
THE WASSENAAR ARRANGEMENT ON EXPORT CONTROLS FOR CONVENTIONAL ARMS AND DUAL-USE GOODS AND TECHNOLOGIES (SUCCESSOR TO COCOM)

Established: 19 December 1995 with a declaration issued at the Peace Palace in The Hague.

Participating States: 40 states — Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Slovenia, Spain, South Africa, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States.

Membership in the Wassenaar Arrangement (WA) is universal and nondiscriminatory for countries meeting the established criteria:

- produce/export arms or associated dual-use goods and technologies;
- implement national policies that do not permit the sale of arms or sensitive dual-use items to countries whose behavior is a cause for concern;
- adhere to international nonproliferation norms and guidelines; and
- implement fully effective export controls.

Members of the WA are obligated to maintain rigorous national export control systems analogous to those of the former Coordinating Committee for Multilateral Export Controls (COCOM) countries. In turn, participating States have to be members of or be acting in accordance with the [Treaty](#) on the Non-Proliferation of Nuclear Weapons (NPT), [Missile Technology Control Regime](#) (MTCR), [Chemical Weapons Convention](#) (CWC), and the [UN Register of Conventional Arms](#).

The Wassenaar States meet regularly in Vienna, Austria, and make their decisions based on consensus.

Structure: The WA Plenary is the decision-making and governing body of the Arrangement. It is composed of representatives of all Participating

States who normally meet once a year, usually in December. Chairmanship of the Plenary is subject to annual rotation among Participating States.

The Plenary establishes subsidiary bodies for the preparation of recommendations for plenary decisions and calls ad hoc meetings for consultations on issues related to the functioning of the WA. At present, the WA main subsidiary bodies are: the General Working Group (GWG) dealing with policy-related matters and the Experts Group (EG) addressing issues related to the lists of controlled items. Once a year, a Licensing and Enforcement Officers Meeting (LEOM) is held under the auspices of the GWG.

Vienna Points of Contact (VPOC) are called for periodic meetings under the Plenary Chair to facilitate intersessional information flow and communications between/among Participating States and the Secretariat.

A small Secretariat, currently headed by Ambassador Sune Danielsson (Sweden), provides necessary support to WA operations from Vienna where it is located. Every four years, the Arrangement undertakes a wide-ranging review of how effectively it functions as an organization and contributes to international security. The latest of these assessments was concluded in December 2007.

The July 1996 Plenary adopted the WA Initial Elements which outline the purpose and function of the Arrangement and the responsibilities of Participating States. Subsequent Plenaries have amended this document and approved supplementary guidelines such as best practices and item-specific elements documents to be used as the basis for decision-making at the national level.

The Purpose of the Arrangement: As reflected in the Initial Elements, the purpose of the WA is to contribute to regional and international security by:

- promoting transparency and greater responsibility with regard to transfers of conventional arms and dual-use goods and technologies, thus preventing destabilizing accumulations;

- seeking through national policies to ensure that transfers of these items do not contribute to the development or enhancement of military capabilities that undermine these goals, and are not diverted to support such capabilities;
- complementing and reinforcing, without duplication, the existing control regimes for weapons of mass destruction and their delivery systems, as well as other internationally recognized measures designed to promote transparency and greater responsibility, by focusing on the threats to international and regional peace and security that may arise from transfers of armaments and sensitive dual-use goods and technologies where risks are judged greatest; and
- enhancing cooperation to prevent the acquisition of armaments and sensitive dual-use items for military end-uses, if the situation in a region or the behavior of a State is, or becomes, a cause for serious concern to the participating States.

Verification and Compliance: This regime is a voluntary association, not bound by a treaty, and therefore has no formal mechanism to enforce compliance. In a step towards developing confidence-building measures, the Member States agreed in December 2000 at the sixth Plenary Meeting in Bratislava, on “non-binding best practices” regarding the effective enforcement of national export controls; the disposal of surplus military equipment; and the control of exports of items designated as very sensitive.

COCOM: COCOM existed from 1950 to 31 March 1994, and consisted of 17 States (Australia, Belgium, Canada, Denmark, France, Germany, Greece, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, Turkey, United Kingdom, and United States). It was a non-treaty, non-chartered organization whose goal was to restrict the export of sensitive items that, if diverted, could contribute significantly to military potential and the proliferation of weapon systems, creating instability and international tension. Historically, targets of constraints were communist States.

