preparatory Committee Meeting for the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, Elizabeth Verville, U.S. head of delegation, [said that](#):

1. There is broad support among states that the ultimate objective should be to produce a political document, representing political commitment on the issue, and that legally binding terminology should be avoided. The United States seeks a consensus document that produces a strong global political commitment. Verville stated that she was not advocating a "...lowest common denominator document."
2. Efforts should support, and not interfere with, a legally binding protocol, as is being negotiated in Vienna.
3. There should be appropriate follow-up that avoids unnecessary or costly new and expanded mechanisms.

4. The United States seeks the enhanced enforcement of UN embargoes and augmented assistance in technical cooperation.
5. Each country needs to establish export controls, improve customs services and border controls, secure weapons stockpiles, and assure the destruction of weapons.
6. The United States delegation is adamant that the document "...avoid[s] [inclusion of] legal domestic production, possession, use and trade as well as restrictions concerning non-state actors and disclosure of holdings."

Jan. 11, 2001:

At the Second Preparatory Committee Meeting for the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, Elizabeth Verville, U.S. head of delegation, [stated that](#):

1. The United States agrees that the establishment of an international follow-up mechanism is important, but that the best way to achieve the goals of a comprehensive follow-up mechanism would be to convene a review conference in a "conventional way," perhaps in five years.
2. Language in section IV (Follow-up and Implementation) appears burdensome, rather than facilitative - there is concern for duplication of efforts and that the language contained may be seen as "too much, too soon." Rather, the action should be allowed to "...naturally progress...a review conference...perhaps in five years...would be the best way to achieve the goals of a comprehensive follow-up mechanism."
3. There is concern that section III (Consideration of International Cooperation and Assistance) appears to be missing a reference to the private sector, namely to weapons manufacturers which have an important contribution to make, particularly in the areas of marking and record keeping.
4. There is concern over the confusing references to "global norms and principles."

At the afternoon meeting, which stressed civil society's role in controlling the arms trade, [Verville stressed that](#) the main focus should be on regional and national levels, and that "...global initiatives should be of a complimentary nature."

Jan. 10, 2001:

At the Second Preparatory Committee Meeting for the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, Elizabeth Verville, head of the U.S. delegation, [said that](#):

1. The United States is pleased at the importance given the participation of civil society, but mindful that the primary responsibility lies with governments.
2. Transparency is important, but should not extend to national holdings.
3. Expanding issues outside of the General Assembly's mandate (such as child soldiers) endangered the success of the conference.
4. The United States hopes to see a strong global standard on the practice of the marking of weapons, as is done in the United States, "...accompanied by a binding legal instrument."

Verville acknowledged that the U.S. delegation was concerned that:

1. The draft language implied legal obligation, while the conference objectives were solely intended to produce political commitments.
2. The draft text gave primacy to global and UN measures, while most strides have been at the national and local levels.

Jan. 9, 2001:

At the Second Preparatory Committee Meeting for the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, Elizabeth Verville, head of the U.S. delegation, [said that](#):

1. The United States is committed to concluding a binding Firearms Protocol in Vienna.
2. The objective for the 2001 UN Conference is to produce a political document, not a treaty, and that the conference should support the Firearms Protocol, and not attempt to duplicate its efforts.
3. Consensus documents, such as the OSCE framework document on small arms and light weapons that committed members to serious export controls, may "...be the best guide to the realistic prospects for a conference consensus."

Verville elaborated on this last point by stating that the consensus documents represented a source of broad international consensus, which seemed to focus on common points, all of which are supported by the United States. These "broadly accepted principles," some of which are listed below, could have a "meaningful impact" on illicit trafficking:

1. Greater information sharing;
2. Improved customs services and border controls;
3. Secured weapons stockpiles;
4. Assured destruction of excess weapons stocks, particularly those collected in the aftermath of conflict;
5. Improved and increased assistance to countries in need;
6. Establishment by all countries of an effective export control and licensing system;
7. Careful review of all license applications;
8. Implementation of domestic legislation to supervise brokering activities;
9. Domestic legislation to sanction violations of Security Council-mandated embargoes.

