
13. The Nordic countries and conventional arms control: the case of small arms and light weapons

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I. Introduction and historical background

During the cold war, Northern Europe was the scene of one of the continent's largest and most asymmetric build-ups of conventional weaponry. The Soviet Union concentrated a significant part of its conventional strength—ground, air and naval forces—and also of its strategic nuclear capacity on the Kola Peninsula and in the Leningrad Military District. Through its Warsaw Pact partners the Soviet Union controlled the southern shore of the Baltic Sea as well as the intra-German border. On the Western side, there was no direct match for this localized massing of power. If strategic balance was maintained, it was essentially by means of the overall capacity (especially nuclear and naval) of the USA and the North Atlantic Treaty Organization rather than by any credible counterweight in the Nordic region. As a result of special arrangements with NATO, the allied nations Denmark and Norway did not even have foreign forces or nuclear equipment stationed on their territory in peacetime. Finland and Sweden were neutral (or 'non-aligned') states with forces proportionate only to their own territorial needs. Moreover, of these four nations, only Sweden had a defence industry on an internationally competitive scale.¹

Paradoxes of Nordic arms control and disarmament policy

This was a situation in which the region's responsible or vulnerable states might be expected to have had a keen interest in arms control and disarmament. Indeed, the Nordic states—and to a certain extent Poland—consistently supported the cause of nuclear disarmament.² They were among the foremost in encouraging steps and hosting events, such as the 1972–75 Helsinki negotiations on a conference on security and cooperation in Europe, designed to promote inter-bloc cooperation and the lowering of military tensions in general. The same logic did not, however, apply to the adoption of concrete arms control

¹ See chapters 9 and 10 in this volume.

² See chapter 14 in this volume.

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measures in the Nordic region. NATO disapproved of all proposals for a Nordic nuclear weapon-free zone, however much some Nordic countries advocated them, as threatening to create a breach in the West's strategic unity and the structure of deterrence. Localized conventional force cuts were not pursued for rather different reasons. Symmetrical force reductions or constraints would merely have deepened the Nordic countries' own comparative disadvantage. The massive degree of asymmetry in the reductions needed to cut back the Soviet threat to any worthwhile extent would, meanwhile, never have been acceptable to Moscow, while the diversity of security statuses on the Western side posed obvious structural challenges for designing any formal negotiation process.

Against this background, the Nordic states developed their defence and arms control philosophies on tenets that both varied among themselves and diverged from those of most other European partners. Norway and Denmark, as NATO members, became parties to the 1990 Treaty on Conventional Armed Forces in Europe (CFE Treaty),³ the former with the status of a 'flank' country and the latter as part of the less rigid regime of the 'expanded central' zone. Norway's flank status implied severe curbs on transfers of armaments and equipment onto its territory, mirroring similar restraints imposed on neighbouring parts of Russia.⁴ In the second echelon of Western defence, Denmark was less constrained than Norway, but the 'hard' arms control regime brought both countries' defence establishments into the general CFE reduction, inspection and monitoring arrangements.

Finland and Sweden, as cold war neutral states, grounded their national defence policies on territorial defence. In turn, this territorial defence relied on large-scale mobilization and (internal) deployment plans based on secrecy and a system of dispersed small weapon storage sites. Although in principle these preparations were directed equally against all comers, in practice Swedish and, in particular, Finnish perceptions of risk were dominated by the tensions between the Soviet Union (and, later, Russia) and the West and also by developments in the Soviet Union and then the post-Soviet space. Joining an intrusive transparency regime such as the CFE Treaty, which would have exposed domestic troop and equipment dispositions to Soviet/Russian inspection, was perceived as creating much greater risks and costs for these states' national defence than any benefits it might have brought. Thus, in the early 1990s, when the idea was mooted of 'harmonizing' all Euro-Atlantic arms control obligations and commitments to cover both NATO members and non-members—specifically, through a merger of the CFE Treaty and the 1992

³ The text of the CFE Treaty is available at URL <<http://www.osce.org/about/13517.html>>.

⁴ The flank zone was intended to prevent a build-up of armed forces on Europe's periphery, which might result from the relocation of Soviet personnel withdrawn from Central Europe. In addition, at Norway's insistence, the CFE Treaty placed stiff limits on the extent to which heavy ground equipment could be transferred into the flank zone. On the CFE Treaty see Lachowski, Z., *Confidence- and Security-Building Measures in the New Europe*, SIPRI Research Report no. 18 (Oxford University Press: Oxford, 2004).

CFE-1A Agreement⁵ systems and the regime of confidence- and security-building measures (CSBMs) applying to a larger range of states under the Vienna Documents⁶—Finland and Sweden did not join in the process. They preferred instead a further cautious elaboration of CSBMs, both for universal application under the Vienna Documents and in suitable regional formats. Overall, it might be said that the neutral countries enjoyed the benefit of the existence of the CFE Treaty (especially its ceilings on Russia) as ‘hard security recipients’, while remaining hesitant to make a significant contribution (in this instance, in the shape of constraints on themselves) as ‘hard security providers’.

Since the mid-1990s, major changes in the political climate—notably in NATO–Russia relations, new military challenges and the responses to them in both NATO and the European Union, as well as the accession of the Baltic states to NATO—have stimulated an ongoing review of Nordic security and defence policies and broken down at least some barriers between the latter and the European ‘mainstream’.⁷ Finland and Sweden have acceded to the 1992 Open Skies Treaty,⁸ which provides for mutual aerial inspections *inter alia* with Russia. All the Nordic states have come round to welcoming, and materially supporting, the accession of the Baltic states to NATO, and in this context they have seen the logic of these states joining an expanded CFE regime (now in the form of the 1999 adapted CFE Treaty⁹). Extending that regime beyond the former bloc-to-bloc structure has helped open the way to new thinking among political and military elites in Finland and Sweden. Both countries have long stressed the value of conventional arms control for limiting military capabilities and the development of transparency and stability building in Europe, including their own neighbourhood. As they witness the Baltic states’ accession being held up by the general delay in the entry into force of the adapted CFE Treaty, still deadlocked by disputes between Russia and the West that are not directly material to Nordic security,¹⁰ Finland and Sweden are demonstrating an increasing interest in helping to find ways of keeping conventional constraints

⁵ The politically binding 1992 Concluding Act of the Negotiation on Personnel Strength of Conventional Armed Forces in Europe (known as the CFE-1A Agreement) contains various provisions of a confidence-building and -stabilizing nature. The CFE-1A Agreement is available on the OSCE Internet site (note 3).

