

# A Study of Swedish War Materiel Export;

## the Paradox between Rhetoric, Law, and Practice of the Swedish Government

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## Abstract

I takt med att Sveriges export av krigsmateriel blir allt mindre restriktiv blir den också mer exportorienterad. Sverige är idag en av världens tionde största vapenexportörer. Förra året exporterades krigsmateriel för över tio miljarder kronor. Det är den största summan i Sveriges historia. Sveriges största krigsmaterielimportör är USA. Sedan Irakkriget bröt ut i Mars 2003, har Sveriges export av krigsmateriel till USA ökat markant. Sverige exporterar idag också krigsmateriel till ett flertal länder där grava kränkningar av mänskliga rättigheter förekommer, trots dess väldigt restriktiva lagar och riktlinjer på detta område. Denna studie har avsikten att kasta ljus över Sveriges export av krigsmateriel; den belyser hur Sverige försöker upprätthålla sin fasad som ett neutralt land medan det bakom kulisserna paradoxalt nog exporteras mer och mer krigsmateriel till kritiska stater; helt i strid med dess lagar och riktlinjer. Genom att fokusera på händelseutvecklingen sedan Inspektionen för Strategiska Produkter bildades 1996 samt på vad denna nya myndighet har inneburit för Svensk Krigsmateriel Industri dras slutsatser om hur denna paradox kan fortlöpa. Detta är särskilt intressant eftersom Sverige idag står inför ett vägval då beslut kommer tas gällande nya riktlinjer för Sveriges vapenexport.

Keywords: Arms Trade, War Materiel Export, Swedish Government, War Materiel Industry, Inspectorate of Strategic Products, Paradox, Backstage, Front Stage, Iraq War, USA.

## Abbreviations

DoP	Declarations of Principles for Enhanced Cooperation in Matters of Defense Equipment and Industry
DoD	Department of Defense (Försvarsdepartementet)
EKR	Council for Export Control (ExportKontrollRådet)
ISP	Inspectorate for Strategic Products (Inspektionen för Strategiska Produkter)
KMI	Inspectorate for War Materiel (KrigsMaterielInspektionen)
KRUT	Investigation of War Materiel (KRigsmaterielUTredningen)
KU	Constitutional Committee (KonstitutionsUtskottet)
RN	Advisory Committee (Rådgivande Nämnden)
SW MoD	Swedish Ministry of Defense (Svenska Försvarsministeriet)
TVR	Technical Science Council (Teknisk-Vetenskapliga Rådet)
UD-NIS	Unit for Disarmament and Non-proliferation (UtrikesDepartementets enhet för Nedrustning och Icke-Spridning)
UN	United Nations (Förenta Nationerna)
US(A)	United States of America
US DoD	United States Department of Defense (USA:s Försvarsdepartement)

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## 1 Introduction

The Swedish War Materiel Trade and Export Industry has, since the export scandals of the 1980s<sup>1</sup>, been seen by most as a respectable activity that promotes peace, regulated by a number of strict new laws and policies enforced by the Government. But something has happened with Swedish war trade over the past few years. The Swedish War Materiel Industry is flourishing and expanding every year. Sweden is today one of the ten largest exporters of war materiel in the world; the main part of the Swedish production of war materiel is now used for export. An increasing number of permissions regarding export of war materiel have been passed to countries that violate human rights or are engaged in armed conflicts. These current trends in the export of Swedish war materiel are in conflict with Sweden's laws, guidelines, and foreign policy goals of promoting human rights and contributing to international security. Sweden is a neutral country with a foreign policy that highly regards democracy and human rights. Despite this, Sweden has increased its export of war materiel to the United States each year since the beginning of the internationally non-sanctioned Iraq War in 2003. It is a paradox to proclaim neutrality while directly contributing to wars.

The legality of the increased trend in war trade is disputable because Swedish law still includes uniquely restrictive war material export regulations. It has a tendency to proclaim its neutrality in conflicts while highly regarding democracy and human rights issues, but still increases its support to critical States involved in armed conflicts that violate international laws. Surprisingly, these facts get little critical attention in Sweden today. There is not much media coverage of this paradox in Sweden; the industry continues to grow without resistance. It could be that Swedish citizens believe its War Materiel Industry promotes peace and has changed for the better since the 1980s and are not aware of what is going on backstage, because the media coverage of this issue is very limited. It could also be simply that they are neglecting the facts. But looking at Swedish laws, guidelines, and foreign policy goals, it is

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<sup>1</sup> Bofors smuggled guided missiles to Dubai and Bahrain and were accused of bribing in order to be able to sell field-haubitzers to India. Several trials took place, but few of the accused were convicted. Two Bofors directors received suspended sentences (Sydsvenskan, 070402).

easy to obtain the view of Sweden as a neutral country. It is this front stage rhetoric to which a majority of the people are subjected.