2000

December 2000: UN Firearms Protocol Negotiations

In Palermo, Italy, in December 2000, negotiations on the Firearms Protocol were brought to a close with the signing of the Convention. Official comments made by the U.S. delegation during the course of negotiations (January 1999 - December 2000) included:

1. "The convention should fulfill the mandate of facilitating the prevention, prosecution and investigation of transnational organized crime. The achievement of this objective requires some tools to be applied to a broader class of conduct, however, because of the difficulty for practitioners, during the early stages of an investigation, of demonstrating the involvement of transnational organized crime."

<http://www.uncjin.org/Documents/Conventions/dcatoc/5e.pdf>

2. The draft term, “commercially traded” firearms, was “unnecessarily ambiguous.” Instead, “...the protocol should apply to all firearms transactions except for certain enumerated exceptions, such as state-to-state transactions.” (<http://www.uncjin.org/Documents/Conventions/dcatoc/51e.pdf>)
3. “ ...[The Firearms] Protocol represents an opportunity to go beyond OAS in this area [general requirements for export, import and transit license or authorization systems] in two important respects. Firstly, it provides the opportunity to institute a system in which the export, import and in-transit licenses or authorizations are consistent, contain parallel information and are issued in the proper order, that is, import then in-transit (where relevant) then export. Secondly, this protocol provides the opportunity to require written approval from the exporting country prior to re-export by the importing country.” The delegation provided a draft proposal, an alternative Article XI, which consisted of multiple points that would provide for instituting the system described, as well as inclusion of written requirements for re-exports. (<http://www.uncjin.org/Documents/Conventions/dcatoc/51e.pdf>)
4. The draft text regarding the illicit obliterating, removing or altering of serial numbers on all firearms carry with it the offense of brokering without a license or registration. (<http://www.uncjin.org/Documents/Conventions/dcatoc/9session/4a2r5e.pdf>)
5. Registration and licensing of arms brokers “...would require a separate license for each transaction and would require licensing by several jurisdictions: the broker's residence, the country of nationality and the country where the transaction took place.” (<http://www.uncjin.org/Documents/Conventions/dcatoc/9session/4a2r5e.pdf>)

December 2000: Wassenaar Arrangement (WA) Provisions on MANPADS

At the [December 2000 Plenary](#), parties to [the Wassenaar Arrangement](#) (WA) agreed to adopt “a U.S.-proposed export control guidelines, including strict end-user safeguards to prevent unauthorized access, and the use of national means to control the export of MANPADS. This marked the first time the WA agreed to harmonized export controls on any class of weapons.”

The Plenary also adopted “best practices” papers in the following areas:

- Disposal of Surplus/Demilitarized Military Equipment
- Extreme Vigilance for Items on the WA Very Sensitive List
- Effective Export Control Enforcement.

According to the U.S. State Department, the United States “continued to push for increased arms transparency in the Wassenaar, including the addition of a Small Arms/Light Weapons reporting category. Despite near-consensus, the proposal to expand arms transparency further was not approved in 2000.”

December 2000: Declaration of Sanction and Restraint in the Sale and Transfers on Conventional Arms to Regions of Conflict in Africa

The United States and the Southern African Development Community signed a [Declaration of Sanctions and Restraint in the Sale and Transfers of Conventional Arms to Regions of Conflict in Africa](#). This declaration urges all states, and more specifically supplier states, to:

1. “Strictly observe and enforce UN arms embargoes, and to share with the UN sanctions committees and with each other, information on violations of these embargoes by supplier, transit, and recipient States.”
2. “Adopt national legislation, where needed, to criminalize violations of these UN sanctions.”
3. “Exercise restraint in the sale and transfer of conventional arms to regions of conflict in Africa not subject to UN Security Council arms embargoes.”
4. “Adopt and implement appropriate national controls and other measures where needed, over surplus stocks, including destruction or disabling when in a position to do so, and destroy or disable those arms confiscated or collected following the cessation of civil or international conflict, with a view to ensuring that they are not transferred to areas of conflict in Africa.”
5. “Exchange information as appropriate on national measures which have been taken to implement the steps called for in this declaration.”