⁶ On the Vienna Documents on Confidence- and Security-Building Measures (of 1990, 1992, 1994 and 1999) see Lachowski (note 4), pp. 46–84.

⁷ Hopkinson, W., *Sizing and Shaping European Armed Forces: Lessons and Considerations from the Nordic Countries*, SIPRI Policy Paper no. 7 (SIPRI: Stockholm, Mar. 2004), URL <<http://www.sipri.org/>>.

⁸ The Treaty on Open Skies was signed on 24 Mar. 1992 and entered into force on 1 Jan. 2002. The text of the treaty is available at URL <<http://www.osce.org/about/13516.html>>.

⁹ On the 1999 Agreement on Adaptation of the CFE Treaty see Lachowski, Z., *The Adapted CFE Treaty and the Admission of the Baltic States to NATO*, SIPRI Policy Paper no. 1 (SIPRI: Stockholm, Dec. 2002), URL <<http://www.sipri.org/>>.

¹⁰ Lachowski, Z. and Dunay, P., ‘Conventional arms control and military confidence building’, *SIPRI Yearbook 2005: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2005), pp. 649–73.

and confidence building alive, rather than shrinking automatically—as in the past—from the application of such processes to themselves.¹¹

Why small arms and light weapons?

For all this, however, there is at present no hard arms control regime for major conventional items that applies throughout the Nordic area, and no specific proposals for moving towards one—whether inside or outside the CFE framework—are on the table. Moreover, such questions have been regarded, despite the demise of the formal bloc-to-bloc approach, as belonging to NATO's competence and that of the Organization for Security and Co-operation in Europe (OSCE) rather than to the European Union. The documents of the European Security and Defence Policy and the European Security Strategy¹² make no mention of conventional arms control as a factor in or a goal for the EU's vision of Europe's own security evolution, although the EU Constitutional Treaty does create an option for ESDP missions to support disarmament processes elsewhere.¹³

If the interaction between the policy goals of the Nordic governments and the evolution of the ESDP and other EU security policies is to be examined, therefore, the only field of arms control where there is a real and strong foundation for doing so is that of the international drive to control the proliferation and diffusion of small arms and light weapons (SALW) and to reduce or prevent 'gun violence'. The EU, under the auspices of its Common Foreign and Security Policy, has played a key role in international attempts to control the trade in and use of SALW. The Nordic governments all give high salience to this topic in their own policies, and their national approaches have many similarities to that of the EU. They have all stated that they are in favour of broadly similar policy objectives: control over the black market, responsible export policies, and the collection and destruction of surplus SALW. Furthermore, they all support other regional and multilateral initiatives, such as the 2001 United Nations Pro-

¹¹ The cold war logic of 'preparing for the worst' has long prevented Finland from signing the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, which was opened for signature in Dec. 1997 and entered into force on 1 Mar. 1999. The text is available at URL <<http://www.un.org/millennium/law/xxvi-22.htm>>. Finland has declared that it will accede to the convention in 2012 and destroy its landmines by 2016. Finnish Prime Minister's Office, *Finnish Security and Defence Policy 2004*, Government Report no. 6/2004 (Prime Minister's Office: Helsinki, 2004), URL <<http://www.vnk.fi/vn/liston/vnk.lsp?r=88862&k=en>>, p. 87.

¹² Council of the European Union, 'A secure Europe in a better world: European Security Strategy', Brussels, 12 Dec. 2003, URL <http://ue.eu.int/cms3_fo/showPage.ASP?id=266>.

¹³ The Treaty Establishing a Constitution for Europe was signed on 19 Oct. 2004 but has not been ratified. The text of the treaty is available at URL <http://europa.eu.int/scadplus/constitution/index_en.htm> and selected articles are reproduced in the appendix in this volume. Article III-309, which reformulates the Petersberg Tasks, states that: 'The tasks . . . of which the Union may use civilian and military means, shall include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilization. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories.'

gramme of Action on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UN Programme of Action).¹⁴

However, when the pattern of recent Danish, Finnish, Norwegian and Swedish activities in this field is examined, it is difficult to discern a 'Nordic' approach. There is no evidence of regional cooperation, or even of the formulation of a regional common position. Furthermore, the three Nordic governments that are EU members have placed much more emphasis on international activities (including campaigning) than on the development of EU policy as such. The remainder of this chapter explores these connections and contradictions in more detail, in an endeavour to show that the Nordic–EU policy interface is just as complicated and problematic in a field related to curbing the excesses of military activity as it is in relation to more positive defence objectives.

Section II defines small arms and light weapons and the characteristics of the challenge they pose for international society. Section III then traces the record of the European Union as an actor in this field and in related but broader dimensions of the armaments trade. The performance—or lack of performance—by Nordic member states in influencing the handling and development of this policy area in the EU is analysed in section IV, followed in section V by consideration of other forums and other patterns of cooperation that have also, or preferentially, been used by the Nordic countries. The concluding section raises some questions for further research.

II. The small arms and light weapons issue

Definitions and features

Small arms are broadly defined as weapons designed for personal use and capable of being carried by an individual (e.g., pistols, rifles, sub-machine guns, assault rifles and light machine guns). *Light weapons* are also easily portable and sometimes require a team to operate them. They include heavy machine guns, rocket-propelled grenade launchers, anti-aircraft guns, mortars, recoilless rifles and light anti-aircraft missile systems. In addition, the terms small arms and light weapons include their ammunition and components. Alternative definitions exist and are important in the context of negotiating precise restrictions, but for the purposes of this chapter—and except where explicitly stated—the term SALW will be used to refer to small arms and light weapons respectively and collectively.

