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International End-use Documents in support of International Armament Embargoes.

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I. Introduction

The Charter of the United Nations empowers the Security Council to take various measures in order to exert influence on states and actors and thus safeguard international peace and security. As a rule when peace is threatened, the Security Council first tries to use non-military sanctions, such as arms embargoes or breaking off economic, diplomatic and other relations. The Council's demands may be presented in the form of binding decisions, resolutions or recommendations. It is therefore essential that sanctions are both effective, humane and targeted.

The Stockholm Process is the third step in an international process dealing with targeted sanctions and is based on proposals presented by Switzerland via the Interlaken Process and by Germany in the Bonn/ Berlin Process.¹ The previous processes have focused on drawing up models for financial sanctions, arms embargoes and travel and aviation related sanctions. The Stockholm Process will focus on how these targeted sanctions will be implemented and monitored.

One particular aspect of the Stockholm Process is how to make arms embargoes more efficient. This paper discusses the use and effectiveness of national so called end-use certificates for conventional arms transfers. It is suggested that in order to strengthen the effectiveness of end-use controls in connection with mandatory United Nations Security Council (UNSC) arms embargoes, international end-use documents should become standard procedure.

No distinction is made in this paper between major conventional weapons, small arms or light weapons. They are here regarded as equally important for efficient controls and should be treated together. This is so even if the actual measures to control the transfer of these different types of weapons as well as their direct importance for a particular conflict may vary.

The recommendations are formulated on the assumptions that UN members governments want to make arms embargoes efficient and, therefore, are willing when asked to support international armament controls including arms embargoes more strongly than they support the transfer of goods and other ingredients used in support of world armaments.

II. National End-use Certificates and International Arms Embargoes

An end-use certificate is a trade security control document. It is used by supplier governments for (certain) arms and other transfers to (certain) recipients. They generally verify, by signatures from the supplying and recipient companies and/or governments, the final destination of the transfer (end-user). The document in most cases assures that further transfer without the approval of the original supplier government is unlawful.

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End-use certificates are used under normal circumstances, i.e. when there are no sanctions involved. Although the EU in accordance with its Code of Conduct has stipulated arms export coordination rules, and while the Wassenaar Arrangement in December 1999 issued an 'indicative list' of end-use assurances (Illustration 1), the actual content and implementation of national end-use certificates are according to the national arms export control laws or guidelines. This means that there is neither an internationally agreed to format for or content of an end-use certificate, nor internationally agreed to implementation rules. To establish an international end use document as well as implementation rules, and to make them directly relevant for a particular sanction mechanism, are necessary steps for making arms embargoes more effective.

Mandatory (binding) UNSC arms embargoes imply that no, or only defined categories of arms (the term 'arms' is used here for simplicity but the coverage of an international end-use document will be discussed below) are allowed to be transferred from the member states to the defined recipient (target). In other words, no end-use certificate will be issued for the embargoed arms by those governments that adhere to the embargo.

So why discuss end-use certificates in relation to international arms embargoes? The reason is that such embargoes are not theoretical. They are (real -) political decisions limited by what governments regard as real security considerations for themselves as well as for friends and allies. The actual outcome is therefore that arms embargoes are not always complete in their coverage. The language may be unclear or imprecise as the result of tradeoffs between agreeing on an embargo or no embargo at all. The end result or aim of the embargo may be defined in more or less clear terms and the means to reach it left to be nationally defined and implemented. This might lead to difficult national decisions of implementation as well as for decisions about when the embargo is not complied with. This may be especially so if there are grey zones with regard to potential military use of civilian items. Then there are also illegal transfers to be considered.

Illustration 1.

A non-binding list of end-use assurances to be used by Participating States at their discretion agreed at the Wassenaar Plenary, 1-3 Dec 1999.