In 1990, COCOM began helping Eastern European States adopt controls to stem the proliferation of military technology. COCOM also played a role in coordinating efforts to prevent “brain-drain,” particularly in the review of projects supported by any member government.

The Secretariat comprised about 30 persons, headquartered in an annex of the US Embassy in

Paris. The COCOM Cooperation Forum was established in 1992, with the goal of progressive relaxation and elimination of export restrictions, and had its first meeting in Paris in November 1992. Forty-two countries participated in the Forum.

At the US-Russian Summit in Vancouver, Canada on 4 April 1993, the presidents of Russia and the United States agreed that it was necessary to achieve the earliest possible resolution of questions about cooperation in the nonproliferation of missiles and missile technology, in accordance with the principles of existing international agreements. They decided to work together to remove obstacles impeding Russia’s access to the global market in high technology and related services.

In November 1993, negotiations among the 17 COCOM Member States began on the structure and objectives of COCOM’s successor organization. Its members agreed to continue implementing technology transfer restrictions pending agreement on the successor organization. Consensus was reached on the new organization, known as the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, on 9 December 1995.

COCOM’s proscribed items lists have been altered, with the old Atomic Energy Control List transferred to the Nuclear Suppliers Group (NSG) for administration. In turn, the International Industrial List has been replaced by a narrowly focused dual-use technology “core list,” itself subdivided into “basic,” “intermediate,” and “sensitive” categories. Unique information sharing (among group members), and end-use certification requirements are mandated for each category of technology, with the most sensitive items subject to presumptive denial of transfer requests.

An additional difference between the WA and COCOM is the absence of a veto of revisions of these lists. Whereas under COCOM any member could veto the relaxation (or inclusion) of new technologies on the industrial or munitions control lists, under the new system, national governments enjoy discretion as to whether to adhere to the consensus on transfer restrictions. This fact creates the potential for increasing variations in implementation of controls among the group’s members.

The COCOM International Munitions List has been transferred, albeit in a slightly different format, to the WA. In addition, a system of pre-delivery consultations has been implemented, through which weapons exporters liaise with one another on the

transfer of arms into regions of high tension or ongoing conflict. This consultative mechanism is designed to increase the transparency of arms and dual-use trade among members, thus reducing suspicions among suppliers, who are also trade competitors, that restrictions are being used for protectionist reasons.

Developments:

2009: In January, the Wassenaar Arrangement Secretariat published the 9th issue of the [compilation of public documents](#), intended to outline the history and objectives of the Arrangement and to provide easy access to its basic documents.

2008: In 2008, efforts of the Arrangement focused on implementation of the 2007 Assessment conclusions, a wide-ranging review of the Arrangement's overall function and its contribution to regional and international security and stability.

The fourteenth Plenary meeting of the Wassenaar Arrangement, chaired by Ambassador Chavdar Zhechev of Bulgaria, was held in Vienna on 2-3 December 2008. The Plenary noted the substantive and useful contributions made by Participating States through information sharing on regional issues of concern. The Plenary also agreed to conduct a focused effort on, and to include, the issue of destabilizing accumulations of conventional arms as an agenda item for future meetings.

In view of the concerns about the acquisition of man-portable air defense systems (MANPADS) by unauthorized users, the Plenary stressed the importance of effective implementation of the WA Elements for Export Controls of MANPADS (adopted at the 2003 Plenary and amended in 2007), the need to continue to monitor the situation closely, and to continue discussion in order to strengthen export controls on MANPADS. The Plenary also encouraged Participating States to continue to promote the Wassenaar Elements on Export controls of MANPADS to non-Participating States.

The Plenary agreed to a significant number of amendments to the control lists. Particular attention was given to items of potential interest to terrorists such as charges and devices containing certain explosives. Participating States also worked actively to make the existing control text more easily understood and "user-friendly" for commercial exporters and licensing authorities.

The Wassenaar Arrangement continues to undertake outreach dialogue with non-Participating States and international organizations aimed at promoting and sharing the Arrangement's best practices related to export controls, and raising awareness of the Wassenaar Arrangement and its work. In 2008, outreach activities have included post-Plenary briefings, interaction with industry and bilateral outreach to China, Israel and Belarus.

The next regular Wassenaar Arrangement Plenary meeting will take place in Vienna in December 2009. Canada will assume the Chair of the Plenary from 1 January 2009. Canada has designated Ambassador Marie Gervais-Vidricaire, its Permanent Representative to the International Organizations in Vienna, as the Plenary Chair.

