

Monitoring Adherence to the EU Code of Conduct on Arms Exports by Means of an Online Database and Web-GIS

The German discussion on arms exports often suffers from a lack of information regarding the correspondence of recipient states to the specific criteria set out in the 1998 European Union Code of Conduct on Arms Exports and put into the 2008 legally binding Common Position (2008/944/CFSP) on common rules governing the control of exports of military technology and equipment. While country data on, for example, economic performance is relatively easy to find, the gathering of systematic information on political topics and human rights becomes more difficult. Above all, data on the military sector can only be found in technical journals, which are not readily accessible. In order to ease access to relevant information, BICC has developed an online database, which examines the correlation of all together 170 countries to eight criteria, which are based on those in the EU Common Position. By using an evaluation system for each criterion, every country is classified as either 'critical', 'possibly critical' or 'critical', the assessment thereby indicating the respective degree of the country's correspondence. It is hoped that by making solid information more accessible to the general public, the critical debate on European – and particularly German – arms exports can be improved and facilitated.

On 8 June 1998, the European Union adopted a Code of Conduct on Arms Exports.¹ Whereas the provisions of the Code are not legally binding, they do reflect the political commitment of EU member states to agree upon a set of common guidelines when approving or denying the export of military equipment from EU territory, specifying all together eight criteria on which such decisions ought to be based. With the 2008 Common Position,² the eight criteria specified were transformed into a legally binding document committing the member countries to transferring these into national law.

The **first criterion** refers the international obligations of EU member states to enforce possible sanctions, particularly arms embargoes, of the United Nations (UN), the Organization for Security and Cooperation in Europe (OSCE) and the EU against the recipient of arms exports, be it a state or non-state actor. Furthermore, member states are urged to respect their commitments under formal agreements on arms export control, such as the Nuclear-Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention, as well as informal arrangements, such as the Missile Technology Control Regime, the Nuclear Suppliers Group and the Wassenaar Arrangement.

The **second criterion** requires member states to consider whether the military equipment to be exported might be used for human rights violations, for example the internal repression of popular opposition. The 2007 *User's Guide to the EU Code of Conduct on Arms Exports* spells out a list of indicators, which should "be taken into account when assessing a country's respect for, and observance of all human rights and fundamental freedoms". These include, amongst others, the recipient's ratification and "implementation record of relevant international and regional human rights instruments through national policy and practice" as well as "the political will to discuss domestic human rights abuses in a transparent manner".³

The **third criterion** urges member states to restrict the export of military equipment if there is a danger that such material might provoke, prolong, aggravate or even escalate internal dynamics of violent conflict within the recipient country. The *User's Guide* encourages a

¹ Council of the European Union, European Union Code of Conduct on Arms Exports, document 8675/2/98 Rev 2, Brussels, 5 June 1998.

² Council of the European Union. 2008. Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment. L 335/99, 13 December 2008.

³ Council of the European Union. 2009. User's Guide to Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment. 9241/09, 29 April 2009.

rather broad understanding of 'armed conflict', since it is defined as the use of arms between any two or more groups of individuals "based either on race, colour, sex, language, religion, political or other opinion, national or social origin, interpretation of historic events, differences in economic well-being or ownership of property, sexual orientation or other factors."⁴

Whereas the third criterion refers to the possible use of exported military equipment in internal violent conflict, the **fourth criterion** seeks to restrict arms transfers "if there is a clear risk that the intended recipient would use the proposed export aggressively against another country."⁵ Importantly, however, this criterion does not intend to deny the export of arms for the purpose of self-defense on behalf of the recipient. It thus demands a careful assessment as to "whether the equipment would be likely to be used other than for the legitimate national security and defense of the recipient" country.

Criteria of the EU Code of Conduct on Arms Exports (1998) and the EU Common Position (2008/944/CFSP)

Criterion One

Respect for the international commitments of EU member states, in particular the sanctions decreed by the UN Security Council and those decreed by the Community agreements on non-proliferation and other subjects, as well as other international obligations.

Criterion Two

The respect of human rights in the country of final destination.

Criterion Three

The internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts.

Criterion Four

Preservation of regional peace, security and stability.

Criterion Five

The national security of the member states and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries.

Criterion Six

The behavior of the buyer country with regard to the international community, as regards in particular to its attitude to terrorism, the nature of its alliances and respect for international law.