Dec. 18, 2000: U.S.-EU Declaration on the Responsibilities of States and on Transparency Regarding Arms Exports

During the U.S.-EU Summit, the United States and the European Union released a declaration on [U.S.-EU Declaration on “The Responsibilities of States and on Transparency Regarding Arms Exports.”](#) In this declaration it was stressed that “...arms transfers should not contribute to or result in excessive or destabilizing arms accumulations, regional instability, armed aggression, the precipitation, escalation or aggravation of internal or interstate conflicts, proliferation of weapons of mass destruction and missiles capable of delivering them, international terrorism, or in arms diversion.” The declaration also stated “...the United States and the European Union have decided to act jointly to encourage all arms exporting countries to submit their export decisions to rigorous criteria and to greater transparency. In particular, we commit ourselves to promoting the highest possible standards of conduct and enhanced export control practices based on our shared principles of responsibility, transparency and restraint.” Some of these practices and principles include:

1. “[I]mplementation of stringent national controls over exports of arms and military equipment, and of related technologies.”
2. “[A]uthorization of exports of arms and military equipment, and of related technologies only after an in-depth review of the internal situation of the buyer country and of the regional context in order to assure that such exports are not likely to create or heighten internal tensions or conflicts, to be used for the violation of human rights, to threaten peace and regional stability, or be diverted or re-exported in undesirable conditions.”
3. “[P]romotion of transparency by regularly circulating public information at the national level on authorized arms transfers and supporting expanded transparency regarding arms exports in the competent international fora, including the United Nations Register of Conventional Arms, the OSCE and the Wassenaar Arrangement.”

Nov. 24, 2000: OSCE Document on Small Arms and Light Weapons

The Organization for Security and Co-operation in Europe (OSCE) [Document on Small Arms and Light Weapons](#) was adopted at the 308th Plenary Meeting of the OSCE Forum for Security Cooperation. The document is strongly supported by the United States, a participating OSCE country. The document states that "...[small arms] are of concern to the international community because they pose a threat and a challenge to peace, and undermine efforts to ensure an indivisible and comprehensive security." Participating states agreed that the problems surrounding the proliferation of small arms needed to be addressed in a comprehensive way and committed to:

1. "Combat illicit trafficking in all its aspects through the adoption and implementation of national controls on small arms, including manufacture, proper marking and accurate sustained record keeping (both of which contribute to improving the traceability of small arms), effective export control, border and customs mechanisms, and through enhanced co-operation and information exchange among law enforcement and customs agencies at international, regional and national levels."
2. "Contribute to the reduction, and prevention of, the excessive and destabilizing accumulation and uncontrolled spread of small arms, taking into account legitimate requirements for national and collective defense, internal security and participation in peacekeeping operations under the Charter of the United Nations or in the framework of the OSCE."
3. "Exercise due restraint to ensure that small arms are produced, transferred and held only in accordance with legitimate defense and security needs as [previously] outlined...and in accordance with appropriate international and regional export criteria, in particular as provided for in the OSCE document on Principles Governing Conventional Arms Transfers adopted by the Forum for Security Co-operation on 25 November 1993."
4. "Build confidence, security and transparency through appropriate measures on small arms."
5. "Ensure that, in line with its comprehensive concept of security, the OSCE addresses, in its appropriate fora, concerns related to the issue of small arms as part of an overall assessment of the security situation of a particular country, and takes practical measures which will assist in this respect."
6. "Develop appropriate measures on small arms at the end of armed conflicts including their collection, safe storage and destruction linked to the disarmament, demobilization and reintegration (DD and R) of combatants."

Final provisions of the document include:

1. "[P]articipating [s]tates agree to the establishment of a list of small arms contact points in delegations to the OSCE and in capitals, to be held and maintained by the CPC [Conflict Prevention Center]. The CPC will be the main point of contact on small arms issues between the OSCE and other international organizations and institutions."
2. "[P]articipating [s]tates agree that the Forum for Security Co-operation will review regularly including, as appropriate, through annual review meetings, the implementation of the norms, principles and measures in this document and will consider specific small arms issues raised by participating States. In addition, and as necessary, they may convene meetings of national experts on small arms."
3. "[P]articipating [s]tates also agree to keep the scope and content of this document under regular review. In particular they agree to work on the further development of

the document in the light of its implementation and of the work of the United Nations and of other international organizations and institutions.”

Sept. 28, 2000: U.S., Norway and Germany Memorandum with Albania

In this [memorandum](#), the Government of Albania, with the support of the Norwegian, German and American governments:

1. “Reaffirms its commitment to destroy the small arms and light weapons looted during the 1997 crisis, including those that have already been collected and will be collected in the future from the civilian population.”
2. “Announces its intention to destroy the above-mentioned small arms and light weapons, and commits to promoting the process of destroying stockpiles of weapons that are in excess of those needed for national defense purposes, and.”
3. “Undertakes to carry out this commitment in an expeditious fashion, and to destroy by the end of 2000 or soon as practicable, the small arms and light weapons already collected and to be collected, thus setting an example for all countries in Southeast Europe.”