1. Parties involved in the transaction

- 1.1 Exporter's full name and address;
- 1.2 Intermediate consignee's(s)' full name and address (if applicable);
- 1.3 Final consignee's(s)ⁱⁱ full name and address;
- 1.4 End-user's full name and address (if different from the final consignee);

2. Goods

- 2.1 A detailed description of the goods which discloses their true identity;
- 2.2 Include quantities and values;

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3. End-use

- 3.1 Describe the specific end-use of the goods;
- 3.2 Provide assurances that the goods will not be used other than for stated purposes; and/or
- 3.3 Provide an undertaking that the goods will be used for civil end-uses; and/or
- 3.4 End-user certification that the goods will not be used for chemical, biological or nuclear weapons, or for missiles capable of delivering such weapons;

4. Location

- 4.1 Provide certification that the goods will be installed at the premises of the end-user or will be used only by the end-user;
- 4.2 The final consignee/end-user agrees to allow on-site verification;

5. Re-export / Diversion

- 5.1 The final consignee's/end-user's undertaking not to transship or re-export the goods covered by the End-use Certificate/Statement; and/or
- 5.2 No re-exports without approval from the government of the original exporting country; and/or
- 5.3 The final consignee's/end-user's assurance that any re-exports will be done under the authority of the final consignee's/end-user's export licensing authorities;
- 5.4 The final consignee's/end-user's undertaking not to divert the goods covered by the End-use Certificate/Statement to another destination or location in the importing country;

6. Delivery Verification

- 6.1 Provide a commitment by the final consignee to provide the exporter or the exporting government with proof of importation, upon request (e.g., provide a Delivery Verification Certificate (DV));

7. Documentation

- 7.1 Signature, name and title of final consignee's/end-user's representative;
- 7.2 Signature and end-use certification by the final consignee's/end-user's government or other authority as to the authenticity of the primary details provided in the document;
- 7.3 If issued by government authority, a unique identifying Certificate/Statement number;
- 7.4 Original End-user Certificate/Statement or legally certified copies.

Source: <http://www.usun-vienna.usia.co.at/wassenaar/public00e.html>

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From this follows a number of important conclusions. First, national end-use certificates are not sufficient for making UNSC arms embargoes more effective. Instead, second, an international end-use document, defining the same rules for every state, should be produced. Third, it must cover all those goods, services and other activities that are defined as relevant for achieving the purpose of the arms embargo. Fourth, the aims of the arms embargo, the terminology used, as well as the means to reach the aims must be clear and unambiguous. This is not only important for the implementation of the embargo but also in order to decide when the arms embargo has not been complied with. Fifth, the punishment for not complying with the embargo should be explicit and severe.

It is clear from the above that the effectiveness of an international end-use document is not only dependent upon what is stated in the document as such. It is directly related to how it is implemented by governments. In order to decide if governments adhere to an arms embargo or not, embargoes must be constantly monitored while in force.

More efficient arms embargoes should be possible if certain conditions are fulfilled. Some of those conditions have been mentioned above and will be further elaborated below. They may be summarized in five necessary conditions. First, the formulation and implementation of end-use certificates that are today more or less left to individual government decisions must become an internationally coordinated undertaking directly related to a particular UNSC arms embargo decision.

Second, the relationship between the explicit aims of the arms embargo and the implementation of the international end-use document must be made into a control system that permits 'real-time inter-action' between the UNSC, national export control authorities and people in the field.

Third, 'real-time inter-action' requires that the national implementations of the international end-use document are internationally coordinated and monitored.

Fourth, such a control system puts more responsibility and demands on, as well as requires more resources to be allocated to the UNSC.

Fifth, governments must in their national policies *strongly* tip the balance in favor of international armament controls including arms embargoes in relation to the perceived need for national arms transfers. The following discussion is based on an assumption that there is such a will, or that it can be developed. Political, financial, personnel and other factors or considerations that could restrain and limit the realization of effective international arms embargoes are therefore not considered here.

This paper will discuss international end-use documents in support of effective international arms embargoes from a 'holistic' perspective as shown in illustration 2. Below, the different aspects of this international control system will be discussed. The main conclusions are summarized as recommendations at the end, where the tentative content of an international end-use document is also exemplified.

