

surface missiles in the region, with a goal of their eventual elimination.¹² Complementing and sometimes challenging the President's effort were a series of proposals from the U.S. Congress. They ranged from an outright ban on all arms sales to the Middle East to support for the arms register concept.¹³

In the aggregate, the above developments formed the basis for an emerging international norm, that the accumulation of excessive and destabilizing amounts of conventional weaponry by a state is unacceptable.¹⁴ As a result there were policy proposals from many quarters to develop multilateral and international control mechanisms designed to prevent a re-run of the Iraqi situation. The five permanent members of the UN Security Council began meeting in July 1991 to develop some multilateral restraints on destabilizing arms transfers. But these traditional arms trade control approaches soon fell victim to the realities that have always existed and the so-called P-5 talks are dead in the water. Rarely can states agree prior to a transfer that it will indeed be destabilizing, a reality that still exists in the post-Cold War era. A critical part of such an approach, the existence of agreed-upon government data on arms inventories, has never existed. Furthermore, with the end of the Cold War producing rapidly declining orders for domestic defence production, the pressure from the defence industries was clearly against any movement toward national or international arms export controls, let alone restraint.

The UN Register: Fall Back Position or Step Forward?

It was in this context that the United Nations began to seriously consider the idea of transparency as an alternative approach, the opening up of information on the arms trade so as to allow the effected states to dampen and eliminate the negative military and strategic consequences which ensue. In effect the norm of transparency was added to that of preventing excessive and destabilizing arms build-ups. Much of the impetus for the idea came from the degree of transparency, albeit unintended, surrounding the Iraqi case, such as the unwanted publicity that Germany received as a result of transfers to Libya and Iraq. 'Lists' of firms and the items exported which had led to undesirable military capability in these two states provided the most thorough evidence made public as to how a developing state can acquire the ability to produce ballistic missiles with warheads of mass

¹² *Middle East Arms Control Initiative*, The White House, Office of the Press Secretary, 29 May 1991.

¹³ For a complete list, see 'Congress's Actions on Arms Transfers: From Limits to Loans,' *Arms Control Today*, June 1991.

¹⁴ A full discussion of norms associated with the Register can be found later in this chapter.