
CANADIAN CONTROLS ON THE EXPORT OF ARMS AND STRATEGIC GOODS

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INTRODUCTION

Like many countries, Canada regulates the export of weapons and technologies which could be used for military purposes. Such regulation is broadly referred to as the "control of strategic exports." Western countries have, individually and collectively, developed rules of conduct on trade in strategic products. Since the end of the Cold War and the conflict with Iraq, these control policies have become the subject of a general review.

HISTORY OF STRATEGIC EXPORT CONTROLS

Exports intended for military use have long been subject to controls, primarily so as to maintain a strategic advantage over opponents. For example, for centuries, popes and European monarchs called for restrictions on the trade of weapons and certain strategic products (e.g., wood for shipbuilding) with the Ottoman Empire. However, during the nineteenth century, a period marked by the industrial revolution and a long peace beginning with the Congress of Vienna, weapons exports were almost without restriction. Change occurred after the First World War, a conflict attributed by many to the arms race at the beginning of the century — an arms race fuelled by the commercial activities of the major weapons manufacturers of the day, the so-called "Merchants of Death." During the period between the two world wars, there were a number of proposals to limit or abolish the arms trade: nationalization of arms companies, parliamentary control of exports, and "transparency"

in the arms trade. These suggestions were never fully implemented, but in several cases they had an impact on legislation and still influence political debate to this day.

During the Cold War, Western governments established regulations over a wide variety of strategic products, controlling their export to the Soviet Union and its allies. Within the Coordinating Committee for Multilateral Strategic Export Controls (COCOM), the members of NATO (with the exception of Iceland), Japan and Australia drew up lists of strategic products and countries subject to restrictions. They agreed not to sell or transfer strategic products to specific countries and to require that their other customers not transfer to the East any such imports from the West. COCOM was formed during peacetime but its activities have been similar to embargoes which have always been applied during war. The relative secrecy which still surrounds the export control process is due in part to the Cold War origins of this policy.

Fear of the proliferation of nuclear weapons has also had an influence on export control policies. Since the 1950s, the nuclear industry has been gradually subjected to national and international controls to prevent its products from being diverted and used to develop nuclear weapons. The precedents established in this area have provided some guidance for control measures implemented in other industries, such as the chemical industry.

Control policies continue to evolve. First, as the Cold War has faded, there is less demand for export controls against the USSR and its former