2007: The thirteenth Plenary meeting of the Wassenaar Arrangement, chaired by Ambassador Cristina Funes-Noppen of Belgium, was held in Vienna from 4-6 December 2007. This meeting concluded the third assessment, which is undertaken by the Arrangement every four years to carry out a wide-ranging review and evaluation of its overall functioning and its contribution to regional and international security and stability by preventing destabilizing accumulations of conventional arms.

Participating States felt that the Arrangement was measuring up well to its purposes as set forth in its Initial Elements. In the framework of the assessment process, the focus was on the following main areas: Best Practices of Export Control Regulations, Re-export Control of Conventional Weapons Systems, Transparency, and Outreach.

The Plenary agreed to a significant number of amendments to the control lists, including some in technically complex and challenging areas such as on low-light level and infrared sensors. Particular attention was given to items of potential interest to terrorists such as devices used to initiate explosions and specialized equipment for the disposal of improvised explosive devices as well as equipment that could help protect civil aircraft from MANPADS attacks. In view of continuing international concerns about the acquisition of MANPADS by unauthorized users, the Plenary approved amendments to the 2003 Elements for Export Controls of MANPADS to ensure its more effective implementation.

Participating States also worked actively to make the existing control text more easily understood and "user-friendly" for commercial exporters and

licensing authorities. Some 2,500 editorial changes were made to the Lists. The Plenary welcomed the first dialogue at the technical level between the Wassenaar Arrangement Experts Group and its counterpart from the Missile Technology Control Regime which took place in 2007. This dialogue was aimed at developing a common understanding of terminology and technical parameters on controls of certain navigation equipment.

The Plenary adopted Best Practices to Prevent Destabilizing Transfers of Small Arms and Light Weapons through Air Transport containing a series of specific measures that may be taken at national level regarding non-governmental air transport of small arms and light weapons. The Plenary agreed to update the 2002 Best Practices for Exports of Small Arms & Light Weapons to bring them in line with language adopted by the UN in 2005 on marking and tracing of small arms and light weapons.

The Plenary agreed to continue to undertake outreach through dialogue with non- Participating States and international organizations relevant to the purpose and objectives of the Arrangement with the aim of promoting, through the sharing of, the Arrangement's best practices related to export controls.

The Plenary approved a Statement of Understanding on End-Use Controls for Dual-Use Items which recommends the application of flexible risk management principles to all three phases of end-use controls – pre-license, application procedure and post-license – in order to subject sensitive cases to a greater degree of scrutiny.

The next regular Wassenaar Arrangement Plenary meeting will take place in Vienna in December 2008. Bulgaria will assume the Chair of the Plenary from 1 January 2008. Bulgaria has nominated its Permanent Representative to Vienna.

2006: On 28 February 2006, South Africa's membership in the WA was formalized by an exchange of letters between the chair of the WA Plenary and the South African permanent representative to the United Nations and International Organizations in Vienna. Despite only becoming a member in 2006, South Africa had already incorporated the 2003 WA control lists as part of the National Conventional Arms Control Act, Act No. 41 of 2002

The twelfth Plenary Meeting held on 5 and 6 December in Vienna marked the WA's tenth

anniversary in existence and was chaired by Ambassador Peter Shannon of Australia. The plenary successfully agreed on a number of amendments to the control lists while expressing a desire to establish a dialog with the WA Experts Group and the Missile Technology Control Regime as a means of improving the regime's ability to keep up with advancing technology, market trends, and international security developments. Additionally, the plenary decided to make two best practices documents publicly available – [Best Practices for Implementing Intangible Transfer of Technology Controls](#) and Best Practice Guidelines for the Licensing of Items on the Basic List and Sensitive List of Dual-Use Goods and Technologies – in order to complement the plenary's agreement to maintain a high priority on transparency and outreach to non-participating states and international organizations as a means of promoting a strengthening of export controls.

During the meeting, concerns were expressed regarding the potential for the acquisition of Man-Portable Air Defense Systems (MANPADS) by unauthorized users in particular. To this end, it was decided that participating states should specifically encourage non-participating states to adopt the WA export controls pertaining to MANPADS.

Since 2007 will be an assessment year for the WA, the plenary established a framework for evaluating the effectiveness of the Arrangement in accomplishing its objectives as well as establishing several task forces to assist in the review process. Participating States subsequently reaffirmed their commitment to implementing all UNSCR provisions relevant to the purposes of the WA.

