

in fact there are strong military and commercial arguments against transparency and control. Finally (and on a somewhat positive note), these considerations almost dictate that supply-side controls in this realm will be developed in conjunction with recipient states, thus moving this category of controls into the "mixed" model.

The final set of supply-side measures concern the development of new norms or principles to govern the transfer of arms and military technologies. As noted above, the two previous efforts in this direction were unsuccessful (the CATT and the 1991 P-5 Initiative), but the end of the Cold War has spurred further efforts in this direction, from both governmental and non-governmental sources. On the governmental side, the United States has proposed (in the Conference on Disarmament in Geneva) a "Code of Conduct for Conventional Arms Transfers," modelled after the CSCE principles governing conventional arms transfers.⁵⁰ A similar proposal had been advanced by the Irish government in the UN General Assembly First Committee.⁵¹ The Disarmament Commission in New York is also working on a set of draft guidelines concerning "the role of science and technology in the context of international security, disarmament and other related fields," elements of which concern directly the principles that should govern trade in dual-use technologies (this will be discussed in more detail below). The most comprehensive non-governmental proposal has been advanced by the International Association of Lawyers Against Nuclear Arms (IALANA), for a convention on arms stockpiling, production and transfers.⁵² Although the various proposals differ widely in their intent and wording, they are subject to the same general observations.

The American CD proposal establishes two sets of criteria to govern transfers: those concerning the political situation in the recipient state and region (ie: respect for human rights, regional conflicts, compliance with non-proliferation measures and the economic burden posed by armaments); and those concerning the impact of the weapons on the recipient state and region (ie: will the arms be used to suppress human rights, threaten other states, exacerbate conflicts, or support terrorism). While laudable, such criteria can only serve a declaratory function, for virtually every principle or paragraph in the document is open to widely diverging interpretations that can (and will) be bent to politically expedient ends.

⁵⁰ The United States proposal was transmitted to the CD on 31 March 1994.

⁵¹ The Irish "non-paper" was transmitted to the First Committee of the General Assembly on 2 November 1993.

⁵² See the *Draft Convention on the Monitoring and Reduction of Arms Stockpiling, Production and Transfers: A Regime for Comprehensive Arms Restraint* drawn up at a workshop of scholars, experts and lawyers in New York, 22-23 May 1993.