Four facets of SALW distinguish them from major conventional weapons. First is their low cost: second-hand weapons (such as the ubiquitous Russian Kalashnikov rifle) can be purchased for as little as a few US dollars in some

¹⁴ United Nations, Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, UN document A/CONF.192/15, 20 July 2001, URL <<http://disarmament.un.org/cab/poa.html>>.

markets.¹⁵ Second is their ease of use; their use requires relatively little training, and large quantities of SALW are in fact in the possession (legally or illegally) of private, non-trained individuals in most states of the world. Third is their easy maintenance; and fourth is their durability—if properly maintained, firearms can remain effective weapons for decades.

These facets contribute to two further factors concerning the employment of SALW that differentiate them from major conventional weapons. First, ownership of SALW by civilians and non-state actors is widespread. For example, the Small Arms Survey estimated that a narrow minority (some 45 per cent) of global firearms stockpiles are owned by state forces.¹⁶ Second, a large black market exists: the small size and low cost of SALW make them particularly amenable to trafficking, and traffickers have an interest in obtaining them from irregular sources.¹⁷

All these features, combined with a concern for the consequences of their use, have led to somewhat different focuses in the research on SALW compared with the trade in major conventional weapons. Work on the former has tended to emphasize, on the one hand, their impact in areas suffering high levels of criminal violence—which may exist even in ‘advanced’ countries; and, on the other hand, their role in the intra-state or trans-state conflicts that especially plague ‘weak’ or developing states. Research and campaigning activities have also had a strong humanitarian colouring. As one consequence, while there is a large body of literature on the international trade in major conventional weapons, the trade in SALW—as a distinct category—has received less academic attention and poses many different methodological problems.¹⁸

The international context

Governments, international organizations and non-governmental organizations have, since the mid-1990s, placed a considerable emphasis on SALW issues—particularly on the illegal trade, and on weapon collection and destruction in post-conflict regions. Governments have developed a plethora of international instruments designed to control the illicit trade in SALW. They have negotiated two high-profile UN instruments concerning SALW: the non-legally binding UN Programme of Action,¹⁹ and the legally binding 2001 UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Com-

¹⁵ While some SALW are more expensive than others—particularly man-portable missiles—the fact remains that they are significantly cheaper than the vehicles and aircraft that comprise major conventional weapons. They are also easier to use, maintain, and so on.

¹⁶ Small Arms Survey, *Small Arms Survey Yearbook 2001* (Oxford University Press: Oxford, 2001), p. 89.

¹⁷ There are, of course, some potentially serious examples of major conventional weapons being trafficked, particularly in the context of violations of UN arms embargoes.

¹⁸ Wezeman, P. D., ‘Monitoring international flows of small arms and light weapons: efforts, obstacles and opportunities’, Report by the SIPRI Project on Conflicts and Small Arms Transfers for the Department of Global Security, Swedish Ministry of Foreign Affairs, Stockholm, 19 Dec. 2001.

¹⁹ United Nations (note 14).

ponents and Ammunition, supplementing the UN Convention against Transnational Organized Crime.²⁰

In addition, some 16 further regional and international agreements either deal with small arms specifically or cover small arms together with other conventional weapons. Measures focused on SALW include the 1997 Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials;²¹ the 1998 Economic Community of West African States (ECOWAS) Moratorium on the Importation, Exportation and Manufacture of Light Weapons;²² and the 2000 OSCE Document on Small Arms and Light Weapons.²³ As Owen Greene observes: 'Efforts to prevent and combat illicit trafficking are high on the international agenda. Since 1997, they have been the focus of high-profile initiatives by several regional organisations [and two UN processes] . . . The relationship between these local, national, regional, and international institutions is inevitably complex.'²⁴

However, it is important to note that governments and international organizations have failed to develop global instruments to control or outlaw the supply of weapons by *states* to armed groups opposing governments. Such a measure was discussed at length during the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Such controls were supported by many states but the opposition, led by the USA, prevented their inclusion in the conference's UN Programme of Action.²⁵ Meanwhile, it has been widely asserted that the period after the end of the cold war has witnessed a relaxation in supply-side controls in the global arms trade (at least for military-style weapons).²⁶ After the dissolution of the Soviet Union many of its successor states, and former members of the Warsaw Pact, disposed of cold war stockpiles of SALW and excess production by their arms industries on world markets.²⁷

²⁰ United Nations, UN General Assembly Resolution 55/255, 8 June 2001, URL <http://www.unodc.org/unodc/crime_cicp_resolutions.html>.

²¹ The Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, was opened for signature on 14 Nov. 1997 and entered into force on 1 July 1998, URL <<http://www.oas.org/juridico/english/treaties/a-63.html>>.

²² ECOWAS, Declaration of a Moratorium on the Importation, Exportation and Manufacture of Light Weapons, 31 Oct. 1998, URL <<http://www.smallarmsnet.org/docs.htm>>.

²³ OSCE, Document on Small Arms and Light Weapons, Forum for Security Co-operation (FSC) document FSC.DOC/1/00, *FSC Journal*, no. 314, 24 Nov. 2000, URL <http://www.osce.org/documents/html/pdfhtml/1873_en.pdf.html>.

²⁴ Greene, O., 'Examining international responses to illicit arms trafficking', *Crime Law and Social Change*, vol. 33, no. 1–2 (Mar. 2000), pp. 151–90.

²⁵ United Nations (note 14).

²⁶ See, e.g., Klare, M., 'An overview of the global trade in small arms and light weapons', eds J. Dhanapala et al., United Nations Institute for Disarmament Research, *Small Arms Control: Old Weapons, New Issues* (Ashgate: Aldershot, 1999), p. 7; and Lumpe, L., Meek, S. and Naylor, R. T., 'Introduction to gun running', ed. L. Lumpe, International Peace Research Institute, Oslo, *Running Guns: The Global Black Market in Small Arms* (Zed Books: London, 2000), p. 7.

