



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

**Seminar “Parliamentary initiative to increase Swedish Parliamentarians’
engagement and awareness of the issue of small arms and legislative control of
arms exports”**

Swedish Parliament, Wednesday April 22 2015, Stockholm

Organized by the Parliamentary Forum on Small Arms and Light Weapons

FINAL REPORT



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Background

The work to control and prevent the proliferation of small arms and light weapons (SALW) is an important element in the promotion of democracy and global development. Unregulated arms trade increases the risk of weapons falling into the wrong hands, causing severe consequences. In Sweden, both the popular and parliamentary interest in the country's role as an arms exporter has increased sharply after the Arab Spring. The importance of parliamentary transparency and measures to limit the risks of Swedish weapons falling into the wrong hands has clearly had a political impact. Through increased understanding and knowledge of the problems surrounding small arms, parliamentarians can contribute to enhanced quality of parliamentary control of arms export.

On a global level the Arms Trade Treaty (ATT), which entered into force on 24 December 2014, is a big step in the right direction when it comes to preventing the uncontrolled proliferation of weapons. Increased control and regulation of international transfers offers better prospects in order to control the spread of weapons and prevent diversion of weapons. The ATT entails several important parliamentary tasks, such as; legislative measures, parliamentary oversight of implementation, and opinion forming. Parliamentarians have thus still an important role to play; they must ensure that governments take the necessary measures and adhere to the Treaty, and that the rules are duly implemented.

With this as background, the Parliamentary Forum organised seminar to provide Swedish and European parliamentarians, as well as representatives from the civil society, with the opportunity to share information and knowledge on issues relating to arms export and the ATT.

The seminar was arranged as part of an initiative from the Parliamentary Forum to strengthen parliamentarians' role in the control of arms export, and was held in the Swedish Parliament on April 22, 2015.

Participation

A total of 38 people attended the event including; 9 members of parliament from Sweden, UK and Iraq; officials from Sida, the Swedish Armed Forces, and the Swedish MFA; representatives from civil society organizations such as the Swedish Peace and Arbitration Society (Svenska Freds), Amnesty and Sou da Paz; representatives from political parties as well as Parliamentary Forum staff (list of participants attached).



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Introduction – Christer Winbäck, Board Member of the Parliamentary Forum on SALW

Mr. Winbäck welcomed the participants and opened the Seminar with a minute of silence for the victims of the tragic migrant disaster in the Mediterranean Sea earlier the same week. He gave a brief background of the work done by the Forum and the reasons for arranging a seminar on this specific topic including the problems of uncontrolled proliferations of SALW, the role of parliamentarians in arms export control, and the expectations and limitations of international instruments such as the ATT. Mr. Winbäck then introduced the first panel and asked whether there are initiatives to expect from the Swedish MPs.

Session I: Focus on ATT and arms export from a Swedish perspective - MP Désirée Pethrus; MP Anna-Lena Sörenson; MP Valter Mutt; and Ms Anna Ek, President of Swedish Peace and Arbitration Society.

Christer Winbäck, Board Member of the Parliamentary Forum on SALW, moderated the discussion.

Presentations:

Désirée Pethrus (Christian Democrats), member of the Committee on Defense and the KEX-committee¹. MP Pethrus gave her and her party's view on the ongoing parliamentary inquiry on Swedish arms export regulations (KEX-committee). She explained that her party's standpoint in the KEX-committee is that arms should not be sold to non democratic states. She argued that there are too many weapons in the world and used the example of the Arab Spring to illustrate the importance of being careful regarding where Swedish weapons end up.

MP Pethrus' then gave her expectations on the work of the KEX-committee. She argued that there is a need to better evaluate the situation in arms buying countries and that follow on deliveries should not be a given but carefully considered before approved. Further, she argued that the Export Control Council (ECC, in Swedish EKR) and ISP² should be more open and transparent about the decision

¹ KEX-committee: a parliamentary inquiry that the Swedish government has set up with the aim of developing proposals for new arms export legislation

² ISP, Inspectorate of Strategic Products, works with control and compliance of defence material and dual-use products



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making process for license giving. Another point made was that regional contexts surrounding a country of export should be considered more carefully.

The facilitator Christer Winbäck then opened up for questions from the audience and began this brief Q&A by asking Désirée Pethrus about the new leader of the Christian Democratic Party and what to expect when it comes to these topics.