Feb. 29, 2000: First Preparatory Committee Meeting for the UN 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

At the [First Preparatory Committee Meeting](#) for the UN 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, Lee Feinstein, State Department deputy director of policy planning and U.S. delegation head, said that the United States believes the international community should pursue an integrated, comprehensive approach to the small arms issue. He also stated that the U.S. position was that the conference was complementary to, and not a duplication of the UN Firearms Protocol being negotiated in Vienna. Feinstein further declared that the United States seeks a conference that has a “...widely supported outcome that will produce concrete and pragmatic results.” He said some measures the conference should include are:

1. “Further coordination and promotion of efforts to support the destruction of excess weapons and adequate stockpile security,”
2. “Greater transparency,”
3. “Strengthening observance of embargoes established by the United Nations including through the adoption of appropriate national legislation,”
4. “Enhanced retransfer controls and end-user verification,”
5. “Adequate monitoring and regulation of arms brokering activities,”
6. “Development of model regulations, or standards, on the adequacy of firearms marking techniques and procedures working in partnership with the firearms manufacturing community,”
7. “Strengthening international cooperation in law enforcement, customs and border control, including measures to make assistance available to prevent illicit trafficking when and where it is most needed,” and
8. “Attacking the economy of war that supports arms trafficking, including by identifying ways to track and intercept trafficking in precious gemstones used in financing conflict.”

Feb. 23, 2000: U.S. Comprehensive Initiative on Small Arms

A [fact sheet](#) released by the State Department on the U.S. Comprehensive Initiative on Small Arms outlined steps to address the "...growing international concern about [the] trafficking in small arms and light weapons" including:

1. Incorporating language on brokering in the Firearms Protocol.
2. Providing support to the UN African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) to survey small arms legislation, regulations, and law enforcement capacities of African countries to provide a benchmark for future work.
3. Providing technical assistance for the 1998 ECOWAS moratorium.
4. Seeking congressional approval to release modest funding for the ECOWAS moratorium, which was included in the FY 1999 Foreign Authorizations Act.
5. Encouraging all governments to announce and observe voluntary moratoria: "...[T]he United States does not authorize commercial or government-to-government weapons transfers to conflict areas such as the Democratic Republic of the Congo, Ethiopia, Eritrea and Angola, whose governments are not subject to UN embargoes."
6. Maintaining that "[i]f arms license applications exceed the normal, reasonable domestic needs of a given importing country or show other abnormalities, the United States will audit and, if necessary, cut off exports to that country."
7. Supporting the recommendations of the 1997 Report of the Panel of Governmental Experts on Small Arms.
8. Implementing OAS model regulations.

Feb. 4, 2000: U.S. Priorities on Small Arms and Light Weapons

At a conference sponsored by the Small Arms Working Group (SAWG) at the Paul H. Nitze School of Advanced International Studies John Holum, senior advisor to the secretary of state for arms control and international security, cited the following [priorities](#) for the United States on small arms and light weapons:

1. Expand U.S. "best practices," such as adopting model regulations on the legal trade proposed by the OAS.
2. Encourage stronger steps, such as steps to criminalize UN embargo violations, institute strict end-use and arms brokering controls, and curb weapons retransfers.
3. Complete by the end of 2000 the negotiation of the Firearms Protocol (however, he noted that efforts were required to exclude "extraneous issues" from the protocol).
4. Support an agreement on guidelines to restrict transfers of Man-Portable Defense Systems (MANPADS) in the Wassenaar Arrangement, a multilateral export control regime in which the United States participates that deals with conventional arms and related dual-use items.
5. Increase transparency for small arms and light weapons transfers by sharing information on transfers and violations. In an effort to take the initiative on transparency, the United States created a global standard through its Section 655 reporting requirements (stipulated under the Arms Export Control Act), and has made various proposals in regards to the Wassenaar Arrangement. Some of these proposals include expanding the current seven reporting categories to seventeen, encouraging

- members to both report separately on arms sold to non-Wassenaar countries, and to report on arms transfers to regions of conflict.
6. Coordinate and assist efforts, such as U.S. efforts in Liberia, Albania, Kuwait, Haiti, and Panama, to secure military stockpiles against loss and theft, and to destroy surplus stocks, particularly in regions of conflict and post-conflict.
 7. Continue activity on the small arms issue through the G-8, Wassenaar Arrangement, NATO's Euro-Atlantic Partnership Council (EAPC) and Partnership for Peace (PfP) (working on programs to improve security of weapons stockpiles), Stability Pact for Southeastern Europe, and the Organization of Security and Cooperation in Europe (OSCE).