III. Some Clarifications

1. What should be controlled?

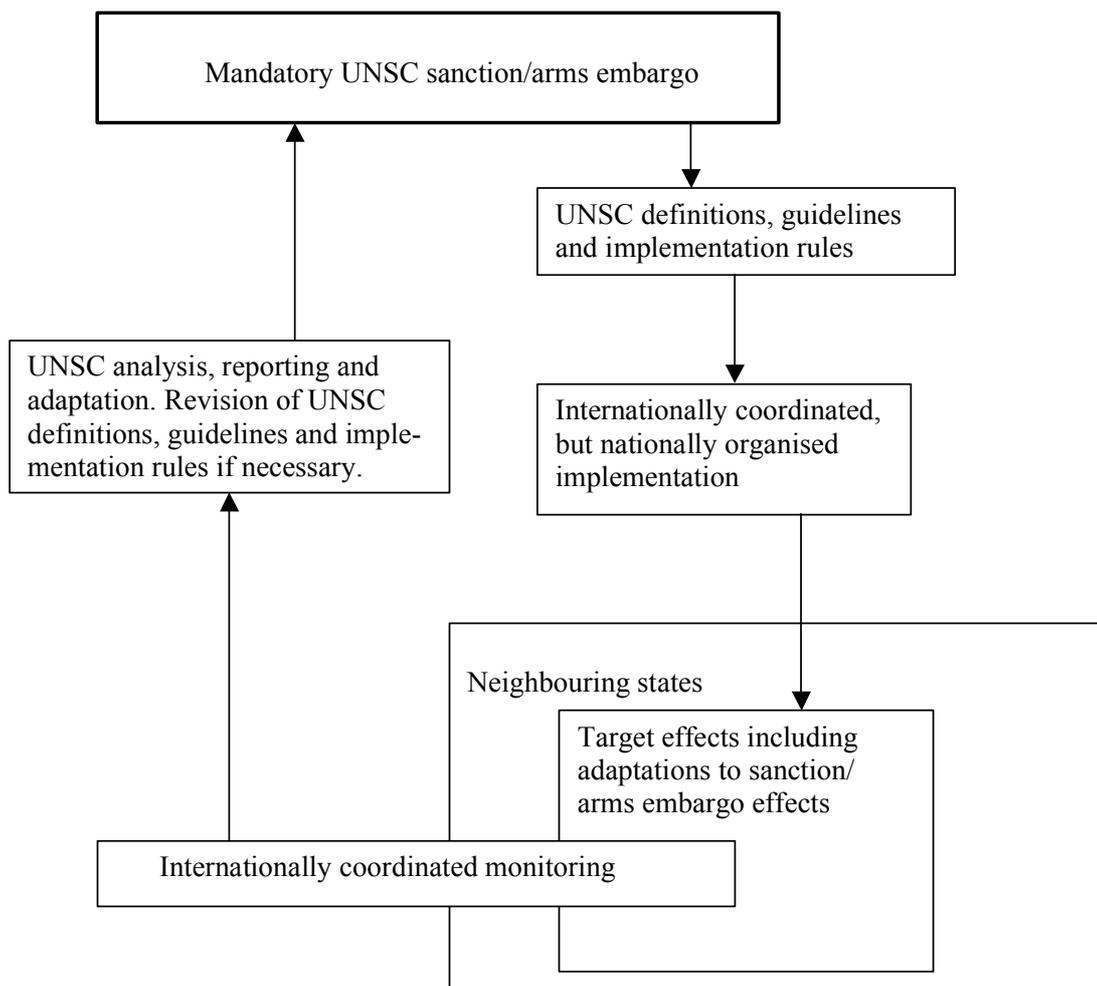
There are two basic ways to define a 'military' good, and both have their benefits and drawbacks. First, by the *construction* of military equipment. The most obvious example is a

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military weapon or other piece of equipment that has characteristics not found in civilian arms, vehicles, etc. In most cases military goods are clearly distinguished from civilian goods.

Illustration 2.

A holistic approach to end-use controls in support of international arms embargoes



But it has become more and more common among defense companies and military establishments to make use of the civilian society in a variety of ways. The reasons are financial as well as technological. The standard example is in the field of electronics where civilian developments have been fast and approaching military functional and technological requirements. The result has been products that can fulfill military demands at a lower price than for specifically developed military goods.

To use a distinction only based on a military construction is therefore no longer meaningful. The *use* is the focus of the second type of definition. In fact, this is the core function in the end-use document. With regard to UNSC embargoes relevant users could include organizations that use or support the use of force or repression (such as military establishments and armed forces, i.e. also certain governments); para-military, police and private security organizations; and the

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producers of the means of force or repression (industrial and other research and manufacturing undertakings). Any of these, but not limited to these, could be the 'target' of an arms embargo.