MP Pethrus answered that the new leader share her standpoint on this issue and emphasized that her party is not against arms export but that it should be conducted more carefully. The big concern is the large amount of uncontrolled weapons circulating in the world. A clearer Swedish legislation is desired.

The President of the Parliamentary Forum on SALW, Ms Ala Talabani, made a comment regarding the role of women in parliamentary committees dealing with security and defence issues. She also stressed the importance of including the UN Resolution 1325, on women and peace and security, in all aspects also in European Union issues.

MP Pethrus agreed with Ms Talabani and briefly outlined the efforts done in this area by her and her party.

Anna-Lena Sörenson (Social Democrats) Member of the Committee on Foreign Affairs and KEX-committee. MP Sörenson explained that her and her party's work in the KEX-committee is directed by the decisions made during the yearly congress of the Social Democratic Party. The Social Democrats' standpoint is that arms should not be exported to states where serious and widespread violations of human rights occur. Hence it is necessary to include a democracy criterion in the Swedish arms export regulations. MP Sörenson then mentioned the Arms Trade Treaty (ATT) and stated that in many aspects the current Swedish legislation is stricter than the ATT. MP Sörenson concluded by emphasizing the importance of transparency in the arms export decision making processes to allow for parliamentary and public scrutiny.

Valter Mutt (Green Party) – Member of the Committee on Foreign Affairs. MP Mutt began his presentation by stating that UN Secretary General Ban Ki Moon was right when arguing that the ATT is good for humanity. MP Mutt stated that the spirit of ATT should be incorporated in Swedish National legislation and serve as a minimum threshold for national legislation. Regarding the KEX-committee and its final stretch MP Mutt stated that his party does not want any arms export. He continued with an argument that 'serious violations' of Human Rights should be enough for rejecting



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arms export to states. The current formulation “widespread and serious violations” makes the regulations too permissive. MP Mutt also brought up the lack of transparency in the decision making processes as a major problem, and argued that the ECC (EKR) and ISP should be more transparent in these processes. MP Mutt concluded by expressing his view on Swedish arms export as, to some extent, a result of lack of fantasy, encouraging the industry to make use of its competence better in civilian matters and not only for defense and security.

Ms Anna Ek – President of the Swedish Peace and Arbitration Society. Ms Ek began by giving a brief presentation of the Swedish Peace and Arbitration Society and the work the organization has done recently. Ms Ek then explained that through its arms export, Sweden is arming war and conflict. She gave the example from the Arab Spring where civil society and activists did not gain power but the police and military – since they were armed with arms from Sweden and other producer countries. Regarding her and her organizations expectations on the ATT and the KEX-committee, Ms Ek argued that we are now going from a situation of illegal arms export towards a situation where there are possibilities for change.

In terms of the ATT Ms Ek mentioned the focus on anticorruption and the fact that there are two main actors driving the ATT process; civil society and the arms industry, the questions is who will win that battle.

Regarding Swedish arms export and the KEX-committee, Ms Ek expressed concern whether the committee will be able to present their results in time or not, based on previous delays. She also argued that there is a problem if national security reasons are always seen as most important reasons for arms export. Ms Ek further mentioned that the political parties all have “good opinions” but that still bad things happen regarding Swedish arms export. Ms Ek also agreed with the previous panellists that increased transparency is necessary and decisive for public scrutiny. Before she ended her presentation Ms Ek stressed that she was speaking only on behalf of the Swedish Peace and Arbitration Society and not the civil society in general.

Christer Winbäck thanked the panellists and opened up for questions from the audience

Open discussion/questions for the panel

The facilitator Christer Winbäck, asked about good and bad democracies, more or less authoritarian states - is it possible to draw a line, and where?



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MP Sörenson insisted that no country is perfect but that you can see clear differences; she recommended a strong stance in export to non-democracies. She also reminded of the importance to not only discuss democracy but also human rights.

Lotta Hedström, asked MP Sörenson why the KEX-committee has taken so long even though it appears that they basically agree

MP Sörenson, acknowledged that the committee agrees on a lot but that there are still some issues that are to be agreed upon. She agreed that they could have been a bit more efficient but also mentioned that several reports has been produced.

Lotta Hedström asked MP Mutt about the relationship between arms trade and development.

MP Mutt stated that this is problematic and that Sweden should not export weapons with one hand and provide development cooperation with the other. He further stated that the military is given ten times the amount of what is given to Foreign Aid.