Swedish foreign policy goals, declared by Swedish Prime Minister Fredrik Reinfeldt in the Declaration of Cabinet on 6 October 2006, explain that “Swedish foreign policy shall, with a clear voice, join the commitment to international cooperation promoting democracy and human rights. The ambition shall be clear: Sweden shall enhance its contribution to freedom, security, democracy, prosperity, and sustainable development in the world” (<http://www.regeringen.se/sb/d/3039/a/70562>).

Swedish laws and guidelines regarding arms trade politics are very restrictive. The guidelines *Lagar och Riktlinjer för Vapenexport; Svenska Riktlinjer för Krigsmaterielexport och Annan Utlandssamverkan* (1993) state that export of any type of war materiel should not be allowed to a State that is in an armed conflict with another State – even if a declaration of war has taken place. Neither should it be allowed to a State involved in an international political or rhetorical conflict feared to lead to an armed conflict, or to a State with domestic armed conflicts. Nor is it allowed to be exported to a State where human rights violations occur. Also, according to §1 in the *Law (1992:1300) about War Materiel*, the export of war materiel should only be granted if it is not in conflict with the principles and goals of the Swedish foreign policy or if there are security reasons.

Given these restrictions, there exists a paradox in Sweden’s claim to be a neutral country while carrying out these unlawful actions. Sweden has continuously increased its export of war materiel to the USA since the spring of 2003, when the Iraq war was initiated. This war was not sanctioned by the United Nations; it was denounced by a majority of the Parliament and by the Prime Minister. However, Sweden engaged in a special agreement with the country, called *Declaration of Principles for Enhanced Cooperation in Matters of Defense Equipment and Industry* (DoP), at the critical time when the USA was preparing to invade Iraq. It also began exporting war materiel to other countries involved in the Coalition of the Willing, which was the American president’s description of those countries that offered direct, front stage rhetorical support of the Iraq war, and those that offered direct military support through troop deployment. It is also increasingly engaging in war trade with countries where extensive violations of human rights occur. These actions should be controversial, because they are contradictory to Sweden’s claims of being a neutral country and having a foreign policy that endeavours to enhance its contribution to freedom, security, democracy, prosperity, and sustainable development.

Considering its current laws, guidelines, and claims, how can Sweden increase its war materiel export to the USA and its Coalition of the Willing - countries that are currently in a major, non-sanctioned armed conflict? In order to find out how it is possible that this paradox between front stage rhetoric and backstage actions is taking place in Sweden today, I found it necessary to raise sub-questions regarding the roll of an authority called the Swedish Inspectorate of Strategic Products (ISP). Since it is the authority that grants permissions for exporting war materiel, looking at its function and its decisions in connection with the Iraq War will help answer the main question. I therefore raise these sub questions:

*What is the function of ISP when it comes to exporting war materiel?*

*What reports and what decisions can be connected to the American led Iraqi invasion of 2003?*

*What other official measures have been taken in this connection?*

Through investigating the function of ISP, the decisions, reports, and official measures taken, other questions have to be raised in order to come to a conclusion about the paradox regarding Swedish war materiel politics:

*Have Swedish war materiel politics become less restrictive?*

*What kind of changes can be seen?*

*Has the disparity between the rhetoric and practice of the Swedish Government changed to legitimize such a change?*

This means that in order to gain an understanding of the development of arms trade politics over the past decade, I will investigate Swedish war materiel politics since 1996, when the separate authority ISP was established. By doing that, I will see if any significant changes can be found regarding the handling of the export of war materiel today - if this has meant that Swedish war materiel politics have become less restrictive, despite the fact that ISP still is bound to the restrictive laws and guidelines. I will investigate whether it is the disparity between the rhetoric and action that has changed to legitimize this. The export of war materiel to the USA since 2003, when the USA and its allies started the occupation of Iraq, is an example of the paradox of Swedish arms trade that severely violates Swedish war materiel export laws; I have therefore chosen to highlight it.

## **1.1 Limitations**

I will in particular investigate the last decade of Swedish arms trade politics. I am not focusing on the years before 1996, since I aim to gain a greater understanding of the current Swedish arms trade politics, even though the export scandals of the 1980s are an interesting matter.

The reason that I am not focusing on the years before 1996 is that this was the year when the Government shifted the responsibility of Swedish war materiel export to the ISP; only a few statistics from the years before ISP was established will be displayed. The establishment of ISP is important because alongside its formation, changes in Swedish patterns of exporting war materiel can be noticed.