But military establishments use everything from paperclips to space observation and navigation systems. Distinctions have to be made in order to define relevant aspects of use, for instance categories such as goods (equipment), installations and/or skills (services and know-how). These categories cover relevant civilian (dual-use) items, manufacture, science and technology (research and development), training—all of them possible loopholes in a narrowly defined arms embargo. An international end-use document should cover all of these categories and permit the specification within each category of particular goods, installations and/or skills to be embargoed. An UNSC embargo should, in order to reflect this wider ambition, not be called an arms embargo but an *armament* embargo.

It is not always possible for policy- or lawmakers to be imaginative or far-sighted enough, especially in times of rapid technological change and imaginative targets. It may therefore be desirable to be able to control the transfer of goods, installations and/or skills that have not been specifically referred to in the decision if UNSC members become aware that they are or could be used in a way contrary to the objectives of an armament embargo. Such a control may be achieved in two ways. First, the real-time inter-action system suggested here permits the UNSC to be informed about attempts to circumvent the embargo. The UNSC can therefore reformulate an embargo decision while it is in force, thereby 'plugging' such loopholes.

Second, the embargo decision may include a "catch-all" principle. This principle would here mean an obligation on an exporter to request a national end-use certificate for a particular good, installation and/or skill if its military use is possible even if that is not mentioned in the UNSC decision. The way in which this principle is formulated in laws and regulations and then implemented through national export control systems has been a subject for much controversy during the 1990s. Criticisms include that the principle is unfair and should not be written into law, or that the principle is unenforceable in law. The principle is, nevertheless, already written into the national laws of a significant number of states and does fulfill an important purpose.ⁱⁱⁱ

Still, the catchall method puts much responsibility on the supplier and could result in unintended illegal transfers. The proposed real-time inter-action system should, in fact, be sufficient. However, these two approaches should not be considered as either-or, but the use of a catchall principle in national export decisions should be complementary to the proposed real-time inter-action system.

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2. What is a transfer?

By a transfer is here meant

- the movement of goods, installations and/or skills that actually do, or might assist the target to acquire or produce a controlled good, installation and/or skill.
- The movement could involve, for example, a final product (good) including weapons (as new, second hand or surplus); technology to build installations or equipment through documentation and blueprints, a license agreement and/or services and other forms of assistance; person-to-person interactions such as science and technology training and/or higher or specialized education including direct military, para-military or police training.

It is irrelevant for the definition of a transfer if it is paid for or not. A transfer could be

- *directly* from country A to the target (in) country B,
- from country A to target (in) country B *via* a third (or more) 'agent' (be it a government, organization or individual),
- take place *inside* country A to a person or other recipient representing the target (in) country B, or
- take place *in* country B by a representative of (the supplier in) country A.

Even countries that are presented as self-sufficient with regard to (certain) military equipment often depend upon transfers from foreign countries of goods, installations and/or skills because it is cost-effective or because they lack specific competences.^{iv} This is straightforward and easy to understand when it involves a lack of capacity to produce certain types of military equipment. It is equally easy to disregard transfers involving goods, installations or skills not directly recognized as military. In some cases experts are needed in order to define the possible or potential military use.

Project Hindsight, published in 1969, investigated the kind of science and technology utilized by the United States in 20 weapon systems. It concluded that publication was the dominant mode for the transfer of scientific (basic science) information while informal, person-to-person contacts were most important for the transfer of technology information. Already in 1946 the quality of personnel was called 'the most important single factor in scientific and technical work'. More than 30 years later it was again emphasized by the then Director of Strategic Technology and Munitions Control at the US Department of Defense that the key to effective (military or defense) use of foreign science and technology is the amount and nature of person-to-person exchanges.^v

Oxfam in December 1998 published a commissioned report about loopholes in the UK export control system.^{vi} It identified brokering and license manufacture abroad as two major loopholes for evading UK arms export restrictions. The fact that these loopholes were identified in the UK is important for several reasons. The UK government has defined an 'ethical foreign policy' that includes arms transfers. That policy is especially important for a country such as the UK since it is one of the largest arms exporters in Europe with close transatlantic links. Both these loopholes are covered in the system proposed here.