Karin Olofsson (Sida) asked the panel how they see the role of Swedish development cooperation when it comes to SALW. She explained that Sweden's financial contribution to these issues is rather limited - 25 million SEK.

MP Sörenson answered that within the KEX-committee they discuss how to include Policy for Global Development (PGU)³ also in arms export. She further pointed out that every government has a responsibility to defend their country.

Ms Anna Ek suggested that development cooperation should aim to provide better support to NGOs working with these issues. She further stated that people in affected countries also have a saying and that their situations should be better taken into consideration.

MP Stig Henriksson made a comment regarding the previously discussed ECC and informed the participants that ECC does not make decisions in arms export but is an advisory body.

Linda Åkerström (Swedish Peace and Arbitration Society) asked MP Sörenson whether the party congress concerns all weapons export to dictatorships or only weapons in the category "for battle purposes".

³ PGU: the Swedish framework for global development. PGU was developed through a parliamentary inquiry as a cornerstone for the long term development agenda, and unanimously adopted in Parliament in 2003,



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MP Sörenson explained that all exports should start with the Swedish defence and security aspect. It should be first of all be considered whether export is in the interest of Swedish national defence and then one should look at the buyer country, in terms of democracy and human rights etc. Every perspective should be taken into consideration before decisions are made.

The president of the Parliamentary Forum, MP Ala Talabani asked the MPs in the panel about the role of Swedish Parliamentarians in these issues, especially after the Arab Spring. She asked how countries are classified as democracies or non-democracies.

Also MP Talabani made a question regarding the economic aspect of arms export, it is an income for the country and how does that affect decisions?

MP Sörenson clarified that there is no list where countries are classified and there will not be such a list in the future. Regarding the other question from MP Talabani she stated that within the KEX-committee labour, income and industry is never discussed. Rather it is about Sweden's defense and security. She claimed that we need an industry for our own defence and we need to export to share the costs for keeping that industry.

MP Mutt also commented on MP Talabani's question and argued that it is a problem to discuss democracy and whether a state is a democracy, shadow democracy or non-democracy, hence Human Rights should be also included in the calculation.

Regarding the economic aspect of Sweden's arms export MP Mutt argued that the net profit is not as large as it seems since the export agreements often includes counter purchases and investments in receiving countries. He further argued that even if there was a large economic gain Sweden is wealthy enough to abstain from profiting on arms export.

Ms Anna Ek brought up the issue of exporting to countries that does not recognize the ATT, and Indonesia was given as an example. She stated that the agreement with Saudi Arabia was seen as a bad deal by the vast majority but still not many voices are raised for ending arms export in general

Christer Winbäck concluded the discussion by making a last question to the Swedish Parliamentarians, asking what they are going to do to make these questions heard, both nationally and internationally.

MP Sörenson answered that she will continue to encourage fellow parliamentarians to work for the ATT and the EU Common Position, since measures has to be taken globally to achieve a change.



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MP Mutt answered that travel and change of best practices gives a good opportunity. He also stated that activities like this seminar are important. Finally MP Mutt thanked Christer Winbäck for his work in the Committee on Foreign Affairs.

Christer Winbäck thanked the panellists and then closed the session and opened the coffee break.

Session II: Focus on ATT and arms export from an international perspective - Ambassador Paul Beijer; Mr Mark Bromley; Sir John Stanley

The session was moderated by Christer Winbäck who welcomed the panellists and opened the second session.

Presentations:

Ambassador Paul Beijer, Head of the Swedish Delegation, UN Arms Trade Treaty Negotiations. Ambassador Beijer talked about the progress of the ATT and the preparations for the First Conference of States Parties (CSP1) that will take place in Mexico City in August. Paul Beijer introduced his speech by emphasizing the importance of ATT as the first global treaty in this area, and underlined the importance of having an international norm to refer to whenever there is ambiguity. A remaining challenge is to achieve near-universal adherence to the Treaty and to ensure effective implementation at the national level. Ambassador Beijer mentioned that many states still have no or less than satisfying control over their arms export. He argued that the Treaty provides opportunities to work against illegal trade and hopefully make uncontrolled arms trade a thing of the past. Ambassador Beijer noted that there still remained many ATT-sceptical countries within the Non-Aligned Movement and other geographical gaps as well. He then moved on to explain the relationship between the ATT and other international instruments and how they complement each other, such as the UNPoA, the UN Registrar of Conventional Arms, the Wassenaar Arrangement and UNSCAR. He explained that these instruments will still be important as complements to the ATT. Ambassador Beijer continued by going into the practical arrangements of the ATT. He mentioned that the preparatory work before the CSP1 includes four critical aspects; the secretariat, funding, rules of procedure, and reporting template.