Holum also reiterated U.S. efforts to establish a UN Institute for Crime Prevention in Kampala, Uganda, which would serve to compliment both the headquarters of the ECOWAS Moratorium and the small arms activities of the UN Regional Center for Peace and Disarmament in Lomé, Togo. Holum stated that the international response to the small arms issue must be multidimensional, and must be balanced between demand and supply-side approaches: The United States "...will continue to oppose efforts that attempt to impose a single, sweeping, top-down solution."

1999

Dec. 17, 1999: U.S.-EU Joint Statement of Common Principles on Small Arms and Light Weapons

The United States and the European Union signed a [Joint Statement of Common Principles on Small Arms and Light Weapons](#), a 10-point Plan of Action that includes U.S. support for the EU Code of Conduct on arms exports and the principles contained in its criteria. The joint statement affirmed U.S. and EU commitment to "...observe the highest standards of restraint..." as well as a commitment to "...explore appropriate and effective measures of transparency in the transfers of small arms and light weapons." The United States and European Union also agreed that the UN 2001 Conference should undertake "...concrete and tangible steps to combat the destabilizing accumulation and spread of small arms and light weapons." The United States also pledged support for those objectives and principles of the EU Joint Action on Small Arms and Light Weapons (adopted December 1998), which are consistent with U.S. policy and domestic legislation. The 10 action items agreed upon in the joint statement were:

1. Establish a working group to promote increased cooperation and information sharing (transparency), and to evaluate the progress made by the United States and European Union on the issue.
2. Cooperate in addressing the problems relating to the small arms issue, including working to complete the Firearms Protocol by 2000. This protocol is being negotiated in Vienna as part of the UN International Transnational Organized Crime Convention (TOC).
3. Coordinate efforts to provide assistance where the accumulation and spread of small arms is most severe.

4. Promote support for the observance and enforcement of the 1998 moratorium signed by all members of the Economic Community of West African States (ECOWAS), and targets the importation, exportation, and manufacture of light weapons.
5. Promote the observance of UN sanctions governing arms transfers to regions of conflict.
6. Cooperate in considering measures to combat illicit arms brokering and measures to prevent unauthorized retransfers.
7. Promote the inclusion of weapons collection and destruction measures in UN Peacekeeping mandates.
8. Cooperate for more effective coordination of assistance in regions severely affected by small arms.
9. Work together in regional fora on the issue.
10. Coordinate U.S.-EU planning for a successful outcome to the 2001 UN Conference.

November 1999: The International Arms Sales Code of Conduct Act

[The International Arms Sales Code of Conduct Act](#) was signed as part of the Fiscal Year 2000 State Department Authorization Act and requires the president to support efforts to negotiate a multilateral regime on arms export criteria. It also requires the State Department to include in its annual report on human rights the extent to which states meet the Code's criteria.

In order to be eligible for U.S. weapons transfers, a country must:

1. Promote democracy;
2. Respect human rights;
3. Not be engaged in acts of aggression which violate international law;
4. Not support terrorism;
5. Not contribute to the proliferation of weapons of mass destruction;
6. Not be located in a region in which arms transfers would exacerbate regional arms races or international tensions that present a danger to international peace and stability.

Oct. 15, 1999: U.S.–Norway Working Group on Small Arms

In a statement released by the White House Office of the Press Secretary, the United States announced a joint [U.S.–Norway working group](#) to support nations that agree to destroy surplus small arms.

Sept. 24, 1999: U.S. Initiatives on Small Arms

At the UN Security Council Small Arms Ministerial in New York, Secretary of State Madeleine Albright highlighted [U.S. initiatives on small arms](#) including:

1. “The United States will refrain from selling arms to regions of conflict not already covered by arms embargoes. The United States also encourages other nations to establish and observe such moratoria.”

