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# Conventional Arms Sales Policies of the U.S., CIS, China, Britain, and France

By

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[The following is a statement presented in testimony by Under Secretary Bartholomew before the Arms Control Subcommittee of the House Foreign Affairs Committee in Washington DC on March 24, 1992.]

Mr. Chairman, I am happy to have the opportunity to appear before the Subcommittee to present an update on our discussions with the other four major suppliers on arms transfers and non-proliferation. We have made good progress in the difficult negotiations among the five, and I will discuss that in some detail.

It is important to note at the outset, that in the short time since the President announced his Arms Control for the Middle East Initiative—less than a year ago—we have seen the major suppliers take some hard decisions. We have begun moving in a new direction. Toward responsibility, transparency, and consultation.

What we have accomplished so far represents a convergence among the five, for the first time, regarding the need for restraint in this critical part of the world. There are many more tough decisions that need to be made before we can claim success. It is important, however, to outline some key elements of this new direction.

First, *responsibility*. The five have acknowledged that, as major suppliers of arms, they bear a special obligation for ensuring that their arms transfers do not undermine stability. This requires that they work together.

Second, *transparency*. The five have agreed that we must exchange information about arms sales in order to identify and avert destabilizing transfers.

Third, *consultation*. The five have agreed, for the first time, to make their arms transfer decisions subject to debate and criticism. And to abide by common guidelines governing arms transfers.

This may not seem remarkable or challenging, until you consider that the U.S. is the only member of the five that shares the responsibility, information, and decision-making about arms transfers with its legislative body. What our partners have agreed, in effect, is to apply the collective reason of the five to decisions they do not share with their own parliaments.

This is not business as usual. I would submit to you that this is something quite new.

At a minimum, what we are seeking in this process is to elevate the level of transparency among the five to that of the United States. The agreement by the five to share information about arms transfers in this way is a major step in that direction.

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I would like to take a moment to review how we got here and bring the committee up-to-date on remaining issues among the five.

## FIVE POWER TALKS

The President launched the Middle East arms control initiative on May 29, 1991. As you know, the President called for the five major suppliers of conventional arms to the Middle East—the U.S., USSR, France, Great Britain, and China—to establish guidelines for restraining destabilizing transfers of conventional arms and weapons of mass destruction-related equipment and technology. The initiative also included proposals:

- to freeze and eventually eliminate holdings of surface-to-surface missiles in the Middle East;
- to implement a verifiable ban on the production and importation of nuclear weapons-useable material in the region and call on the states of the region to accede to the Non-Proliferation Treaty and place all nuclear facilities under IAEA [International Atomic Energy Agency] safeguards;
- to call for states in the region to become original parties to the Chemical Weapons Convention and to implement CWC confidence-building measures; and
- to call for strengthening of the Biological Weapons Convention and urging regional states to adopt biological weapons confidence building measures.

Following the President's announcement, I led a delegation that met with senior representatives from the Soviet Union, China, France, and the United Kingdom in Paris on July 8-9. In Paris, the five issued a communique supporting the elements of the President's proposal.

At that meeting we agreed to work toward a U.S. proposal to adopt guidelines on responsible arms transfers. We did not envision these guidelines as a means of establishing a cartel of weapons exporters; rather, they were intended to set a common standard by which we could judge arms transfers.

On September 26-27, the five governments sent experts to London to begin drafting these guidelines and a mechanism for exchanging information on arms transfers. They also began work on guidelines governing transfers of weapons of mass destruction-related equipment and technology. The work of these experts paved the way for a second senior-level meeting in London, on October 16-17.

At the close of the October meeting, the five governments adopted common guidelines for the export of conventional arms. They agreed to inform each other about transfers to the region of the Middle East for seven types of weapons, namely: tanks, armored combat vehicles, artillery, military aircraft and helicopters, naval vessels, and certain missile systems. They also agreed to make arrangements to permit meaningful consultation about such transfers.

The agreement on guidelines implements the commitment made by the five governments in Paris on July 7-8 to observe rules of restraint. More importantly, it provided the basis for debating the issue of arms transfers among the five. Without this reference point it would not be possible to apply "collective reason" to the question of arms transfers.

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The guidelines themselves are *not* a formula for determining who gets what. Again, we are not trying to create an international arms cartel. Rather, the guidelines give us wide berth to question and be questioned on such matters. This is exactly what we intended when we proposed the guidelines.

However promising these guidelines are, they key to evaluating transfers—to affecting decisions about arms transfers—is the consultative process. Immediately following the completion of the guidelines, we gave top priority to creating a mechanism to insure that the consultations of the five have the ability to avert destabilizing transfers.

On February 20-21, the five met again in Washington at the expert level to pave the way for a Plenary meeting later this Spring. The recommendations of the experts on information sharing, weapons of mass destruction guidelines, and weapons to be covered by the information exchange have been compiled and will be forwarded to the next Plenary meeting.

This was not easy to achieve, and several important issues and many details must still be resolved. However, we are beginning to see a convergence among the five on the need for timely, meaningful consultations.

Before moving on to some of the remaining issues among the five, I would like to draw attention to international efforts to bring greater transparency to the arms trade. In December, the United Nations voted overwhelmingly to implement a global conventional arms register to include data on international arms transfers; the United States co-sponsored this resolution. A panel of government experts set up by the United Nations is now meeting to elaborate the technical procedures and other details necessary for effective operation of the register. We are encouraged by the broad support for the resolution and the movement toward greater transparency. I think that the leadership of the five powers, who are also represented on the UN Security Council, played a critical role in building support for the resolution. There is ample evidence that the direction charted by the five toward greater transparency and responsible arms transfers has taken root in the U.S. arms register initiative.