Problems involved in foreign license manufacture have been known for a long time. It is not only that foreign manufacturers learn technologies and manufacturing skills that may over time

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be used to develop and manufacture indigenous military equipment. Arms suppliers have also, as a competitive tool, offered foreign license manufacturers the right to re-transfer manufactured equipment.^{vii} Re-transfer markets so decided are often limited to regional markets where the original supplier is not present with that particular type of equipment. Such offers may be ways to circumvent national export controls. If such regional markets include or are neighboring embargoed targets, there may be increased risk of such equipment reaching that target. This points to the need for effective monitoring of an armament embargo.

Similar possibilities may exist in international cooperation for the development and manufacture of military equipment, especially if the participating countries have very different national export policies. Generally, nations cooperate in order to arm rather than to disarm or to control the conventional armaments of others.^{viii} Military production capacities are over time spread to more nations through the permission to license manufacture foreign equipment. Subsystems are becoming interchangeable in many weapon systems and can thus use such systems from different suppliers. Moreover, as a result of increasing international cooperation and the creation of large multinational and private arms producers, international trade is in some cases not only trans-national but intra-company transfers with much reduced transparency.

The six countries that signed the Framework Agreement Concerning Measures to Facilitate the Restructuring and Operation of the European Defense Industry in 2000—France, Germany, Italy, Spain, Sweden and the UK—account for about 90 per cent of the EU's total transfers (among themselves as well as with other countries) of major conventional weapons. Military transfers between companies in these countries are basically free for cooperative weapon projects and are likely to increase as the national defense industrial base is reduced in many of these countries. If and how such transfers may become transparent for the public as well as for parliamentary control is not yet clear.^{ix}

Depending on which country is studied, different types of loopholes exist since laws and regulations differ among nations. It is therefore important that, as a minimum, international control mechanisms that have for a long time been used to control and limit the spread of weapons of mass destruction and missile technology are employed also for conventional weapons in general and included in as well as specified in international end-use documents.

3. An international end-use document

Oxfam's December 1998 report identified a third major loophole, namely the national end-use certificates themselves. The existence of end-use certificates does not prevent the transfer of controlled goods to unauthorized targets. One problem is that it is easy to get a (false) national end-use certificate. It has been well known for a long time that end-use certificates are systematically forged. In 1984 British press and Danish TV described how Soviet weapons during the late 1970s were sold to South Africa via Bulgaria. The end-use certificate stated that the weapons were destined to Nigeria. The Danish programme showed that it was not difficult—although expensive—to get a false end-use certificate.^x The Oxfam report also gives more recent examples. Moreover, in preparing the report Oxfam managed within a matter of days, and with only one phone call to a contact in a foreign government, to receive an end-use certificate on official headed paper complete with a bona fide signature and a government stamp from the 'importing' defense ministry.

Governments, agencies and persons involved in the legal transfer of goods, installations and/or skills must be able to trust the authenticity of the necessary documentation. Some nations have

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taken special measures in order to complicate the falsification of end-use certificates, and this procedure has to become wide spread. The creation of an international end-use document to be used in UNSC armament embargoes would be a further step in that direction.

4. International coordination of monitoring

A major problem in the implementation of export controls is how to know what happens outside the exporting state. The use of national end-use certificates is clearly not fail-safe. Initial knowledge about cases of alleged illegal arms transfers from Sweden during the 1980s came from foreign sources and was not the result of Swedish "checks and balances". Oxfam's 1998 report identified the problem as the virtual lack of arms transfers monitoring during shipment, delivery or subsequent use. It found that a cargo of military equipment could be shipped from one EU country and be flown out of another with virtually no control and no knowledge of its eventual destination.

A recent study of lessons from international arms embargoes found that they have been frequently imposed but seldom enforced—with the noted exception of Iraq. Some explanations are that stand-alone UN arms embargoes in Africa were imposed primarily as symbolic gestures, and that the existence of arms smuggling networks result in illicit trafficking in nearly all cases of UN arms embargoes. The study concludes:^{xi}

The ineffectiveness of arms embargoes stems not from shortcomings of the instrument itself, we believe, but from flawed enforcement and inadequate implementation.

The control problem in Europe mentioned by Oxfam might have been reduced since then as a result of better EU coordination. The EU Code of Conduct illustrates that coordination among states can be achieved. But it also points at a regional arms export control problem that is likely to be more difficult in other parts of the world where arms export control policies are less developed and transparent and where acquisitions from abroad are more important than indigenous production.