Criterion Seven

The existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions.

Criterion Eight

The compatibility of the arms exports with the technical and economic capacity of the recipient country, taking into account the desirability that states should achieve their legitimate needs of security and defense with the least diversion for armaments of human and economic resources.

The **fifth criterion** aims at preventing an arms export from adversely affecting the national security of any EU Member State, ally, or friendly country. For example, it needs to be asked

⁴ Council of the European Union. 2009. User's Guide to Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment. 9241/09, 29 April 2009.

⁵ Council of the European Union. 2009. User's Guide to Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment. 9241/09, 29 April 2009.

whether there is a risk that the arms export under consideration will be “diverted to a force or body which is hostile to the interests or forces of a Member State, friend or ally”.

Criterion six differs from criteria 2, 3, 4 and 5 to the extent that it does not so much focus on the specific nature of either the end-user or the equipment to be exported. Instead, it considers the more general attitude of the buyer country with regard to certain issues of international concern. As the *User’s Guide* points out: “In assessing whether an arms export license should be granted or not, Member States should consider the current and past record of the recipient country with regard to its attitude to terrorism and international organized crime, the nature of its alliances, its respect for international commitments and law, concerning in particular the non-use of force, International Humanitarian Law and WMD non-proliferation, arms control and disarmament.”

The **seventh criterion** seeks to restrict arms exports if there is a considerable risk that the equipment might be diverted to a third-party recipient, either within or outside of the buyer country. In order to assess such risks it is, for example, necessary to review the capability of the recipient country to exert effective export controls, as well as its active membership in regional and international control regimes.

Criterion eight refers to the risk of the proposed arms export negatively affecting sustainable development in the recipient country. It thus particularly applies to arms purchases of governments in developing countries. The *User’s Manual* specifies a number of questions, which might be posed in this regard. For example: is the military expenditure in the buyer country in line with its Poverty Reduction Strategy? Has military expenditure been increasing? How transparent is it? What is the recipient country’s level of military expenditure relative to its expenditure on health and education?

The BICC Database

An evaluation of the direct correspondence between the criteria in the EU Code of Conduct and individual countries is only possible to a certain extent, since most of the criteria outlined above are meant to be applied to the specific conditions and circumstances of a particular arms export rather than to the recipient state as a whole. That is: with the exception of criterion six, decisions on either approving or denying an export application would not so much focus on the country of destination *per se* but take into account the individual nature of the arms transfer in question. Depending, for example, on the kind of end-user, the type of equipment and its overall value, possible export restrictions would be considered and re-considered on a case by case basis. The BICC database cannot and does not want to substitute this important and essentially political decision-making process, which needs to carefully examine every export application in its own light. Its aims are thus rather modest. Within and across the EU criteria, it provides general information and data, which may be applied to the country of destination as a whole and thereby serve as reference points for evaluating its relative performance *vis-à-vis* some important aspects contained in the Code of Conduct. Importantly, however, these eight criteria are in line with those spelled out in the Common Position, but they do not substitute for a thoroughly and detailed analysis. Although we have derived them from the Code of Conduct, our classifications should not be misunderstood as a definite recommendation as to whether a particular arms export license should be granted or not – as it was pointed out, this still needs to be decided from case to case and by taking into account a host of additional factors not considered by the database.

That said, however, the BICC project does collect and comprise a variety of country-based datasets, which serve as a valuable information source for decision-makers and the general public. Above all, it gives a rough indication of how individual countries correspond to areas important to issues of arms export control policy as identified in the EU Code of Conduct. In each area, every country is classified in accordance to an evaluation system – ‘critical’,

'possibly critical' or 'not critical' – with 'critical' pointing to a high probability of severe deficits with regard to the EU criteria.

Next, the eight criteria of the BICC database will be briefly explained and the relation to those of the EU Code of Conduct will be shown.