2. The United States has "...passed laws making it illegal for traffickers subject to American law to broker illicit deals anywhere." The United States also asks others to crack down on similar illegal brokering activities.
3. The United States is working with the European Union (EU) "...to develop principles of restraint and a joint action plan."
4. The United States is "...committed to working toward destroying...stocks of weapons worldwide."
5. The United States supports work towards finishing negotiations on the Firearms Protocol by the end of 2000.

January 1999: First Draft of the UN Firearms Protocol

Negotiations began on the Protocol to Combat Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (a.k.a., the "Firearms Protocol") of the UN Transnational Organized Crime Convention.

The U.S. Delegation criticized the Canadian [draft protocol](#) for several reasons:

1. Because "by not including in the definition either the failure to mark imported firearms or the obliteration of serial numbers, the draft fails to criminalize those offences. We recommend that importing firearms without providing the appropriate markings and obliterating serial numbers be added to the definition of illicit "trafficking."
2. The Draft's definition of "other related materials" is ambiguous and therefore the definition "Other related materials: any component, part or replacement part of a firearm" was suggested.
3. The Draft omits the purpose of preventing, combating and eradicating illicit firearm trafficking, and the U.S. recommended that the phrase "to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, ammunition and other related materials" be added to the protocol.
4. The Protocol should explicitly state that it does not apply to State-to-State transactions or to transactions for purposes of national security.
5. The Protocol should "require the criminalization of violations of United Nations arms embargoes."
6. Though not currently required by the OAS Convention, we consider it might be helpful to add "a provision requiring the marking of an individual serial number if the firearm does not bear one at the time of import."
7. Finally, the United States pointed that the "Protocol represents an opportunity to go beyond OAS in this area in two important respects. Firstly, it provides the opportunity to institute a system in which the export, import and in-transit licenses or authorizations are consistent, contain parallel information and are issued in the proper order, that is, import then in-transit (where relevant) then export. Secondly, this Protocol provides the opportunity to require written approval from the exporting country prior to re-export by the importing country."

1998

Nov. 10, 1998: Albright Speech at International Rescue Committee

In a speech to the International Rescue Committee, Secretary of State Madeleine Albright presented [specific steps](#) that the United States is taking in effort to address the small arms issue. Albright emphasized that the United States has undertaken domestic measures focusing on the export and re-export of small arms to address the unregulated and illegitimate sale of small arms, including:

1. The U.S. Department of State was directed to increase scrutiny of export licenses in order to facilitate effective end-use monitoring.
2. The United States tightened laws to prevent its citizens from engaging in arms deals abroad that would be illegal domestically.
3. The U.S. Customs Service increased efforts to find and seize unlawful arms shipments.
4. The Justice Department stepped up prosecutions of traffickers caught smuggling arms into Mexico.

Albright also highlighted then-existing efforts to strengthen international rules on small arms including:

1. U.S. work with other countries to establish a set of “best practices” to regulate global arms transfers, including re-exportation of arms, lack of end-use monitoring, and the practice of arms brokers transferring weapons through third-country deals.
2. U.S. negotiation of the OAS Convention (1997) to deal with issues regarding illicit transfers and use.
3. Work to make OAS Convention-like safeguards global by negotiating a similar agreement at the UN Crime Commission.
4. U.S. efforts to conclude an agreement on the export control of shoulder-fired missiles.
5. United States calls for nations to share information on arms shipments.
6. A U.S. proposal for working with others to create an African center for technical assistance and training in an effort to build stronger law enforcement networks to fight the uncontrolled trafficking of small arms.

Oct. 14, 1998: 5th Meeting of the First Committee of the UN General Assembly

At the 5th Meeting of the First Committee of the UN General Assembly, 53rd Session, John D. Holum, senior advisor to the secretary of state for arms control and international security, recalled in a [statement](#), that:

1. U.S. Secretary of State Albright stressed the importance of responsible arms transfer practices that should be effective worldwide, which should be negotiated under UN auspices, and based upon the model of the OAS Inter-American Convention.
2. The United States has set 2000 as the date to conclude such talks, and has called for an international center to collect and share information on arms transfers.