It was a major break-through in international arms control when the Soviet Union and the United States accepted on-site inspections to avoid violations of control/disarmament agreements related to weapons of mass destruction. It is necessary for effective conventional armament embargoes that they are monitored by internationally coordinated activities involving representatives of the states taking part in the embargo. Such monitoring needs at a minimum to include on-site target inspection. However, such monitoring may find that the target has indeed received embargoed goods, installations or skills. In order to prevent that from happening, monitoring should preferably also take place inside neighboring countries. Such monitoring needs to involve a variety of agencies/organizations and individuals in order to be effective.

IV. By Way of Conclusions

1. Recommendations

The recommendations formulated here are directly related to the steps in Illustration 2. They are of three kinds:

- those that refer to the content and coverage of an international end-use document (IED);

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- those that refer to the implementation of the IED and internationally coordinated monitoring;
- (if applicable) the implementation of national end-use certificates for related but not embargoed goods, installations and/or skills.

Some recommendations support and strengthen conclusions formulated in the previous steps of the international process dealing with targeted sanctions.

Recommendation 1: IEDs should be prepared by/under the auspices of the UNSC for every mandatory UNSC armament embargo.

Recommendation 2: An IED should be issued to, and be used by all participating states and their representatives when a mandatory UNSC armament embargo has been decided. It replaces national end-use certificates with regard to the defined target(s).

Recommendation 3: Information about every IED issued under a particular armament embargo should be stored electronically in a classified UNSC database that can be securely retrieved only by authorized individuals from any part of the world at any time by computer or phone.

Recommendation 4: The IED should cover all relevant categories and possible types of transfer that will or could help the target to acquire embargoed goods, installations and/or skills.

Recommendation 5: The coverage of and formulations in the IED should be revised as soon as possible after the UNSC receives reliable information about or has reason to believe that the embargo does not have the specified effects on the target(s).

Recommendation 6: A military and technology experts group should be established by/under the UNSC to prepare the IEDs and advise the UNSC on any relevant matter.

Recommendation 7: The UNSC expert group should be financed from the normal UN budget but also by direct contributions from member states' arms export promotion/marketing budgets. For each UNSC armament embargo, 20 per cent of a member state's public and private export promotion/marketing budgets should be paid directly to the expert group.

Recommendation 8: A mimeographed IED should be attached to each UNSC armament embargo decision. If an embargo decision is changed, a copy of the latest produced IED should be made available.

2. Producing an IED

The Wassenaar list (Illustration 1) has here been revised to illustrate a tentative IED (Illustration 3). Although the IED should be self-explanatory, a few particular aspects may be worth emphasizing.

It has in the past been suggested to use part of the income from national arms exports for arms export control purposes. That contains an in-built dilemma in that the result that you want to achieve is financed from the activities that you want to reduce.

Recommendation 6 gets around that dilemma. Complying with that recommendation will show the willingness of member states to support armament embargoes more strongly than they support transfers of arms and other ingredients used in support of world armaments. This was mentioned above as one necessary condition for successful UNSC armaments embargoes. Thus, according to this recommendation, when there are five UNSC armament embargoes in

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force at the same time there will be no government or arms exporting company funds left for export promotion/marketing in any participating state. It follows that all UN members will have to make these budgets transparent.

Point 4 in the tentative IED is an attempt to be all-inclusive when defining categories and the basic forms of transfer. However, the content of each box must be defined in detail by the proposed expert group for each particular armament embargo and target(s).

The reason for demanding national lists of relevant undertakings with the target(s) in the specified forms of transfer is, first, that these forms are particularly untransparent. Second, such lists will support the monitoring process by making monitors aware of existing relations that could be used for illegal transfers. Third, it may assist the UNSC expert group in revising the embargo/IED.

It was suggested above that an UNSC armament embargo might not include all categories necessary in order to be 100 per cent effective. This leaves certain categories that may be legally transferred to the target(s) even under a mandatory UNSC armament embargo. The IED should specify, and thereby inform the participating states of those categories that may—although permitted—be most critical for armament activities by the target(s). By so doing, the aspiration is to convince many, if not all, participating states to voluntarily prevent also these categories from being transferred (point 5 in the tentative IED).