The next Plenary Meeting will take place in Vienna in December 2007. Ambassador Philippe Nieuwenhuys of Belgium will assume the Chair of the WA from 1 January 2007.

2005: The 2005 plenary chair, Ambassador Dorothea Auer (Austria), was mandated to continue consultations on other pending membership applications. These consultations resulted in decisions, taken in April-June 2005, to admit also Croatia, Estonia, Latvia, Lithuania, and Malta to the Wassenaar Arrangement as new participating states.

The eleventh Plenary Meeting was held in Vienna, from 13-14 December 2005, and was chaired by Ambassador Dorothea Auer (Austria). The meeting reviewed the accomplishments of the year and considered further export control measures. It also

approved membership of South Africa, the first African member of the WA.

The plenary agreed to a number of amendments to the control lists, including in relation to items of potential interest to terrorists groups such as electronic jamming equipment, unmanned aerial vehicles, and special emphasis was placed on portable anti-aircraft systems. The plenary highlighted the WA's continued emphasis on transparency and outreach to non-participating states and international organizations, with the aim of promoting the objectives of the WA and noted special outreach efforts in 2005 of the WA toward China. Finally, the WA decided at the plenary meeting to make public the [WA Control Lists](#).

The plenary extended the appointment of Ambassador Sune Danielsson (Sweden) as head of the WA Secretariat for a further four years

2004: The tenth Plenary Meeting was held in Vienna, 8-9 December 2004. The meeting was chaired by Ambassador Elsa Kelly of Argentina. The plenary welcomed Slovenia as a new participating state.

The tenth plenary reviewed the accomplishments of the year and considered further export control measures. During 2004, the participating states had worked to implement and expand the progress against terrorism achieved during the 2003 assessment year. At this meeting, they committed themselves to further development of implementation measures. The group noted that this work against terrorism was a matter of high priority.

The Plenary Meeting also noted its approval of the adoption of UN Security Council resolution 1540, adopted on 28 April, 2004. The requirement set forth in the resolution declares that all states "shall establish, develop and maintain appropriate and effective export and trans-shipment controls." The members noted that the requirements of the resolution are consistent with the primary objective of the Wassenaar Arrangement. Participating states expressed their willingness to provide assistance to states seeking to develop effective export controls consistent with the resolution.

Also during the meeting, participating states reaffirmed their commitment to intensifying efforts to prevent terrorist acquisition of conventional arms, dual-use goods, and other technologies. The Plenary Meeting also agreed to amendments to the control lists. The amendments pay particular attention to items that may be used for terrorist purposes, such as the export of MANPADS.

The plenary also noted the success of their first Outreach Seminar, which took place 19 October 2004 and included more than 50 organizations in an effort to raise awareness of the positive contributions of the WA. Participating states recognized the value and success of the seminar and agreed to hold another event in Vienna sometime in autumn of 2005.

The next Plenary Meeting will take place in Vienna in December 2005. Ambassador Dorothea Auer of Austria will assume the chair of the plenary on 1 January 2005.

2003: The ninth Plenary Meeting was held from 10-12 December in Vienna under the chairmanship of Ambassador Kenneth C. Brill of the United States. Several major initiatives were approved to combat the threat of terrorism by means of WA export controls. These measures included recognizing the threat to civil aviation by the proliferation of MANPADS and tightening existing controls over them, expanding the scope of mandatory reporting of small arms and light weapons by adding a new category to Appendix 3 of the Initial Elements and agreeing to enhance transparency, and adopting end-use controls to encourage member governments to support the UN arms embargoes and exercise strict export controls on unlisted items. The next regular Plenary Meeting will be held in December 2004 in Vienna and will be chaired by Ambassador Elsa Kelly of Argentina, who assumed the chair of the plenary on 1 January 2004.

2002: The eighth Plenary Meeting was held in Vienna from 11-12 December, under the chairmanship of Ambassador Volodymyr Ohryzko (Ukraine). Participating States developed new means for sharing information and for implementing concrete actions to strengthen export controls over conventional arms and dual-use items in order to prevent the acquisition of these items by terrorist groups and organizations, as well as by individual terrorists. In this context, Participating States agreed to review existing WA guidelines regarding MANPADS to assess the adequacy of these guidelines in preventing terrorist use of such items.

The plenary agreed on a major new initiative on small arms and light weapons. Participating States adopted a document setting out a detailed "best practices" guidelines and criteria for exports of small arms and light weapons. The plenary reaffirmed the importance of and effective export controls over small arms and light weapons in order to prevent

uncontrolled proliferation, destabilizing accumulations, and diversion.