October 1998: International Conference, Sustainable Disarmament for Sustainable Development, Brussels, 12-13 October 1998

The United States participated in the Brussels Conference on Sustainable Disarmament for Sustainable Development and help produce the document [“A Call for Action.”](#) This document calls for an “International Program of Action on Practical Disarmament and Peacebuilding” in the long-term, and calls for all members of the international community to take coordinated actions at national, regional and international levels in the areas of human security and development; the widespread availability, transfer and use of light weapons and small arms; and in providing victim assistance.

Sept. 24, 1998: U.S. Speech on SALW in Africa

In a statement to the UN Security Council Ministerial on Africa, Secretary of State Madeleine Albright announced the following [proposals](#):

1. All nations that export arms to Africa should disclose those transfers, and should also build international support for a voluntary moratorium on arms sales that could fuel conflicts in Africa.
2. UN member states should prepare programs “...strengthening the capacity of African governments to monitor and interdict weapons flows,” especially in the enforcement of arms embargoes.
3. Two urgent steps for global action: First, the international community should put in place responsible arms transfer practices that are effective worldwide. Second, the international community should “...establish an international center to collect and share information on arms transfers.”

Aug. 11, 1998: Report on U.S. Conventional Arms Transfer Policy

The U.S. Arms Control and Disarmament Agency, in a [report on U.S. Conventional Arms Transfer Policy](#), stated that:

1. There is a significant change in U.S. legislation regarding regulating arms exports, in relation to registration with the U.S. State Department for those engaged in manufacture, export, import or transfer of any defense related item subject to U.S. regulation.
2. The Departments of State, Commerce, and Treasury will be changing their respective regulations to incorporate the Summit of the Americas agreement from April 18, 1998: “In an effort to strengthen common hemispheric security and strengthen protections against new transnational threats facing the region, including the production, distribution, and abuse of narcotics, illegal arms trafficking and terrorism, the President and other hemispheric partners agreed to implement model regulations on commercial arms transfers.”
3. In regards to other multilateral and international efforts to promote transparency in the arms trade, the United States sponsored the UN resolution that created the UN Register of Conventional Arms, and encourages inclusion of military holdings and procurement via national production in the register, and supports sending representatives to the UN Experts Panels.

July 1998: The Oslo Meeting on Small Arms, 13-14 July 1998

The United States attended the first international conference addressing SALW that took place in Oslo in 1998, and helped draft the [“Elements of a Common Understanding.”](#) This document details the problems caused by the proliferation of small arms and provides a list of actions to be taken by the international community in order to address this issue.

June 1998: OAS Convention Submitted to U.S. Senate

The convention was signed by the United States, and sent to the Senate for its advice and consent to ratification in 1998, but has not yet been ratified. The convention entered into force on July 1, 1998, after the ratification of two OAS member states.

April 6, 1998: U.S. Ban on the Import of Over 50 Kinds of Assault Weapons

President Clinton issued a [ban](#) on the import of over 50 kinds of assault weapons that use large-capacity military magazines.

1997

Nov. 15, 1997: The Inter-American Convention Against the Illicit Trafficking in Firearms, Ammunition, and Other Related Materials

[The Inter-American Convention Against the Illicit Trafficking in Firearms, Ammunition, and Other Related Materials](#), also known as The Organization of American States (OAS)

Convention, was signed in Washington. The United States was an active participant in the convention negotiations. The convention is a legally binding, multilateral instrument to address the problem of illicit firearms trafficking. Provisions include:

1. Establishment of a system to license and track firearms sales;
2. Marking of firearms in order to facilitate the global tracing of arms;
3. Enhancement of information exchanges;
4. Creation of provisions for training and technical assistance.

Aug. 7, 1997: Panel of Governmental Experts on Small Arms Report

Pursuant to paragraph 1 of General Assembly resolution 50/70 B of Dec. 12, 1995, the Panel of Governmental Experts on Small Arms was appointed to submit their [report](#) on small arms. The U.S. representative on the panel was Dr. Herbert Lee Calhoun, senior foreign affairs specialist from the Bureau of Multilateral Affairs of the Arms Control and Disarmament Agency. The United States strongly supported the recommendations of the panel released on Aug. 7, 1997, which included a seven-point plan of reduction measures:

1. “[The] United Nations should adopt a proportional and integrated approach to security and development, including the identification of appropriate assistance for the internal security forces.”
2. “[The] United Nations should support... post-conflict initiatives related to disarmament and demobilization.”