I am not focusing too much on the arms trade to other countries that were a part of the Coalition of the Willing, since the USA took the initiative to start the war. They will be mentioned, and a few statistics regarding Sweden's war materiel export to them are included. Another reason for this is that the export to the USA in particular has been increasing by large numbers every year since the war started, and it is the largest importer of war materiel from Sweden today.

There is not too much focus on war materiel export to countries that are in official UN violation of human rights, although they are mentioned and discussed briefly. Due to limited space, I pushed the focus towards the export to the USA, who nonetheless has been numerous times accused of grave human rights violations in regards to the treatment of suspected terrorists at Abu Ghraib and Guantánamo Bay.

## **1.2 Material and Method**

### 1.2.1 Goffman's Front Stage and Backstage

When trying to understand this paradox that Sweden appears to be a neutral country but in reality is not, Erving Goffman's structural descriptions of front stage and backstage are applicable. In *The Presentation of Self in Everyday Life* (1959), he suggests that people have different mentalities that are shown depending on what arena one is performing an action within. On the front stage is projected one type of behaviour, and backstage another. This type of "acting" does not only have to concern separate individuals, this behaviour is applicable to

groups of people as well. Therefore it is possible to apply this to the Swedish Government and the ISP when investigating the contradiction regarding Swedish arms trade.

### *Front Stage*

According to Goffman our 'front' is "that part of the individual's performance which regularly functions in a general and fixed fashion to define the situation for those who observe the performance" (Goffman, 1959:22). Goffman writes that

When an individual plays a part he implicitly requests his observers to take seriously the impression that is fostered before them. They are asked to believe that the character they see actually possesses the attributes he appears to possess, that the task he performs will have the consequences that are implicitly claimed for it, and that, in general, matters are what they appear to be (Goffman, 1959:17).

Goffman believes that society expects us to present a cohesive image of ourselves, that we are expected to live up to the rolls we play; we are expected to be determined. The quest is, according to Goffman, to project ourselves as determined, to keep ourselves together, keep our face, our front stage, and our façade (<http://www.ts.mah.se>).

If we apply this to the behaviour of the Swedish Government, one can claim that it is playing a part when denouncing the Iraq War. It is also playing the part of a country that works to enhance freedom, security, democracy, prosperity, and sustainable development in the world. By doing this, it tries to live up to the roll of a neutral country. It is trying to project itself as being determined to keep this façade. The front stage of ISP is easy to spot. Looking at its website ([www.isp.se](http://www.isp.se)) the authority claims to be basing its decisions in accordance to the *Law (1992:1300) about War Materiel*, and by having the "interests of the Swedish defence and security policy as a starting point and by accordance to the principles of foreign policy". In addition, ISP shall "try cases that fall under the *Law (1992:1300) about War Materiel*, and by efficient control of the export, contribute to international peace and security as well as to non-proliferation" ([www.isp.se](http://www.isp.se)). When claiming to be an authority that is working in accordance to these principles, people are asked to believe that this is true – that matters are what they appear to be. But when empirically testing these claims to the reality of the actions - to the backstage actions - it is possible that it is front stage rhetoric.

Further, since actors are striving to project an idealised image of themselves – through the roll that they play – they are also trying to hide some matters while conveying others to their audience. It could be to hide mistakes and failures, incompetency, or inferiority

(<http://www.ts.mah.se>). Let us apply this to how the Swedish Government acts in the contradiction of exporting war materiel to the USA during the Iraq War. For example, in the matter of the decisions made to increase Sweden's cooperation with the USA in the spring of 2003, the *Declaration of Principles for Enhanced Cooperation in Matters of Defense Equipment and Industry* was discussed in the Swedish Parliament on 1 June 2004. It was debated whether this agreement violates the Swedish law or constitution, since Sweden through this agreement is facilitating war materiel export to a country that is engaged in an armed conflict. Konstitutionsutskottet (KU) had with a majority decided in 2003/04:KU20 that there was not any reason to critique the acts of the Government from a constitutional point of view in the matter of increased war materiel export cooperation with the United States at this time. "The Parliament shall according to Chapter Ten in *Regeringsformen* approve that the Cabinet enter international agreements, which affect laws or which concern a subject that lies within the frame of the government's competence for decisions" (SOU 2005:9). And according to Göran Lenmarker (m), KU does not decide upon the contents of the agreement.

Based on this, Gustav Fridolin (v) claims the Cabinet has not tried to submit any directions or regulations in accordance to §1a of *Law (1992:1300) About War Materiel*, that states that the Cabinet may request that matters of war materiel export be handled by the Cabinet instead of ISP. The Cabinet is therefore not able to affect the export to USA. (Snabbprotokoll 2004/05:131). The contradictory war materiel export trends can therefore continue; the Government still projects an idealised image of itself.