²⁷ Bailes, A. J. K., Melnyk, O. and Anthony, I., *Relics of Cold War: Europe's Challenge, Ukraine's Experience*, SIPRI Policy Paper no. 6 (SIPRI: Stockholm, Nov. 2003), URL <<http://www.sipri.org/>>. See also Bonn International Center for Conversion (BICC), *Conversion Survey 2005: Global Disarmament*,

III. The record of the EU

The EU, the conventional arms trade, and small arms and light weapons

The EU is a significant actor in global efforts to address the SALW problem. Its activities have involved both specific measures concerning SALW and others covering SALW and other conventional weapons. The most important EU measures are the 1998 Code of Conduct on Arms Exports²⁸ and the 1998 Joint Action on Combating the Destabilising Accumulation and Spread of Small Arms and Light Weapons.²⁹

The EU Code of Conduct on Arms Exports has the status of a political commitment in the framework of the CFSP. The Code of Conduct contains eight criteria that EU member states (and non-members that follow the Code) commit themselves to use when evaluating arms export licence applications. These include reference to violations of human rights, armed conflict and diversion of weapons into the hands of terrorists. In addition, the Code established a common system for notification of and consultation on arms export licence denial. EU member states are required to notify each other when they refuse a request to export arms, and other states considering an ‘essentially identical’ transaction are required to consult with the state that originally denied the export licence. At the end of each year, the Council of the European Union issues an annual report under the Code of Conduct (which is prepared by the EU Working Group on Conventional Arms, COARM, discussed below). Over the years, this document has provided more information on EU members’ arms exports.³⁰

The EU Joint Action was adopted by the Council in December 1998, but it was modified in July 2002 to include ammunition.³¹ The Joint Action covers the control and registration of exports, transparency and the evaluation of potential importers. Its general guidelines state that members should ‘combat and contribute to ending the destabilising accumulation and spread of small arms’ and

Demilitarization and Demobilization (Nomos Verlagsgesellschaft: Baden-Baden, 2005) and previous annual BICC Conversion Surveys; and Di Chiaro, III, J. (ed.), *Conversion of the Defense Industry in Russia and Eastern Europe: Proceedings of the BICC/CISAC Workshop on Conversion held 10–13 August 1994*, BICC Report 3 (BICC: Bonn, Apr. 1995).

²⁸ Council of the European Union, European Union Code of Conduct on Arms Exports, document 8675/2/98 Rev 2, Brussels, 5 June 1998, URL <http://ue.eu.int/cms3_fo/showPage.asp?id=408&lang=en&mode=g>. See also Bauer, S. and Bromley, M., *The European Union Code of Conduct on Arms Exports: Improving the Annual Report*, SIPRI Policy Paper no. 8 (SIPRI: Stockholm, Nov. 2004), URL <<http://www.sipri.org/>>.

²⁹ Council of the European Union, Joint Action on the European Union’s contribution to combating the destabilising accumulation and spread of small arms and light weapons, document 1999/34/CFSP, Brussels, 17 Dec. 1998, available at URL <<http://www.sipri.org/contents/expcon/eusmja.html>>.

³⁰ For an analysis of the types of information submitted and how member states collect the data see Bauer and Bromley (note 28).

³¹ Council of the European Union, Joint Action on the European Union’s contribution to combating the destabilising accumulation and spread of small arms and light weapons and repealing Joint Action 1999/34/CFSP, document 2002/589/CFSP, Brussels, 12 July 2002, URL <http://europa.eu.int/eur-lex/en/archive/2002/l_19120020719en.html>.

‘contribute to the reduction of existing accumulations of these weapons . . . to levels consistent with countries’ legitimate security needs’.³² The Joint Action covers only those weapons ‘specially designed for military use’.³³

Article 3 of the Joint Action includes a commitment by exporting countries to supply SALW only to governments. The sale of military-style SALW to non-state groups is not permitted, and the EU member states have renounced this form of military assistance as an instrument in their foreign and security policy. The Joint Action also permits the EU to provide financial and technical assistance to solve problems caused by existing accumulations of SALW. In this context, the EU has supported the activities of international actors such as the Red Cross and the United Nations. It has also implemented EU projects in Albania, Cambodia, Georgia and Mozambique.

The EU Council of Ministers has primary responsibility for decisions concerning armament issues. This division of responsibility dates back to Article 223 of the 1957 Treaty of Rome,³⁴ which stipulates that arms production and trade are exempted from the general provision of the treaty relating to competition policy and the Single Market. No subsequent EU agreement has changed this status, although modifications to the relevant article (now Article 295 of the consolidated treaty) have been discussed for some time and are still under consideration.

These institutional constraints notwithstanding, the EU has developed into an important forum in which member states discuss national policies and multi-lateral cooperation in areas related to (small) arms transfers. The two major working groups under the Council of Ministers in which member states discuss these matters are COARM and the Ad Hoc Working Party on a European Armaments Policy (POLARM).³⁵

COARM’s aim is to harmonize EU member states’ arms export policies and to promote transparency. It makes recommendations to the Council of Ministers under the framework of the CFSP. It is the forum in which information on arms export policy is shared, and it publishes an annual report under Operative Provision 8 of the EU Code of Conduct on Arms Exports.³⁶

POLARM makes recommendations to the Council of Ministers concerning the trade in military equipment among EU member states. It aims to implement

³² Council of the European Union (note 31), article 1.

³³ Council of the European Union, ‘Council Decision 2003/806/CFSP of 17 November 2003 extending and amending Decision 1999/730/CFSP implementing Joint Action 1999/34/CFSP with a view to a European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in Cambodia’, 17 Nov. 2003, *Official Journal of the European Union*, vol. L 302/37 (20 Nov. 2003), pp. 37–38, URL <<http://europa.eu.int/eur-lex/lex/JOIndex.do>>.

