

Discussion of these proposals through the fall of 1991 led to the 9 December 1991 adoption of UN General Assembly Resolution 46/36 L, entitled 'Transparency in Armaments,' by a vote of 150-0 (Iraq and Cuba abstained, Syria and China did not vote).<sup>20</sup> The resolution established a Register of Conventional Arms, its purpose being to enhance transparency in arms transfers and procurement in order to promote increasing confidence among states and, therefore, strengthen international security. In establishing the Register, the General Assembly declared its determination to prevent the excessive and destabilizing accumulation of arms, while at the same time recognizing the legitimate security concerns of member states.

In accordance with the provisions of Resolution 46/36 L, a panel of governmental experts was formed and met three times between January and July 1992, with a mandate to elaborate the technical procedures necessary for the effective operation of the Register, and to prepare a report on the modalities for the early expansion of the scope of the Register by the addition of further categories of equipment and inclusion of data on military holdings and procurement through national production. The panel completed its work on 17 July 1992, submitting a consensus report to the Secretary General. The report was in turn adopted by the UN General Assembly without a vote on 15 December 1992.

The basic elements of the register were contained in the original resolution and adjusted by the panel of experts. Member States of the UN are requested to submit data by 30 April each year on the number of items annually exported or imported in the previous year, by country, for seven major types of armaments: battle tanks, armoured combat vehicles, large calibre artillery, combat aircraft, attack helicopters, warships with a displacement of 750 tons or above (and any size ship with missiles or torpedoes with a range of 25 kilometres or more), and missiles and their launchers with a range of at least 25 kilometres. (The missile category does not include ground-to-air missiles). All categories include a description of what is covered, including types of accompanying armaments, ranges, and tonnage. The Register also requests that states voluntarily submit background information on their military holdings, procurement through national production, and relevant policies. Its basic philosophy differs significantly from most proposals to deal with the negative effects of the arms trade. Namely, it assumes that it is not possible for states, given the realities of economics and national security, to make *a priori* judgments on a multilateral basis, as to the 'excessive and destabilizing' nature of an arms deal. Arms build-ups occur one deal at a time. It is only *ex post facto*, in a specific context, that such a determination can be made. This is reinforced by the fact that arms deals of the type reported to the Register are legal and legitimate. Stopping

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<sup>20</sup> For an assessment of the politics of this resolution see Wulf, *op. cit.*, 535-536.