Ambassador Beijer concluded by mentioning a few weaknesses in the Treaty, which were mainly the result of a consensus-based approach during the negotiations, the need for large-scale implementation assistance and the fact that adhesion to the Treaty is still spotty in some regions. How to address these



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weaknesses and the steps that has already been taken was also brought up before Ambassador Beijer thanked the audience.

Mr Mark Bromley, Co-Director of SIPRI's Dual-use and Arms Trade Control Programme. Mr Bromley briefly presented the work of SIPRI related to the ATT and explained that SIPRI followed the ATT negotiations closely. Mr Bromley mentioned the SIPRI databases for military expenditure, arms transfers and national reports on arms export and explained how they have cared about and worked with these issues for a long time. Mr Bromley continued by bringing up the State Parties' obligations regarding ATT, where effective mechanisms for control of arms export and the reporting requirement are important aspects of the Treaty. Mr Bromley further gave his assessment of Treaty and brought up several pros and cons. He mentioned the lack of clarity in the language of the Treaty as one weakness, and argued that there are caveats in what is required by the states when it comes to implementation. This is likely a result of the fact that existing controls in this area differed widely among the states engaged in negotiating the ATT, Mr Bromley argued. Also the geographical gaps for signatory states and State Parties are a weakness according to Mr Bromley. Mr Bromley expressed that the entry into force of such an important international instrument is a great step forward and brought up what he considered to be the main advantages of the treaty including the articles on international cooperation and assistance. Mr Bromley stated that there is good help for implementation available for states.

Sir John Stanley (UK), former MP (Conservative Party) and chair of the Committees on Arms Export Controls 2010-2015. Sir John began his presentation by giving a brief introduction to how scrutiny of the Government's arms export is done in the UK by the Committees on Arms Export Controls (CAEC). CAEC is constituted by members of four Select Committees: Business, Innovation and Skills Committee; Defence Committee; Foreign Affairs Committee; and International Development Committee. Sir John explained that there are basically two ways to carry out parliamentary scrutiny of arms export. One way is to engage the parliament in the decision making process; the other way is to consider arms exports a Government responsibility and then perform scrutiny and full examination of the process. Sir John further explained that the latter option is how it is done in the UK. Sir John gave examples from the UK following the Arab Spring to illustrate the importance of having parliamentarians performing scrutiny afterwards instead of engaging in decision making directly.

Sir John continued by stating that the key currency in scrutiny is information, both that given spontaneously by the Government and that extracted from the Government. He explained that in the UK the Government provides a list of all export licenses that are approved and refused every three



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months but names of applying companies and information about end users in the countries of destination is not provided.

Sir John also mentioned the 'EU Common Position Criterion Two'⁴ as a good illustration of how Government could be held responsible and argued that parliaments should ask their Government which states they consider the worst abusers of Human Rights, and what their Governments' existing arms exports are to those states. Sir John argued that by asking this question parliamentarians will be able to hold the Government responsible. He provided yet another example from the UK where there were a large number of existing arms export licenses to countries listed by the UK Government as being of human rights concern. Sir John brought up as a last point the importance of maximum focus on public participation and transparency.

Before concluding Sir John mentioned that in the UK the Government is obliged to respond in writing to CAEC Reports within two months of their publication, which enables increased transparency.

Christer Winbäck thanked the panellists and opened up for questions from the audience

Open discussion/questions for the panel

Daniel Mack (Sou da Paz) made a comment that all export decisions are political. He explained that from an international perspective the Swedish decision to not export to Human Right violators has been very welcomed. He further asked about how national legislation relates to the EU Common Position and the economic aspect of arms trade.

Ambassador Paul Beijer answered that economic gain is not part of the equation in the Swedish system. He further explained that the Swedish guidelines are strict but still require a political judgment balancing different arguments for- and against. This is done in consultation with a Parliamentary advisory body. Regarding Swedish arms export to non-democracies Ambassador Beijer informed that the overall political approach traditionally has been that engagement is better than isolation. Even if we refused arms exports, relations were maintained in other areas.