1. International or Regional Arms Embargoes

The first criterion checks whether the country is subject to either a UN or EU arms embargo, thereby differentiating between sanctions against entire states and sanctions against non-state actors within a particular state. This information is, of course, relevant to the first criterion of the EU Code of Conduct. Depending on the kind of embargo in place, the country is then classified as either 'critical' (arms embargo against entire state) or 'possibly critical' (arms embargo against non-state actor). If there is no arms embargo in place, the country is classified as 'not critical', depending on the results of the additional evaluation indicators. If the country demonstrates a low ratification record of arms control conventions, it is either classified as 'critical' or 'possibly critical', depending on the total number of ratified treaties. It needs to be pointed out that this classification does not in itself constitute a concise recommendation as to whether an export license should be granted or not. Since many arms embargoes do not apply to *all* military equipment but usually only to *specific kinds* of weaponry, the relevant UN or EU Resolutions still need to be carefully considered when deciding on an individual transfer.

Indicators

A-1	United Nations Arms Embargo	0 = No 1 = Yes
AA-1	UN Embargo Addressee	0 = State 1 = Non-State
A-2	European Union Arms Embargo	0 = No 1 = Yes
AB-1	EU Embargo Addressee	0 = State 1 = Non-State
A-3	Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (Geneva Protocol), 1928	1 = Yes 0 = No
A-4	Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (Partial Test Ban Treaty), 1963	
A-5	Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies (Outer Space Treaty), 1967	
A-6	Treaty on the Non-proliferation of Nuclear Weapons (Non-Proliferation Treaty), 1970	
A-7	Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil thereof (Seabed Treaty), 1972	
A-8	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (Biological and Toxin Weapons Convention), 1975	
A-9	Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques, 1978	
A-10	Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, 1983	
A-11	Comprehensive Nuclear-Test-Ban Treaty, 1996	
A-12	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention), 1997	

A-13	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 1997	
A-14	Chemical Weapons Convention (CWC), 1997	

<p>Formula</p> <p>Critical IF</p> <p>[A-1 = 1 OR A-2 = 1] AND [AA-1 = 0 OR AB-1 = 0] OR IF [(A-3 + A-4 + A-5 + A-6 + A-7 + A-8 + A-9 + A-10 + A-11 + A-12 + A-13 + A-14)<7]</p> <p>ELSE</p> <p>Possibly critical IF</p> <p>[A-1 OR A-2 = 1] AND [AA-1 OR AB-1 = 1] OR IF [(A-3 + A-4 + A-5 + A-6 + A-7 + A-8 + A-9 + A-10 + A-11 + A-12 + A-13 + A-14)<10]</p> <p>ELSE</p> <p>Not critical</p>
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2. Adherence to Human Rights

This criterion corresponds with the second criterion of the EU Code of Conduct as it evaluates a country's overall adherence to internationally recognized human rights standards. For this purpose, the project first considers its ratification record of international human rights conventions, for example the Covenant on Economic, Social and Cultural Rights from 1966, the Convention on the Elimination of All Forms of Discrimination against Women from 1979, the Convention on the Rights of the Child from 1989 and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment from 1984. Second, it takes into account a selection of aggregated human rights indices as they are annually published by international organizations, non-governmental organizations and university institutes. These include the Voice and Accountability Index and the Rule of Law Index of the World Bank, the Freedom House Index on Political Rights and Civil Liberties as well as the Cingranelli-Richards (CIRI) Dataset on Physical Integrity Rights and Empowerment. Depending on both its membership in important human rights conventions as well as its overall rating in different human rights-related indices, every country is classified as either 'critical', 'possibly critical' or 'not critical'. Here, 'critical' indicates that there are, in all likelihood, serious human rights problems in the country, whereas 'possibly critical' points to at least some concern with human rights issues.

Indicators

B-1	International Convention on the Elimination of All Forms of Racial Discrimination, 1969	1 = Yes 0 = No
B-2	International Covenant on Economic, Social and Cultural Rights, 1976	
B-3	International Covenant on Civil and Political Rights, 1976	
B-4	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1981	

B-5	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 2000	
B-6	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1987	
B-7	Convention on the Rights of the Child, 1990	
B-8	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2002	
B-9	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2002	
B-10	Freedom House	1 = Free 2 = Partly Free 3 = Not Free
B-11	Voice and Accountability Index (World Bank Governance Indicators)	-2,5 – 2,5
B-12	Rule of Law Index (World Bank Governance Indicators)	
B-13	Physical Integrity Rights Index (CIRI)	0 – 8
B-15	Empowerment Rights Index (CIRI)	0 – 14
B-16	Political Terror Scale	1 – 5
B-17	Military interference in rule of law and the political process (EFW)	0 – 10