³⁴ The Treaty Establishing the European Community was signed on 25 Mar. 1957 and entered into force on 1 Jan. 1958. The consolidated text of the treaty as amended is available at URL <<http://europa.eu.int/eur-lex/lex/en/treaties/index.htm>>.

³⁵ See also the SIPRI Non-proliferation and Export Control Project, ‘The European Union and conventional arms transfers’, URL <http://www.sipri.org/contents/expcon/eu_conventional.html>.

³⁶ Council of the European Union, ‘Sixth Annual Report according to Operative Provision 8 of the European Union Code of Conduct on Arms Exports’, *Official Journal of the European Union*, vol. C 316 (21 Dec. 2004), pp. 1–215, URL <<http://europa.eu.int/eur-lex/lex/JOIndex.do>>.

a European armaments policy and thereby simplify and harmonize the production and procurement of equipment within the EU.

The specific initiatives and actions adopted in this field by the EU include: the 1997 Programme for Preventing and Combating Illicit Trafficking in Conventional Arms; the 1998 EU Code of Conduct on Arms Exports; the 1998 EU Joint Action on Combating the Destabilising Accumulation and Spread of Small Arms and Light Weapons; the 1999 EU Development Council Resolution on Small Arms; the 1999 EU–USA Declaration of Common Principles on Small Arms and Light Weapons; the 1999 EU–Canada Joint Declaration on Small Arms and the subsequent establishment of the EU–Canada Joint Working Group on Small Arms; the 2000 EU Common List of Military Equipment; and the 2003 Council Common Position on the Control of Arms Brokering.³⁷

The European Parliament has also adopted numerous resolutions on both SALW and conventional arms. These include a resolution on small arms³⁸ and the Parliament's responses to the annual report on the Code of Conduct.³⁹

The EU member states have made joint statements at UN discussions on SALW, most notably at the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,⁴⁰ and the first Biennial Meeting of States held as a follow-up to that conference in July 2003.⁴¹ Last, but not least, the EU has at various times initiated specific arms embargoes on Afghanistan, Bosnia and Herzegovina, China, the Democratic Republic of the Congo, Croatia, Ethiopia, Eritrea, Indonesia, Liberia, Libya, the Former Yugoslav Republic of Macedonia, Myanmar (Burma), Nigeria, Sierra Leone, Slovenia, Sudan, Yugoslavia (the Socialist Federal Republic and the Federal Republic) and Zimbabwe.⁴²

The CFSP and small arms and light weapons

The EU Code of Conduct on Arms Exports is one of the most important and perhaps most successful elements of the CFSP. In 2005 the Code was reviewed in discussions in the COARM committee, and the draft of a new version was

³⁷ For more information see European Commission, *Small Arms and Light Weapons: The Response of the European Union* (Office for Official Publications of the European Communities: Luxembourg, 2001), URL <http://europa.eu.int/comm/external_relations/cfsp/doc/>.

³⁸ European Parliament resolution on small arms, documents B5-0723, 0729 and 0730/2001, Brussels, 15 Nov. 2001, URL <<http://www.europarl.eu.int/registre/recherche/>>.

³⁹ European Parliament resolution on the Council's Fifth Annual Report according to Operative Provision 8 of the European Union Code of Conduct on Arms Exports (2004/2103(INI)), document P6_TA(2004)0058, 17 Nov. 2004, URL <<http://www.europarl.eu.int/registre/recherche/>>.

⁴⁰ European Union, 'Statement by H. E. Mr. Louis Michel, Deputy Prime Minister and Minister of Foreign Affairs of Belgium on behalf of the European Union', 55th session of the United Nations General Assembly, Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9 July 2001, URL <<http://disarmament2.un.org/cab/smallarms/statements/euE.html>>.

⁴¹ International Action Network on Small Arms, 'United Nations Biennial Meeting of States on Small Arms and the Programme of Action 7–11 July 2003', URL <<http://www.iansa.org/un/bms.htm>>.

⁴² For more information see the SIPRI Non-proliferation and Export Control Project, 'European Union approach to arms embargoes', URL <<http://www.sipri.org/contents/expcon/euembargo.html>>.

circulated; this review had become controversially linked with the possible lifting of the EU arms embargo on China.⁴³ The EU Joint Action constitutes a major part of the non-proliferation and disarmament dimension of the CFSP, currently accounting for about half of the CFSP activities covering these areas (the other half being focused on weapons of mass destruction). Non-proliferation and disarmament accounted for €7.2 million of the total CFSP budget of €62.2 million in 2005.⁴⁴

IV. Nordic regional cooperation

All the Nordic governments are committed to measures against SALW, and the same concerns, stemming from at least three basic Nordic values—humanitarian thinking, conflict prevention and restraint in the arms trade—are widely shared at parliamentary and popular level. Nevertheless, initiatives aimed at introducing Nordic Council⁴⁵ resolutions on arms issues have not met with success. For example, in October 2003 the Socialist–Green group in the Nordic Council tabled a draft resolution on ‘openness and increased parliamentary influence in arms export policies’.⁴⁶ This resolution was not passed, leading Kristin Halvorsen, the head of Norway’s Socialist Left party, to state that ‘Nordic arms export—it is never mentioned’.⁴⁷

Defence equipment procurement is, in fact, subject to two Nordic arrangements.⁴⁸ The first is the 1994 Nordic Armaments Co-operation (NORDAC) Agreement, which has involved over 60 inter-Nordic cooperation projects. An updated agreement, which came into force in 2001, concerns support for industrial cooperation in the military equipment sector between Denmark, Finland, Norway and Sweden.⁴⁹ In terms of supply-side control, the most important aspect of these agreements is that the Nordic countries do not require end-user information on a reciprocal basis. End-user certificates are standard export control documents that define the ultimate ‘end-user’ of a defence export. To waive the requirement for such a certificate implies that a high degree of trust

⁴³ Anthony, I. and Bauer, S., ‘Transfer controls’, *SIPRI Yearbook 2005* (note 10), p. 718; and Wezeman, S. T. and Bromley, M., ‘International arms transfers’, *SIPRI Yearbook 2005* (note 10), pp. 438–41.