If, however, states decide to permit such transfers, such a decision should be accompanied by an 'Armament Control Statement'. In that statement the supplier government should explicitly and clearly declare how the transfer benefits the recipient as well as the supplier, and how that transfer could influence the UNSC armament embargo and armament controls more generally. A copy of that statement, as well as all national end-use certificates prepared for that target, should immediately be sent to the UNSC expert group and be included in the UNSC IED database.

Points 6-9 in the tentative IED relate to the inspection and monitoring of the implementation of the embargo. The acceptance by the target government (or government of country in which target is located) of specified pre-notified on-site inspections should be sought. If such acceptance is not given, sanctions against that government may be considered. The UNSC can appoint any person to participate in such on-site inspection teams. It is likely to include members of the UNSC expert group, as well as individuals from Interpol and other experts and specialists.

Such inspections may include visits to the specific target(s)/end user(s) as specified in the IED and national end-use certificates as well as other pre-notified sites; land, sea and air entry/exit points; shipping agents; customs authorities, etc.

Even without the consent to such on-site inspections, internationally coordinated monitoring should be organized with representatives from participating nations on the ground. This could involve embassies, companies, NGOs, etc. in the target country and neighboring countries. The IED should include a table listing the number of appointed monitors in the target country itself and in neighboring countries. More detailed information, including names and contact information, should be included in a classified database similar to the IED database.

Every monitor should have access to the IED and monitors databases in order to be able to detect forgeries and to contact other monitors. The monitors are not allowed to perform illegal activities but would function as 'intelligence networks' by making use of all means at their

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disposal to monitor the target(s) compliance with the armament embargo. Such monitoring should also be supported by a listing of parties that are known to have been involved in illegal transfers to the target(s). Such a list (point 6), with relevant tracing information, should be appended to the IED.

Reliable information that suggests that the embargo has been circumvented by fraud and illegal acts—for instance that the target has acquired embargoed categories, that non-embargoed categories has been transferred without proper documentation or been used contrary to end-use assurances—should immediately be reported to the UNSC expert group and to the respective supplier government when it relates to non-embargoed categories. The expert group may perform or direct further investigations and propose to the UNSC about punishment as well as a revision of the embargo decision (point 9).

An IED should explicitly specify what kind of punishment will follow from deliberate as well as unintentional breaches of the armament embargo/ IED. It is important that the punishment is severe enough to function primarily as a deterrent. Should that fail the punishment should be higher than the anticipated gains from not complying with the embargo.

At the bottom of each IED should be mentioned how many original IEDs have been produced as well as a hidden individual sequential number of that particular IED. Every government, organization and individual that receives an IED will also receive an individual IED sequential number. This hidden number may be produced as a watermark or in another form that is difficult to forge. This means that there will be no 'copies' of an IED—all IEDs are originals with an individual sequential number. This permits for on-site inspectors, monitors and others to immediately check any IED against information retrieved from the UNSC database. Any IED not complying with the information in the database is, by definition, a forgery.

Illustration 3.

A tentative international end-use document

1. The purpose(s) of the armaments embargo

In accordance with UNSC decision (explanation)

2. Target(s)

2.1 (Part of) Government (specify) in country (specify)

2.2 Company/-ies (specify) in country (specify)

2.3 Installation (specify) in country (specify)

2.4 S&T/R&D organization (specify) in country (specify)

2.5 Educational/training institute (specify) in country (specify)

2.6 (such as middlemen, agents, etc; specify)

2.7 Organization(s)/institution(s) using force or repression: (specify)

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3. Embargoed categories

- 3.1 Goods: Types (military/civilian main systems, sub-systems, components, spare parts, etc); (detailed description).
- 3.2 Installations: Types (military/civilian); (detailed description).
- 3.3 Skills: Types (military/civilian); (detailed description).
- 3.4 Other transfers that may aid the target to acquire embargoed goods, installations and/or skills: (detailed description).

4. Embargoed categories and forms of transfer

Each box to be detailed

	Goods	Installations	Skills	Other
<i>Directly to target (in) country B</i>				
To target <i>via</i> 'agent'				
<i>Activities inside</i> country A				
<i>Activities inside</i> country B (1)				
As result of <i>international coop.</i> (1)				
As result of <i>multi-national company</i> (1)				

(1) Each participating state shall file with the UNSC a list of all relevant undertakings with the target(s) in these categories.