Formula

Critical IF

$[(B-1 + B-2 + B-3 + B-4 + B-5 + B-6 + B-7 + B-8 + B-9) < (3)]$ OR $[B-10 = (3)]$ OR $[B-11$ AND $B-12 < (-1)]$ OR $[B-13 < (4)$ AND $B-15 < (7)]$ OR $[B-16 > (3)]$ OR $[B-17 < (6)]$

ELSE

Possibly critical IF

$[(B-1 + B-2 + B-3 + B-4 + B-5 + B-6 + B-7 + B-8 + B-9) < (5)]$ OR $[B-10 = (2)]$ OR $[B-11$ OR $B-12 < (0)]$ OR $[B-13 < (6)$ AND $B-15 < (10)]$ OR $[B-16 > (2)]$ OR $[B-17 < (8)]$

ELSE

Not critical

3. Internal Conflict

This criterion considered in the BICC database corresponds directly to the third criterion in the EU Common Position. In order to rate the degree of violent conflict in the recipient state, it combines data, such as that published by Uppsala Conflict Database Program (UCDP), the Arbeitsgruppe Kriegsursachenforschung (AKUF) at the University of Hamburg and the Political

Stability and Absence of Violence Index of the World Bank. Whereas a country classification of 'critical' would point to the frequent and organized use of force within the recipient state itself, 'possibly critical' could also indicate a state of internal or regional political instability and/or sporadic violence. It is important to note, however, that, similar to the data on human rights violation, this information merely provides data on the background situation in the country of destination. Whether there is a real risk that a proposed arms export actually contributes to an intensification of internal conflict or human rights violations still needs to be individually established with regard to the stated end-user and the kinds of weapons to be exported. In any case, it may yet be hypothesized that this risk will generally increase in proportion to the 'larger' picture of overall violence and human rights violations in the recipient state.

Indicators

C-1	Political Stability and Absence of Violence 2004 (World Bank Governance Indicators)	-2,5 – 2,5
C-2	Rule of Law Index (World Bank Governance Indicators)	
C-3	Number of wars (UCDP)	Figure
C-4	Number of non-state conflicts (UCDP)	Figure
C-5	Number of internal wars/violent conflicts (AKUF)	Figure
C-6	Political Terror Scale	1 – 5

Formula

Critical IF

[C-1 < (-1)] OR [C-2 < (-1,5)] OR [C-3 > (0)] OR [C-5 > (0)] OR [C-6 > (3)]

ELSE

Possibly critical IF

[C-1 < (0)] OR [C-2 < (1)] OR [C-6 > (2)] OR [C-4 > (0)]

ELSE

Not critical

4. Preservation of regional peace, security and stability

This fourth area considered in the BICC database corresponds to the fourth criterion in the EU Common Position. In order to rate the degree of violent conflict in the recipient state, it combines data, such as that published by Uppsala Conflict Database Program (UCDP), the Arbeitsgruppe Kriegsursachenforschung (AKUF) at the University of Hamburg, the Political Stability and Absence of Violence Index of the World Bank, the Political Terror Scale and from the Military Interference in the rule of law and political process dataset. It also provides data on disputed territories, the occurrence of a Coup d'Etat and the membership in regional organizations.

Whereas a country classification of 'critical' would point to the frequent and organized use of force and a threat to regional stability and security, 'possibly critical' could also indicate a state of internal or regional political instability and/or sporadic violence. It is important to note, however, that, similar to the data on human rights violation, this information merely provides data on the background situation in the country of destination and/or the region. Whether there is a real risk of a proposed arms export actually contributing to an

intensification of conflict, regional instability or human rights violations still needs to be individually established with regard to the stated end-user and the kinds of weapons to be exported. In any case, it may yet be hypothesized that this risk will generally increase in proportion to the 'larger' picture of overall violence and human rights violations in the recipient state.