⁴⁴ European Union, *2005 General Budget*, vol. 3 (section 3), *Commission* (Office for Official Publications of the European Communities: Luxembourg, 2004), URL <<http://www.europa.eu.int/eur-lex/budget/>>, title 19, chapter 19 03.

⁴⁵ The Nordic Council is a joint parliamentary body formed in 1952 with the aim of promoting cooperation between Denmark, Finland, Iceland, Norway and Sweden. On the Nordic Council and the Nordic Council of Ministers see URL <<http://www.norden.org/>>.

⁴⁶ ‘Member’s proposal on openness and increased parliamentary influence in arms export policies (A 1295/Presidium)’, Nordic Council, 29 Oct. 2003, URL <<http://www.norden.org/session2003/program/uk/program.asp>>.

⁴⁷ Halvorsen, K., Press meeting on Nordic Arms Export Control, Oslo, 28 Oct. 2003, URL <<http://search.norden.org/>>.

⁴⁸ On these arrangements see chapter 9 in this volume.

⁴⁹ Agreement between the Kingdom of Denmark, the Republic of Finland, the Kingdom of Norway and the Kingdom of Sweden Concerning Support for Industrial Cooperation in the Defence Materiel Area (NORDAC Agreement), 9 Nov. 2000. For more information see the NORDAC Internet site, URL <<http://www.nordac.org/>>.

must exist between the Nordic partners, even across the dividing lines of EU and NATO membership; arms transfers can and do take place, for example, between Finland and Norway.

A further Nordic initiative of note is the Baltic–Nordic consultations on export control. These take place annually and place emphasis on improving the Baltic states’ export control regimes. These regular seminars are the only area concerning conventional arms in which the Nordic states have defined a collective relationship with states outside the Nordic region.

Nordic engagement in EU policy

The COARM and POLARM committees are not subdivided into regional blocks. Instead, ad hoc groups of governments tend to coalesce around specific issues. It is therefore difficult to point to a distinctively Nordic relationship between the three Nordic EU members, respectively, and the other member states in these committees. Moreover, it is difficult to discern a trend of Nordic leadership in the sources of significant EU initiatives concerning SALW and conventional arms (see table 13.1).

The lack of Nordic leadership in the EU might be explained by the fact of these states’ smaller input to the arms trade—although this is hardly smaller than that of Ireland; and by the fact that Finland and Sweden joined the EU only on 1 January 1995. Perhaps it takes time to develop the confidence to lead initiatives. As reported elsewhere in this volume,⁵⁰ however, these two countries did take decisive joint action at several stages in the development of EU policies on ‘active’ defence and security, as well as jointly promoting other causes, such as transparency in EU governance. The only possible conclusion is that—since Nordic governments’ SALW policies remain so similar—they have not seen the EU as a primary means of pursuing their policy objectives concerning SALW or have preferred to keep their activism in the EU on a national basis.

EU initiatives and the non-EU Nordic states

Iceland and Norway have stated that they will voluntarily follow the principles of the 1998 EU Code of Conduct on Arms Exports.⁵¹ A consultative meeting with Norway to discuss the revision of the Code of Conduct was held in November 2004. COARM has also discussed providing information on licence denials by EU members to Norway. In addition, and in harmony with a long Nordic tradition of acting in concert at the UN, Iceland and Norway have

⁵⁰ See, e.g., the Introduction to this volume.

⁵¹ European Parliament resolution on the Council’s Second Annual Report according to Operative Provision 8 of the European Union Code of Conduct on Arms Exports (13177/1/2000 - C5-0111/2001 - 2001/2050(COS)), document A5-0309/2001, 3 Oct. 2001, URL <<http://www.europarl.eu.int/registre/recherche/>>.

Table 13.1. EU initiatives concerning small arms and light weapons and other conventional arms

Leader(s)	Initiative
Germany	European Union Joint Action on Combating the Destabilising Accumulation and Spread of Small Arms and Light Weapons
United Kingdom, France	European Union Code of Conduct on Arms Exports
Ireland, Netherlands	European Union Code of Conduct review
Netherlands, Germany, Sweden	Council of the European Union Common Position on the Control of Arms Brokering

Sources: Council of the European Union, Joint Action on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons, document 1999/34/CFSP, Brussels, 17 Dec. 1998, available at URL <<http://www.sipri.org/contents/expcon/eusmja.html>>; Council of the European Union, European Union Code of Conduct on Arms Exports, document 8675/2/98 Rev 2, Brussels, 5 June 1998, URL <http://ue.eu.int/cms3_fo/showPage.asp?id=408&lang=en&mode=g>; European Parliament resolution on the Council's Fifth Annual Report according to Operative Provision 8 of the European Union Code of Conduct on Arms Exports (2004/2103(INI)), document P6_TA(2004)0058, 17 Nov. 2004, URL <http://www.europarl.eu.int/plenary/default_en.htm>; and European Commission, *Small Arms and Light Weapons: the Response of the European Union* (Office for Official Publications of the European Communities: Luxembourg, 2001), URL <http://europa.eu.int/comm/external_relations/cfsp/doc/>.

aligned themselves with the joint EU position at the UN in debates on conventional arms.⁵²

The Oslo meetings

Three international meetings on SALW have been hosted by the Norwegian Government, representing the most high-profile activity on the SALW issue in the Nordic region. The 1998 Oslo Meeting on Small Arms (Oslo I) emphasized the dangers associated with trafficking of SALW and, consequently, stressed the need to prevent diversion from legal manufacture or trade and the need for states to exchange information and be transparent in their arms transfers.⁵³ The Second Oslo Meeting on Small Arms and Light Weapons (Oslo II), held in 1999, built on the concerns of the first meeting and also emphasized arms brokering.⁵⁴ Both these concerns were reflected in the EU's 1998 Joint Action

⁵² European Union at the United Nations, 'EU Presidency statement: small arms', New York, 7 July 2003, URL <http://europa-eu-un.org/articles/es/article_2516_en.htm>.