5. Not embargoed but related categories (If applicable)

This IED does not involve a total embargo of all goods, installations, skills and/or other to (target(s)) to prevent continued armament. The following goods, installations, skills and/or (specify) critical to the above armament embargo may be transferred to the (target(s)) when accompanied by valid national end-use certificates.

Critical categories and forms of transfer

	Goods	Installations	Skills	Other
<i>Directly to target (in) country B</i>				
To target <i>via</i> 'agent'				
<i>Activities inside</i> country A				
<i>Activities inside</i> country B				
As result of <i>international coop.</i>				
As result of <i>multi-national company</i>				

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If a government permit transfers as specified above, the national end-use certificate should include

- all the necessary documentations;
- information about partners involved, end-use, location, re-export/ diversion and delivery assurances;
- this IED reference number; and
- an Armament Control Statement.

In case weapons and other military goods with identification markings are included among such transfers those markings should be noted on the national end-use certificate(s).

A copy of national end-use certificates involving any of the above shall immediately be sent to the UNSC and information about the above be stored in and be retrievable from a secure UNSC database.

6. Parties previously involved in illegal transfers to target(s)

See Appendix for list.

7. On-site inspections

The government in country (specify target country or country where target is located) agrees to an unspecified number of but pre-notified on-site inspections by UNSC appointed individuals to verify compliance with the armament embargo.

8. Monitors

(Specify number of monitors in each box. The aim should be to have 1-5 monitors in each relevant country)

	In target country	In neighboring countries
Monitors from country A		
Monitors from country B		
Monitors from country C		
Monitors from country D		

See UNSC database for detailed information.

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9. Revisions made in original armament embargo

9.1 Original decision:

9.2 1st revision: Nature of change(s):

9.3 2nd revision: Nature of change(s):

9.4

9.5 Further explanations:

10. Punishment

If proved in legal procedures that a participating government, organization, company or individual has *deliberately and willfully* not complied with the conditions of the armament embargo and this IED it will be sentenced to

If proved in accordance with normal legal procedures that a participating government, organization, company or individual has *unintentionally* not complied with the conditions of the armament embargo and this IED it will be sentenced to

11. Signatures

Government representative:

Specific target representative(s) (if applicable):

Other (if applicable):

This IED has been produced in xxx originals.

IED sequential number yyy (non-detectable by unauthorized individual)

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- i Brzoska, Michael (ed.), *Design and implementation of arms embargoes and travel and aviation related sanctions*. Results of the 'Bonn-Berlin Process'. Bonn: Bonn International Center for Conversion (in cooperation with the German Foreign Office and the UN Secretariat), 2001.
- ii Meaning the last destination of the export (goods) known to the exporter
- iii Find more information at the SIPRI web page <http://projects.sipri.se/expcon/expcon.htm>.
- iv For two examples, see Hagelin, B., *One for all or all for one? A study of Pentagon tapping of foreign science and technology*. Report No. 42. Uppsala: Uppsala university 1997; Hagelin, B., Sweden's search for military technology. In Brzoska, Michael & Peter Lock (eds.), *Restructuring of arms production in Western Europe*. Oxford University Press/SIPRI 1992.
- v Hagelin, B., 1997, *op. cit.*, p. 39.
- vi *Out of Control. The loopholes in UK controls on the arms trade*. Oxford: Oxfam, 1999.
- vii Hagelin, B., *Kulorna rullar*. Stockholm: Ordfront, 1985, p. 158.
- viii Hagelin, B., International cooperation in conventional weapons acquisition: A threat to armaments control? In *Bulletin of Peace Proposals*, Vol. 9, No. 2, 1978, pp. 144-155.
- ix Hagelin, B., Wezeman, P.D., Wezeman, S.T. Chipperfield, N. Transfers of major conventional weapons, in *SIPRI Yearbook 2001. Armaments, disarmament and international security*. Oxford: Oxford University Press 2001, p. 350.
- x Hagelin, B., *op.cit.* 1985, pp. 157-158
- xi Cortright, D. and G. A. Lopez (eds.), *Smart sanctions: Targeting economic statecraft*. Lanham (Maryland): Rowman & Littlefield Publishers, Inc., 2002, p. 14. Several of the chapters give examples of failed and ineffective UN arms embargoes.