Indicators

D-1	Number of internal violent conflicts/wars (AKUF)	Figure
D-2	Number of wars (UCDP)	Figure
D-3	Number of non-state conflicts (UCDP)	Figure
D-4	Number of historic conflicts (past ten years)	Figure
D-5	Conflicts in neighbouring countries	0 = No 1 = Yes
D-6	Political Terror Scale	1 – 5
D-7	Disputed Territory	0 = No 1 = Yes
D-8	Military interference in rule of law and the political process (EFW)	0 – 10
D-9	Coup d' Etat (past 20 years)	0 = No 1 = Yes
D-10	Membership in regional organizations	0 = No 1 = Yes

Formula

Critical IF

[D-1 > (0)] OR [D-2 >(0)] OR [D-3 > (0)] OR [D-6 > (3)] OR [D-8 < (6)]

ELSE

Possibly critical IF

[D-5 = (1)] OR [D-6 > (2)] OR [D-7 = (1)] OR [D-8 < (8)] OR [D-9 = (1)] OR [D-4 > (2)] AND [D-10 = (0)]

ELSE

Not critical

5. National Security of Member States and Allies

This criterion corresponds with the fifth criterion of the EU common position elaborating the potential effect of arms exports on the national security of EU member states and other allies. Since this remains a highly sensitive and essentially political decision coding in the database remains very vague. Based on information in the users' guide and the EU security strategy it highlights information on the presence of EU/NATO armed forces in the recipient state and checks the potential threat due to high risk of political instability (Failed State Index).

Indicators

E-1	Presence of EU/NATO armed forces	0 = No 1 = EU/NATO
E-2	Conflicts in neighbouring countries	0 = No 1 = Yes
E-3	Failed State Index	Rank

E-4	Coup d'Etat (last 20 years)	0 = No 1 = Yes
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Formula	
Critical IF	
[E-2 = (1)] OR [E-3 < (21)]	
ELSE	
Possibly critical IF	
[E-1 = (1)] OR [E-3 > (20) BUT < (41)] OR [E-4 = 1]	
ELSE	
Not critical	

6. Membership in Human Rights and Arms Control Conventions

This dimension is of direct relevance to criterion six in the EU Common Position. It checks the degree to which a country has ratified a number of select international conventions concerning human rights issues, arms control, terrorism and trans-national organized crime. For every one of the 170 countries examined, the website provides continually updated information on whether all together 38 international conventions have been ratified or not. If a country is classified as 'critical' sufficient ratification of international treaties is clearly lacking.

Indicators

F-1	Convention for the Suppression of Unlawful Seizure of Aircraft, 1971	1 = Yes 0 = No
F-3	Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1977	
F-4	International Convention Against the Taking of Hostages, 1983	
F-5	Convention on the Physical Protection of Nuclear Material, 1987	
F-6	Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1998	
F-7	International Convention for the Suppression of Terrorist Bombings, 2001	
F-8	International Convention for the Suppression of the Financing of Terrorism, 2002	
F-9	International Convention for the Suppression of Acts of Nuclear Terrorism, 2007	
F-10	United Nations Convention against Transnational Organized Crime, 2003	
F-11	(A) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2003	
	(B) Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2004	
	(C) Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, 2005	

F-12	Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (Geneva Protocol), 1928	Figure
F-13	Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (Partial Test Ban Treaty), 1963	
F-14	Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies (Outer Space Treaty), 1967	
F-15	Treaty on the Non-proliferation of Nuclear Weapons (Non-Proliferation Treaty), 1970	
F-16	Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil thereof (Seabed Treaty), 1972	
F-17	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (Biological and Toxin Weapons Convention), 1975	
F-18	Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques, 1978	
F-19	Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, 1983	
F-20	Comprehensive Nuclear-Test-Ban Treaty, 1996	
F-21	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention), 1997	
F-22	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 1999	
F-23	Convention on Cluster Munitions, 2010	
F-24	Convention on the Prevention and Punishment of the Crime of Genocide, 1951	
F-25	Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 1950	
F-26	Protocol I Additional to the 1949 Geneva Conventions, and Relating to the Protection of Victims of International Armed Conflicts, 1978 Protocol II Additional to the 1949 Geneva Conventions, and Relating to the Protection of Victims of Non-International Armed Conflicts, 1978	
F-27	Rome Statute of the International Criminal Court, 2002	
F-28	United Nations Convention against Corruption, 2005	
F-29	B-2 + B-3 + F-10 + F-15 + F-17 + F-21 + F-22 + F-23 + F-24 + F-26 + F-27	