⁵³ Oslo Meeting on Small Arms, 'An international agenda on small arms and light weapons: elements of a common understanding', Final Communiqué, 13–14 July 1998, URL <http://www.nisat.org/export_laws-regs linked/norway/oslo_meeting_on_small_arms_13.htm>.

⁵⁴ Second Oslo Meeting on Small Arms and Light Weapons (Oslo II), 'Elements of a common understanding', 6–7 Dec. 1999, URL <http://www.nisat.org/export_laws-regs linked/Norway/second_oslo_meeting_on_small_arm.htm>.

on Combating the Destabilising Accumulation and Spread of Small Arms and Light Weapons⁵⁵ and the EU Code of Conduct on Arms Exports.⁵⁶

A more specialized interim meeting was held in Oslo in April 1999 at which the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Light Weapons was developed.⁵⁷ The EU participants ‘declared their intention to propose that the EU provide financial, political and moral support for the establishment of the West African moratorium’.⁵⁸ A third Oslo meeting, organized by the Netherlands and Norway in April 2003,⁵⁹ focused on developing a common understanding on regulations to control arms brokering. Whether by chance or design, this meeting occurred just before the EU’s Common Position on arms brokering was finalized.⁶⁰

Governmental attendance at all three meetings was global in nature, but with many representatives from EU states. For example, at the 2003 meeting on SALW brokering, 9 of the 27 governments represented were EU members: Belgium, Finland, France, Germany, Greece, Italy, the Netherlands, Sweden and the United Kingdom.⁶¹

V. The methods chosen by Nordic governments in pursuing the small arms and light weapons issue

If Nordic governments have not opted to pursue their shared or parallel concerns on SALW through joint initiatives at the EU, to what other methods have they given preference and why? This section presents the result of an analysis designed to answer these questions, based on the first three annual reports on the 2002 EU Joint Action on Combating the Destabilising Accumulation and Spread of Small Arms and Light Weapons⁶² and the Nordic states’ reports in

⁵⁵ Council of the European Union (note 29).

⁵⁶ Council of the European Union (note 28).

⁵⁷ ECOWAS (note 22).

⁵⁸ See UN Regional Centre for Peace and Disarmament in Africa with Norwegian Institute of International Affairs (NUPI) and Norwegian Initiative on Small Arms Transfers, *The Making of a Moratorium on Light Weapons* (NUPI: Oslo, 2000), URL <<http://www.nisat.org/publications/moratorium/>>, p. 106.

⁵⁹ Dutch–Norwegian Initiative on Further Steps to Enhance International Co-operation in Preventing, Combating and Eradicating Illicit Brokering in Small Arms and Light Weapons, Conference Report, Oslo, 23–24 Apr. 2003, URL <<http://www.nisat.org/publications/>>

⁶⁰ Council of the European Union, ‘Council Common Position 2003/468/CFSP of 23 June 2003 on the control of arms brokering’, 23 June 2003, *Official Journal of the European Union*, vol. L 156 (25 June 2003), URL <<http://europa.eu.int/eur-lex/lex/JOIndex.do>>, pp. 79–80.

⁶¹ Dutch–Norwegian Initiative (note 59).

⁶² Council of the European Union (notes 29 and 31); Council of the European Union, ‘Annual report on the implementation of the EU Joint Action of 17 December 1998 on the European Union’s contribution to combating the destabilising accumulation and spread of small arms and light weapons (1999/34/CFSP) and the EU programme on illicit trafficking in conventional arms of June 1997’, 1 Aug. 2001, *Official Journal of the European Communities*, vol. C 216 (1 Aug. 2001), pp. 1–13; ‘Second annual report on the implementation of the EU Joint Action of 12 July 2002 on the European Union’s contribution to combating the destabilising accumulation and spread of small arms and light weapons (2002/589/CFSP) and repealing Joint Action 1999/34/CFSP and the EU Programme on illicit trafficking in conventional arms of June 1997’, *Official Journal of the European Communities*, vol. C 330 (31 Dec. 2002), pp. 1–24; and ‘Third annual report on the implementation of the EU Joint Action of 12 July 2002 on the European

2003 to the UN on their implementation of the UN Programme of Action.⁶³ Iceland, which is not an EU member, did not report on its activities under the Joint Action, nor did it make a report on its implementation of the UN Programme of Action during the period in question.

In total, these reports contained information on 54 initiatives by one or more Nordic governments. These initiatives may be broken down into three categories: bilateral activities, funding support for international programmes and funding for individual projects.

Bilateral initiatives

There were three bilateral initiatives: a Norwegian–US small arms working group; a Dutch–Norwegian initiative on arms brokering; and a British–Swedish initiative in support of children in the Democratic Republic of the Congo. It is noteworthy that all three bilateral initiatives involve Nordic governments working with governments from outside the region rather than with each other.

Funding international organizations

The Nordic states reported 16 instances of support for international organizations. Eight of these were for support of UN activities: four by Sweden, two by Denmark, one by Sweden and Norway concurrently, and one by Norway and Finland concurrently. These eight concerned general support for the UN Development Programme (UNDP) Trust Fund for the Reduction of Small Arms Proliferation and for regional UN initiatives in West Africa, South America, Albania and the Republic of the Congo. The two projects supported by more than one Nordic government were the UNDP in Albania (by Finland and Norway) and the Program for Coordination and Assistance on Security and Development (PCASED), the body charged with assisting the implementation of the ECOWAS Moratorium (supported by Norway and Sweden).⁶⁴ Otherwise, there were no coincidences of support for UN activities by Nordic governments.

The remaining eight instances of support for international organizations were for the World Bank and the OSCE. Sweden supported four World Bank initiatives: SALW management projects in Cambodia, Guinea-Bissau, Sierra Leone and the Great Lakes region of Africa. Three OSCE initiatives were supported by Finland alone, of which two concerned support for the OSCE's general

Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons (2002/589/CFSP)', *Official Journal of the European Union*, vol. C 312 (22 Dec. 2003), pp. 1–23. These annual reports are available at URL <http://www.smallarmssurvey.org/resources/reg_docs.htm>.