Participating States also adopted a Statement of Understanding on the importance of controlling arms brokering. They agreed to continue elaborating and refining the criteria for effective legislation on arms brokering, and to continue the discussion of enforcement measures, for the purpose of developing a Wassenaar policy on arms brokering.

2001: The seventh Plenary Meeting was held in Vienna from 6-7 December, under the chairmanship of Ambassador Aydin Sahinbas (Turkey). In light of the September 2001 terrorist attacks in the United States, Participating States underlined the importance of strengthening export controls and maintaining responsible national policies in the licensing of exports of arms and sensitive dual-use items. Recalling UN Security Council Resolution 1373 (2001), the plenary agreed that Participating States will continue to prevent the acquisition of conventional arms and dual-use goods and technologies by terrorist groups and organizations as well as by individual terrorists, and that such efforts are an integral part of the global fight against terrorism. To make this commitment explicit, they decided to add an appropriate paragraph (paragraph 5 of Part I, "Purposes") to the Initial Elements. The plenary agreed to take concrete steps to implement this decision.

Participating States expressed their concern about flows of illicit arms to zones of conflict and areas covered by UN Security Council embargoes, as well as licit transfers to zones of conflict from States not participating in the WA. They support the UN Security Council's efforts to prevent arms transfers to the UNITA forces in Angola and to terrorist groups operating from and in Afghanistan. Participating States also agreed to continue consideration of practical measures to support regional arms control initiatives, including the Economic Community of West African States (ECOWAS) Moratorium. Responsible export policies towards, and effective export controls over, small arms and light weapons were seen as key to preventing destabilizing accumulations and diversion. Participating States, therefore, agreed they would continue to share relevant information and explore practical enforcement measures.

The plenary agreed to include two additional sub-categories of military items in mandatory reporting of transfers/licenses granted under Appendix 3 of the Initial Elements: armored bridge-launching vehicles (under Category 2, sub-Category 2.3) and gun-

carriers specifically designed for towing artillery (under Category 3, sub-Category 3.4). The plenary also agreed to a number of Control List amendments, approved a revised Statement of Understanding on Intangible Transfers of Software and Technology, (which will appear on page 187 of the revised Control List), and decided to consider ways to develop contacts with non-Wassenaar members, including major arms producers.

2000: The sixth plenary was held in Bratislava, Slovakia on 30 November-1 December. The participants reaffirmed their commitment to maintaining responsible national policies in the licensing of exports of arms and sensitive dual-use items and agreed to continue consideration of practical arms control measures, including the role of the ECOWAS Moratorium. The plenary agreed on elements of export controls on MANPADS. The Participating States reaffirmed the importance of responsible policies and export controls to prevent destabilizing accumulations of small arms and light weapons. The plenary agreed on non-binding best practices with regard to effective enforcement of national export controls, disposal of surplus military equipment and control of exports of items designated as very sensitive, and on a number of Control List amendments to be announced later. The participants identified other areas for further consideration, including arms transparency and brokering, intangible transfers, and review of computer and microprocessor controls.

1999: The fifth Plenary Meeting of the WA was held from 1-3 December, with Ambassador Staffan Sohlman (Sweden) serving as chair. Participants noted with concern continuing illicit arms flows to zones of conflict, including to States and parties subject to mandatory UNSC arms embargoes, and licit transfers to conflicts from States not participating in the WA. The plenary also concluded the first overall assessment of the functioning of the Arrangement.

1998: The fourth Plenary Meeting was chaired by Ambassador Staffan Sohlman (Sweden) from 2-3 December. The plenary approved a paper entitled "Elements for Objective Analysis and Advice Concerning Potentially Destabilizing Accumulations of Conventional Weapons" and agreed to Control List amendments that take into account recent technological developments.

1997: The third Plenary Meeting was held from 9-10 December, at which the plenary recognized that the Arrangement had become fully operational.

1996: The inaugural Plenary Meeting took place in Vienna from 2-3 April in Vienna, Austria. A consensus could not be reached on all issues during this session and the meeting was suspended, allowing time to resolve outstanding issues. The Plenary Meeting resumed on 11-12 July 1996, with final consensus on the Initial Elements. This document formed the base of the WA and established the new control lists and information exchange to be implemented from 1 November 1996.

The second Plenary Meeting of the newly operational WA was held on 12-13 December 1996 in Vienna.

Point of Contact:

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