Formula

Critical IF

$[(F-1 + F-2 + F-3 + F-4 + F-5 + F-6 + F-7 + F-8 + F-9 + F-10 + F-11 + F-12 + F-13 + F-14 + F-15 + F-16 + F-17 + F-18 + F-19 + F-20 + F-21 + F-22 + F-23 + F-24 + F-25 + F-26 + F-27 + F-28 + B-1 + B-2 + B-3 + B-4 + B-5 + B-6 + B-7 + B-8 + B-9) < 21] \text{ OR } [F-29 < (8)] \text{ OR } [(A-1 = 1 \text{ OR } A-2 = 1) \text{ AND } (AA-2 = 0 \text{ OR } AB-2 = 0)]$

ELSE

Possibly critical IF

$[(F-1 + F-2 + F-3 + F-4 + F-5 + F-6 + F-7 + F-8 + F-9 + F-10 + F-11 + F-12 + F-13 + F-14 + F-15 +$

F-16 + F-17 + F-18 + F-19 + F-20 + F-21 + F-22 + F-23 + F-24 + F-25 + F-26 + F-27 + F-28 + B-1 + B-2 + B-3 + B-4 + B-5 + B-6 + B-7 + B-8 + B-9) < 27] OR [F-29 < (11)]

ELSE

Not critical

7. Arms Export Controls

Here, the database evaluates the effectiveness of arms export control regimes within the country of destination. It is therefore of particular relevance to criterion seven of the EU Common Position. The information is based on that provided in the *Bite the Bullet* Report of the International Action Network on Small Arms (IANSA). It asks, for example, whether there are laws regulations and administrative procedures on the export and retransfer of arms; whether these procedures include an assessment of the risk of diversion of arms into the illegal trade; whether there are regular reviews of arms export procedures; and whether authenticated end-user certificates are required for the export of arms. Should a country be classified as 'critical', this is a strong indication that adequate control mechanisms are lacking.

Indicators

F-1	Do laws, regulations and administrative procedures on the export and retransfer of arms exist?	1 = Yes 0 = No 2 = n.a.
F-2	Has there been a review of export procedures since 2001?	
F-3	Do these procedures include an assessment of the risk of diversion of arms into the illegal trade?	
F-4	Are authenticated End-Used Certificates required for the export of arms?	
F-5	Do the laws require in cases of retransfer the notification of the original exporting state prior to the delivery?	

Formula

Assessment not possible IF

(F-1 = 2) OR [(F-1 = 1) AND (F-3 AND F-4 AND F-5 = 2)]

ELSE

Critical IF

(F-1 = 0) OR IF

(F-1 = 1) AND [(F-3 AND F-4 AND F-5 = 0) OR (F-3 AND F-4 = 0) OR (F-3 AND F-5 = 0) OR (F-4 AND F-5 = 0)]

ELSE

Possibly Critical IF

(F-1 = 1) AND [(F-3 = 0) OR (F-4 = 0) OR (F-5 = 0)]

ELSE

Not Critical IF

(F-1 = 1) AND [(F-3 AND F-4 AND F-5 = 1) OR (F-3 AND F-4 = 1) OR (F-3 AND F-5 = 1) OR (F-4 AND F-5 = 1)]

ELSE

Assessment not possible

8. Danger of disproportionate military capacities impairing development

The final dimension is most closely related to criterion eight. It examines whether a disproportionately high share of military expenditure, armed forces personnel and arms imports may have a negative effect upon both human and economic development in the recipient country. Countries are rated 'critical' or 'possibly critical' if they are at the same time poor (i.e. there is a low standard of human development according to UNDP criteria) and have relatively high military as compared to non-military capacities. For this purpose, the database provides data on military expenditure, public expenditure on health and education, the number of armed forces personnel and number of physicians. Data is obtained from various sources, including the Stockholm International Peace Research Institute (SIPRI), the International Institute for Strategic Studies (IISS) in London as well as from the World Health Organization, the International Monetary Fund and the World Bank.