Sir John Stanley agreed that decisions are political, in the sense that they are taken by Ministers. He explained that in the UK national criteria have been superimposed on top of the EU-criteria. He further argued that a problem with the EU Common Position is that the wording makes almost any arms export possible.

⁴ EU Common Position Criterion Two: "Respect for human rights in the country of final destination as well as respect by that country of international humanitarian law."



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Mr Mark Bromley elaborated further and stated that in Sweden the process is twofold, national legislation and EU Common Position together constitute the arms export regulations. He further pointed out the issue of responsibility in Swedish arms export - whether final responsibility lies with ISP or the government – can be unclear.

Lotta Hedström asked Mr Bromley about the possibilities to use SIPRI data to assess the effect of ATT

Mr Bromley responded that he hoped that the effect will be seen in SIPRI data, but – if so – it would not be the case for many years.

Christer Winbäck closed the session and thanked the audience and the speakers for their participation in a fruitful seminar, before he gave the floor to MP Ala Talabani.

Concluding remarks – MP Ala Talabani, President of the Parliamentary Forum on SALW

MP Talabani began her conclusion by briefly talking about the role of the Forum in these issues. She explained that a lot can be done through parliamentarians and NGOs, and that it is important to continue to believe in what we are doing. She continued by mentioning some of the Forum's previous activities in the MENA-region that concerns the work of parliamentarians and their role in performing scrutiny.

MP Talabani brought up three issues of special importance for parliamentarians to work for. First, weapons should only be held and used by government controlled forces. Second, parliamentarians should hold governments accountable. Third, parliamentarians shall take responsibility in controlling that no group, apart from government forces, should use weapons.

MP Talabani further informed about the situation of her home country Iraq. In Iraq there is a strong weapons culture and privately owned weapons is a major problem. She further explained the problem of arms from Western countries ending up in black markets and among armed groups in the MENA-region. Building on this MP Talabani explained that it is important for Western governments to understand that ATT and other international instruments shapes the politics in other regions as well, and that pressure has to be put on critical states.

MP Talabani argued that arms export is important for many producer countries but emphasized the importance of exercising control over the export and make sure that the weapons do not end up in the wrong hands. Here, MP Talabani argued, the role of parliamentarians is especially important.



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MP Talabani concluded by expressing her great expectations of the Forum's future work and mentioned the growth in terms of members and regional expansion as important steps forward. She also thanked the Forum's outgoing Secretary General Peter Weiderud for his efforts and great contributions.

MP Talabani closed the meeting.

Attachment 1.

Participant list

Members of Parliament

Torbjörn Björlund	Left Party (Swe.)
Stig Henriksson	Left Party (Swe.)
Åsa Lindestam	Social Dem. (Swe.)
Valter Mutt	Green Party (Swe.)
Désirée Pethrus	Christian Dem (Swe.)
Delis Sotiris	Moderate Party (Swe.)
Sir John Stanley	Conservative Party (UK)
Anna-Lena Sörenson	Social Dem. (Swe.)
Ala Talabani	PUK (Iraq)

Experts

Paul Beijer	Ambassador, Swedish MFA
Mark Bromley	SIPRI



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Anna Ek

Swedish Peace and Arbitration Society

Other Participants

Amnesty

Simon C. Ebers

Amnesty

Hanna Laustiola

Amnesty

Maja Åberg

Professor

Lars Ingelstam

Fredsteknik

Linnea Krantz

Cesium

Hans Wallin

Folkpartiet

William Kajo

PUK

Samir S. Amin

Parliamentary Forum on SALW

Fausto Brindis

Parliamentary Forum on SALW

Teresa Dybeck

Parliamentary Forum on SALW

Osama Ramadan

Parliamentary Forum on SALW

Erik Vestin

Parliamentary Forum on SALW

Christer Winbäck

The Royal Swedish Academy of War
Sciences

Bo Janzon

Swedish Armed Forces

Övlt. Fredrik Johnson

Swedish Armed Forces

Roger Lundholm

Swedish Peace and Arbitration Society

Niklas Norberg

Swedish Peace and Arbitration Society

Linda Åkerström

Sida

Karin Olofsson

Sida

Erik Runn

SIPRI

Pieter Wezeman

Social Democratic Party

Maria Lönn

Sou da Paz

Daniel Mack



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United Nations Association of Sweden

Linda Divkovic

Lotta Hedström

Johannes Eljo