3. "...[G]uidelines should be developed in order to... [a]ssist negotiators of peace settlements in developing plans to disarm combatants, particularly as concerns light weapons, small arms and munitions, and to include therein plans for the collection of weapons and their disposal, preferably by destruction."
4. "...[C]onsideration should be given to the establishment of a disarmament component in peacekeeping operations undertaken by the United Nations."
5. "States and regional organizations...should strengthen international and regional cooperation among police, intelligence, customs, and border control officials in combating the illicit circulation of and trafficking in small arms and light weapons and in suppressing criminal activities related to the use of these weapons."
6. "The establishment of mechanisms and regional networks for information sharing... should be encouraged."
7. "All such weapons which are not under legal civilian possession, and which are not required for the purposes of national defense and internal security, should be collected and destroyed by States as expeditiously as possible."

The panel's recommendations also included a 13-point plan of prevention measures:

1. "States should determine in their national laws and regulations which arms are permitted for civilian possession and the conditions under which they can be used."
2. "All States should ensure that they have in place adequate laws, regulations and administrative procedures to exercise effective control over the legal possession of small arms...and over their transfer in order...to prevent illicit trafficking."
3. "States should exercise restraint with respect to the transfer of the surplus of small arms...[and] [s]tates should also consider the possibility of destroying all such surplus weapons...States should ensure the safeguarding of such weapons against loss through theft or corruption."
4. "United Nations should urge relevant organizations...to closely cooperate in the identification of the groups and individuals engaged in illicit trafficking activities, and the modes of transfer used by them."
5. "States...should intensify their cooperative efforts against all aspects of illicit trafficking...that are related to the proliferation and accumulation of small arms and light weapons."
6. "[The] United Nations should encourage the adoption and implementation of...moratoriums...on the transfer and manufacture of small arms and light weapons."
7. "[The] United Nations should initiate studies on...the feasibility of establishing a reliable system for marking...weapons from the time of their manufacture,...[t]he feasibility of restricting the manufacture and trade of such weapons to the manufacturers and dealers authorized by States, and of establishing a database of such authorized manufacturers and dealers...[The] United Nations should [also] initiate a study on all aspects of the problem of ammunition and explosives."

1996

In 1996 President Clinton signed legislation [amending the Arms Control Act](#), giving the State Department greater authority to monitor and regulate the activities of arms brokers and requiring the State Department to submit annual reports detailing the year's brokering activities. The [Foreign Assistance Act of 1961 was also amended](#) in 1996, requiring a detailed annual report on commercial arms exports that fall below the previously existing reporting thresholds for U.S. arms transfers.

1995

Oct. 22, 1995: Clinton speech on small arms grey markets

In a speech at the 50th UN General Assembly, President William J. Clinton focused on the global humanitarian and security threats posed by terrorism, organized crime, and drug trafficking. [President Clinton stated](#) that nations, working together under UN auspices, should create a counter-terrorism pact that would work to "...urge more states to ratify existing antiterrorism treaties, and work with us [the United States] to shut down the gray markets that outfit terrorists and criminals with firearms and false documents."

February 17, 1995: U.S. Conventional Arms Transfer (CAT) policy

Each arms transfer is subject to strict [criteria](#) including:

1. Consistency with international agreements and arms control initiatives.
2. Appropriateness of the transfer in responding to legitimate U.S. and recipient security needs.
3. Consistency with U.S. regional stability interests, especially when considering transfers involving power projection capability or introduction of a system which may foster increased tension or contribute to an arms race.
4. The degree to which the transfer supports U.S. strategic and foreign policy interests through increased Access and influence, allied burden-sharing, and interoperability.
5. The impact of the proposed transfer on U.S. capabilities and technological advantage, particularly in protecting sensitive software and hardware design, development, manufacturing, and integration knowledge.
6. The impact on U.S. industry and the defense industrial base whether the sale is approved or not.
7. The degree of protection afforded sensitive technology and potential for unauthorized third-party transfer, as well as in-country diversion to unauthorized uses.
8. The risk of revealing system vulnerabilities and adversely impacting U.S. operational capabilities in the event of compromise.
9. The risk of adverse economic, political or social impact within the recipient nation and the degree to which security needs can be addressed by other means.
10. The human rights, terrorism and proliferation record of the recipient and the potential for misuse of the export in question.
11. The availability of comparable systems from foreign suppliers.
12. The ability of the recipient effectively to field, support, and appropriately employ the requested system in accordance with its intended end-use.

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