⁶³ United Nations (note 14). For data and information per year, provided by states on a voluntary basis, including national reports, on the implementation of the Programme of Action see URL <<http://disarmament2.un.org/cab/salw-nationalreports.html>>. Finland, Norway and Sweden reported in 2003; no Nordic states reported in 2002.

⁶⁴ ECOWAS (note 22).

SALW activities and one was for a project in Georgia. Denmark and Finland supported an OSCE project in Moldova.

This pattern of support appears to reflect sometimes divergent priorities among the Nordic governments as regards both regions of interest and preferred institutional partners. Sweden has focused on UN and World Bank projects, while Finland has placed most of its emphasis on the OSCE. All four Nordic states, however, have supported UN activities to some degree.

Funding individual projects

Similar trends are evident in support for SALW projects run by individual organizations, whether entailing research, advocacy or operational work. Only two projects of this kind were funded simultaneously by Denmark, Finland, Norway and Sweden in support of research work by, respectively, the Institute for Security Studies in South Africa and the Swiss-based Small Arms Survey. One further project was funded by Finland and Sweden—support for the work of the Arias Foundation of Costa Rica. In addition, Norway and Sweden both funded cooperation by institutes in their countries on training for the disarmament, demobilization and reintegration of former combatants.

Sweden gave sole support to 16 activities. These included inter-parliamentary exchanges on SALW issues between representatives from Latin America and Sweden, the work of the advocacy organization International Action Network on Small Arms (IANSA); and disarmament, demobilization and reintegration programmes in Guinea-Bissau and southern Sudan. Six activities were funded by Norway alone. These ranged from supporting Operation Moufflon—the South African National Defence Force’s destruction of surplus SALW—to support for the advocacy organization SaferAfrica. A further five were funded solely by Finland, ranging from SALW control and police training in Guatemala to supporting transparency and SALW control in Kenya. Denmark was not the sole supporter of any such project.

Furthermore, as many as nine projects were supported by either Denmark, Finland, Norway or Sweden and one or more non-Nordic governments (compared with the five that involved more than one Nordic government). In general, the Nordic governments were more likely to support the same initiatives as Canada, the Netherlands or Switzerland than they were to work with another Nordic government.

Support for campaigning and advocacy

Previous global campaigns, such as the International Campaign to Ban Landmines, involved Nordic governmental support for advocacy organizations which used this funding to campaign for policy change by other governments. The SALW issue has witnessed a continuation of this trend. Campaigning organizations supported by the Nordic governments have included the Arias

Foundation, Biting the Bullet,⁶⁵ IANSA, SaferAfrica and Saferworld. Sweden provided funding for IANSA, while the other organizations were funded by Finland and Norway.

Biting the Bullet, IANSA and Saferworld are based in London, but it is worth noting that they all have global campaigning agendas. There is no evidence in the reports studied of the Nordic governments funding campaign work specifically focused on European nations, regions or institutions, including lobbying of the EU itself.

As of early 2005, the Control Arms campaign, run by Amnesty International, IANSA and Oxfam, is the highest-profile international campaign in the SALW field. One of its main components is the call for a legally binding treaty governing the arms trade. It is publicly supported by Finland, but not by the other Nordic governments.

VI. Conclusions

The Nordic governments have a very similar approach to the small arms and light weapons issue. They have all defined the proliferation, diffusion and misuse of SALW as an issue of concern. They have expressed this concern at the UN, and EU statements in that forum to the same effect have been endorsed by the two non-EU Nordic governments, of Iceland and Norway. However, beyond the level of rhetoric, it is difficult to discern the development of an identifiably ‘Nordic’ approach to the issue. There have been no joint initiatives involving all the Nordic governments (other than export control discussions with Baltic states), nor is there any evidence of a distinctively Nordic position being promoted at the global—or even regional—level in contradistinction to the positions of other interested European governments.

Similarly, there is no evidence of a conscious and coordinated Nordic involvement in the development of the European Union’s policy on SALW. Nordic EU member governments have participated in the development of EU policy but have not taken a leadership role in this particular field. That place has been left to countries such as France, Germany, Ireland, the Netherlands, and the UK. The only clear instance of a Nordic state taking leadership in the EU in the field of SALW was Sweden’s introduction, during its presidency of the EU Council of Ministers in 2001, of guidelines on arms brokering. This initiative aside, it is interesting to note the absence of SALW-related priorities being promoted by Finland or Sweden in the programmes of their recent presidencies of the EU Council of Ministers (in 1999 and 2001, respectively).

Instead, the Nordic governments have followed two different strategies. First, they have made alliances with states (some of which are EU members) on particular issues. The Dutch–Norwegian initiative on arms brokering referred to

⁶⁵ Biting the Bullet is a project developed by Bradford University, International Alert and Saferworld; see URL <<http://www.international-alert.org/policy/biting.htm>>.

above is perhaps the best example.⁶⁶ Second, they have followed their long-established global orientation in supporting activities by the UN, the World Bank and—at European level—the OSCE, which has a much wider membership than the EU. Similarly, their support for advocacy and campaigning work has been channelled towards work on global issues for a global audience rather than towards lobbying specifically designed to influence European audiences or EU policy.

These findings are all the more striking inasmuch as some other (non-Nordic) members seem to hold a belief in the EU as a progressive entity that, through changes in its own policy and its actions, can both add value in the specific area in view and positively influence the policies of its neighbours, of other nations (such as the USA) and of other international organizations. The reasons why the Nordic governments apparently assign less (relative) value to the European Union in this respect—force of historical habit, the inconvenience of their differing security and institutional statuses, an inbuilt recoil from regional approaches in the arms control field generally, a preference not to act as ‘small fish in a large pool’ or something to do with a deeper Euro-scepticism—would make a fascinating subject for further study.

⁶⁶ Dutch–Norwegian Initiative (note 59).