Indicators

H-1	Military expenditure (average increase in the last 5 years)	Figure
H-2	Reporting to UN: Military expenditure data	0 = No/ 1 = Yes
H-3	Reporting to UN: Register of Conventional Arms	0 = No/ 1 = Yes
H-4	Global Militarization Index (score)	Figure
H-5	External debt	USD Million
H-6	Gross Domestic Product (GDP) 2009	USD Million Constant 2009
H-7	Relation of External Debt/GDP	Figure
H-8	Least Developed Country (LDC)	1 = Yes / 0 = No
H-9	OECD member country	1 = Yes / 0 = No
H-10	ODA as percentage of GNI	Figure
H-11	Bertelsmann Index: Transformation to Market Economy	1 – 10
H-12	Global Competitive Index	2 – 6
H-13	Human Development Index	0,1 – 1

Formula

Critical IF

If at least 1 of the following conditions is met in the case of 2 available figures:

- [H-1 > (6)]
- [H-4 > 699]

AND IF

- [(H-8 = 1)] OR
- [(H-9 = 0)] AND

If at least 5 of the following conditions are met in the case of 7 available figures OR
If at least 4 of the following conditions are met in the case of 5-6 available figures OR
If at least 3 of the following conditions is met in the case of 3-4 available figures:

- 1) [H-6 < 10.000]
- 2) $([(H-6/H-5)*100] > 50)$
- 3) [H-7 > 0,6]
- 4) [H-11 < 5]
- 5) [H-12 < 3,7]
- 6) [H-13 < 0,500]
- 7) [H-10 > 9]

ELSE

Possibly critical IF

If at least 1 of the following conditions is met in the case of 2 available figures:

- [H-1 > (2)]
- [H-4 > 549]

AND IF

- (H-8 = 1) OR
- (H-9 = 0) AND

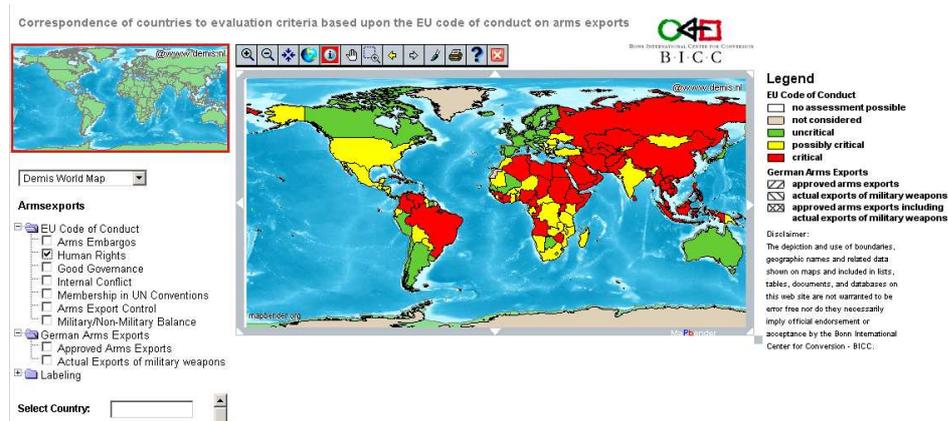
If at least 5 of the following conditions are met in the case of 7 available figures OR
If at least 4 of the following conditions are met in the case of 5-6 available figures OR
If at least 3 of the following conditions is met in the case of 3-4 available figures:

- 1) [H-2 < 10.000]
- 2) $([(H-6/H-5)*100] > 50)$
- 3) [H-7 > 0,4]
- 4) [H-11 < 7]
- 5) [H-12 < 3,7]
- 6) [H-13 < 0,700]
- 7) [H-10 < 9 BUT > 3]

ELSE

Not critical

Adding WebGIS



The interactive map presents an additional option for accessing the content of the database. At a single glance, it provides the user with a global overview as to how countries correspond to the seven criteria, each of which may be selected and overlaid with information concerning approved German arms exports (see Fig. 2). By clicking on a country, further information may be accessed.

A so-called Arms Export Tree with three sub-folders is located on the left-hand side of the interactive map (next to the map frame). By opening the folder EU Code of Conduct and activating the respective layer, the user can select an evaluation criterion to be displayed on the map. Furthermore, by opening the folder German Arms Exports and selecting the layers, each of the seven criteria can be overlaid with information concerning approved German arms exports.

Country-specific information can also be accessed through the map. Having selected one of the criteria, a query for every country is possible by, first, activating the Query Button in the menu bar above the map and, second, clicking on a country of interest. It might be necessary to zoom into the map beforehand. This can be done by activating either the Zoom by Re-Tangle Button or the Zoom-In-Button.

Finally, the user may also print out the current view of the map, which is shown within the map frame (i.e. the whole world or only a specific region of interest). Clicking the Print Button in the menu bar opens a new window with a print dialog for the creation of a pdf-document.