## OUTSTANDING ISSUES

Without getting into the details of the negotiations or the positions held by individual participants, I would like to describe the major outstanding issues as we see them. I will be very careful not to discuss the positions of other governments for reasons that, I am sure, you understand.

First, there is not one-hundred percent agreement on our proposal to ban *all* surface-to-surface missile transfers to the Middle East. This has been the policy of the United States for many years. We have for a long time argued that these weapons are qualitatively different from other conventional weapons systems, that they are best suited in the Middle East to serve as terror weapons capable of delivering weapons of mass destruction. In our view, these missiles do not serve a defense or deterrent purpose in the region.

As you know, all five countries have now agreed to limit transfers of missiles and missile technology defined by the Missile Technology Control Regime (MTCR) which includes missiles capable of delivering a 500 kilogram payload to a minimum distance of 300 kilometers. However, given the danger posed by surface-to-surface missiles and the history of their use in the Middle East, we believe that it is necessary to exercise even greater restraint than that called for by the MTCR. The plain fact is that missiles below MTCR range/payload capabilities can have a very destabilizing effect in a region with strategic distances as small as those in the Middle East.

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The President has called on the countries of the Middle East to freeze and ultimately eliminate surface-to-surface missiles from the region through arms control. The five supported this proposal in Paris and we feel that it would be inconsistent to endorse such a proposal and then continue to transfer surface-to-surface missiles.

The second area with remaining difference involves the sharing of information about arms transfers to the Middle East. This is very, very important.

In our view, real transparency requires that we share information on arms transfers *before* they occur. Of course, we would like this exchange to occur as early as possible.

As you know, in our system, we consult with and formally notify the Congress before final government approval of major defense equipment (like tanks and aircraft) and defense services over \$14 million dollars. However, the arms transfers systems of the five are all different, and finding a common point among them for information exchange to take place has been very difficult.

Our top concern is that information should be exchanged in time to permit serious consultation about whether a transfer should go forward. This process must have the ability to affect decisions about arms transfers.

It is true that we can stop U.S. arms transfers at any point before a recipient takes possession of the goods. We can cancel export licenses and even turn ships around on the high seas if we determine that is necessary. We expect that this is the case with all of the suppliers, but early consultation is still important to us. We will continue to argue vigorously, as we have from the outset, for early information exchange about Middle East arms transfers.

There are also a number of important technical issues to be resolved. Questions like: What types and tonnages of naval vessels should we tell each other about before transferring? Should we exchange information on defensive anti-aircraft systems? Should we exchange information on transfers of all combat aircraft, or only those with long ranges? Our approach to these questions is, to be on the safe side, to call for more rather than less.

But, those of you familiar with the problems associated with questions like "what is a tank?" know how complicated and time consuming these technical discussions can be.

These are not simple matters to resolve. In one case we are asking states to completely ban transfers of a whole category of weapons systems; in the other we are asking states to share privileged information about arms transfers. Finally, we have a host of definitional questions that still need to be resolved. Again, we are seeing a convergence, and many issues as difficult as these have already been resolved. This is encouraging.

## ARMS SALES

In my previous testimony on the President's initiative I commented that the arms sales policy of the U.S. is aimed at supporting our strategic objective in the region—stability. This is still the case, Mr. Chairman.

Lest there be any misunderstanding about our arms transfer policy, and our objective limiting destabilizing transfers to the Middle East through the five power process, I would like to underscore some of the basic assumptions underlying our policy.

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First, arms transfers are an instrument of U.S. policy and not an end in themselves. U.S. arms transfers worldwide, including those to the Middle East, promote stability in a number of ways:

- They help to deter aggression against friends and allies.
- They promote regional cooperation and credible deterrence, e.g., through the integration of small military forces.
- They reduce the likelihood that U.S. forces will have to be employed, by increasing the deterrent capability of regional forces and by allowing them to deal with smaller contingencies on their own.
- In cases where it is necessary for U.S. forces to be introduced, they increase the ability to operate jointly with regional forces and to use their infrastructure.
- Finally, the enhancement of U.S. influence among key regional decision-makers, the creation of confidence in their defensive capabilities, and their cooperation with the United States, make those key regional decision-makers willing to take risks for peace, and willing, potentially, to engage in arms control.

Second, it has been our policy to *only* make arms transfers to the Middle East that are consistent with maintaining stability. We do not transfer arms without careful consideration of the military threat and the potential effect on regional security and stability.

We do transfer arms when it means supplying friends and allies with the means to defend against and deter aggression. These transfers are fully consistent with our policy of promoting stability.

The Administration would not and could not support any policy that would prohibit sales that are necessary for the security of our friends and our own national interests. A policy that seeks to regulate arms transfers without case-by-case consideration of the current and future security requirements of the Middle East, would seriously undermine our influence in a region that this nation thought critical enough to send a half a million Americans into a war one year ago.

Let me state once again that our effort to promote restraint among suppliers is intended to eliminate destabilizing, irresponsible arms transfers and prevent another aggressor state like Iraq from acquiring weapons far beyond its legitimate defensive needs.

This effort by the five will not solve the political and security problems of the region. Ultimately, such a solution must come from the region itself.

Nonetheless, the President's initiative can make a considerable contribution to creating the conditions in which such a solution will be possible. We are heading, therefore, in an important and positive direction.