

Finnish Export Laws & Policies

Responsible Authorities

The responsibility for production and export of weapons and dual-use goods in Finland is divided between several authorities:

- The Ministry of Defense is responsible for assessing and granting licenses for export of defense material
- The Council of State (Government), in a general session, decides whether to grant an export license in cases when the application is controversial or when the deal is worth more than 500,000 FIM (Finnish marks; this amount equals about US \$80,000)
- The Ministry of Foreign Affairs advises on foreign and security policy implications of exports
- The Ministry of the Interior is responsible for granting export and import licenses for civilian firearms and ammunition (The export of non-military firearms is governed by different laws than is the export of military weapons. A weapon's rate of fire determines whether it is considered military or non-military.)
- The Customs agency is responsible for enforcement of relevant licenses

National Laws and regulations

Exports of Finnish defense material are governed by:

- Act on the Export and Transit of Defense Material (242/1990), in force since April 1990
- General Guidelines for the Export and Transit of Defense Material (474/1995), in force since 1995
- Decree on the Export and Transit of Defense Material (108/1997), in force since February 1997
- Decision by the Ministry of Defense on the Implementation of the Decree on the Export and Transit of Defense Material (192/1997)

Export and import of civilian firearms and ammunition is governed by the Firearms Act, which entered into force in 1988.

All export license applications are considered on a case-by-case basis by the relevant export control authority. End-user certificates are required in all applications.

Concerning licenses for export of defense material, the General Guidelines for the Export and Transit of Defense Material state:

If the item to be exported, by virtue of its characteristics and significance, will not lead to, or will, in all likelihood not be used in, violations of human rights, in offensive armed action or other comparable, unacceptable purposes in or outside the recipient country, granting of a license may be recommended if the overall assessment is otherwise favorable and if the formal licensing requirements have been met.

Regarding arms brokering, Finland does not have any specific laws or regulations in place.

Regarding transparency, Finland is now among the world's most transparent countries in terms of the export of weapons. The Finnish Government issued its first annual report on export of defense material in 2000: Second Annual Report According to the EU Code of Conduct on Arms Exports, 1999. The Government previously issued export statistics for the year 1998. The annual report for 1999 provides information on exports based on data submitted to the Ministry of Defense by manufacturers/exporters. The report provides information on the total value (but not quantity) of exports, divided by weapon type and importing countries.

International Agreements

Finland is member of the European Union (EU). The EU adopted a Common Code of Conduct on Arms Exports in June 1998. This measure aims to harmonize the 15 EU member states' policy through 8 minimum guidelines on exports of arms from the EU area. The Code is not legally binding, but rather a political document. It must be implemented by member states through national laws and regulations. The Finnish Council of State incorporated the Code of Conduct as an annex to the national guidelines.

On 17 December 1998 the Council of the European Union adopted a Joint Action on Small Arms and Light Weapons, which is legally binding and aims to prevent the accumulation and spread of small arms and light weapons. This measure, too, must be implemented by member states. Thus far, Finland has not incorporated the Joint Action into its national arms export legislation.

Finland is a member of the Wassenaar Arrangement, which was established in 1996. The Arrangement is a non-binding export control forum of 33 arms producing and exporting states. The purpose of the forum is to prevent destabilizing accumulations of war material and dual-use technologies through consultation and intelligence sharing.

Sources and Methodology

General sources of information on Finnish laws and policy that we relied on include:

- Annual reports issued by the Government: Export statistics for the year 1998 and Second Annual Report According to the EU Code of Conduct on Arms Exports, 1999.
- The Ministry for Foreign Affairs of Finland
- The Ministry of Defense of Finland
- The Ministry of the Interior of Finland
- Stockholm Peace Research Institute (SIPRI)
- Annual report issued by the EU: Second Annual Report According to the European Union Code of Conduct on Arms Export (pdf)
- Åsa Carlman, *Arms Trade from the EU: Secrecy vs. Transparency*

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