Goffman also claims that our "self" is a product of the interaction between the actor and the audience; the audience helps and supports the performance. There is reciprocity in this relation, and the self is vulnerable because of this. It is therefore critical to be able to control the audience – so that it does not interrupt the performance. The audience can not see through or question the performance, in order to keep the social distance. But everyone wants a good performance, and the audience is striving to keep its idealized image of the actor. Actor and audience are dependent on each other – aware of the "game" and the "hypocrisy" (<http://www.ts.mah.se>).

This could be applied to the fact that there is surprisingly little critical attention of the Swedish Arms Trade Industry today – perhaps because it rocks the Swedish image of being a neutral country. But if everyone wants a good performance, if the Swedish people are striving to keep their idealized image of Sweden as a neutral country with strict laws regarding war materiel export, the will to expose the "hypocrisy" is diminished. If, for example, mass media

does not use its power enough to highlight this matter, if it does not question the actions of the ISP and the Cabinet, the public opinion can more easily be controlled and the distance kept.

The Swedish Government can also be “the audience”, and ISP the actor. Of course there are members of the Government who want to change the contradictory trends of the export, but there are also a majority of members in the Swedish Government in favour of how the interaction between ISP and the Cabinet is working. Mentioned above, the members of Konstitutionsutskottet (KU) had with a majority decided in 2003/04:KU20 that there was not any reason to critique the acts of the Cabinet from a constitutional point of view in the matter of increased export facilitated by ISP. Therefore one can claim that it is the reciprocity between the majority of the Swedish Parliament and ISP that makes the contradictory war materiel trade to USA possible. Since the Export Industry is an important industry for Sweden, and since the establishment of ISP has made it possible for the Government to escape responsibility for the critical matters, the vulnerable self – the production of the interaction of ISP and the Cabinet – is often not questioned by the Parliament, even though well aware of the “game” and hypocrisy. The idealized image is being kept.

### *Backstage*

Goffman also talks about the backstage. The backstage is separated from the front stage, but still connected to it. Other norms are taking place backstage, behind the scenes. Here is where no members in the audience are allowed. This is a space where there are no tensions between the individual and the demands from society. The backstage is important in order to be able to put on the front stage performance. It is used to prepare for the front stage performance, to mend the cracks in the façade (<http://www.ts.mah.se>).

If one was to apply this concept of backstage to the paradox that Sweden appears neutral country when in action it is not, the backstage is used to make it possible for ISP and the Cabinet to avoid accountability for the war materiel export to critical States, and USA in particular. If the front stage is the Swedish laws, guidelines, and foreign policy, the backstage is the reality where other norms are taking place. By establishing ISP and therefore shifting governmental responsibility and accountability regarding war trade, it is possible for war materiel export to grow and violate laws and guidelines. Since this authority is subject to neither the same restrictions nor accountability as the Cabinet used to be, and since the Cabinet is no longer held accountable to enforce war materiel trade and export laws, they have made it possible to hide behind this new separate authority, and continue to increase export to the United States every year since 2003. These are the norms that the Cabinet and

ISP operates by backstage: “[t]he Cabinet cannot change a decision about permit made by the ISP” (SOU 2005:9). Neither can ISP’s decisions be tried in court. Also, members of the cabinet cannot answer for ISP’s decisions in specific matters, but only about the direction of the politics of export control in general. (SOU 2005:9).

In addition, according to Goffman there are two extremes: “an individual may be taken in by his own act, or be cynical about it” (1959:19). These extremes demand further explanation. Goffman says that at one extreme,

one finds that the performer can be fully taken in by his own act; he can be sincerely convinced that the impression of reality that he stages is the real reality. When his audience is also convinced in this way about the show he puts on – and this seems to be the typical case – then for the moment at least, only the sociologist or the socially disgruntled will have any doubts about the ‘realness’ of what is presented (1959:17).

Using the rhetoric of a foreign policy that highly regards human rights issues and security, and by denouncing USA’s war on Iraq and having restrictive laws and guidelines about arms trade, it is easy to be convinced that Sweden is a neutral country that would not engage in arms trade with critical States in non-sanctioned conflicts - especially since the Government claims that “it is of utter importance to secure that the guidelines regarding the export of weapons are fulfilled” (Skr 2006/07:114).

Then, at the other extreme,

we find that the performer may not be taken in at all by his own routine. This possibility is understandable, since no one is in quite as good an observational position to see through the act as the person who puts it on. Coupled with this, the performer may be moved to guide the conviction of his audience only as a means to other ends, having no ultimate concern in the conception that they have of him or of the situation. When the individual has no belief in his own act and no ultimate concern with the beliefs of his audience, we may call him cynical, reserving the term ‘sincere’ for individuals who believe in the impression fostered by their own performance. It should be understood that the cynic, with all his professional disinvolvement, may obtain unprofessional pleasures from his masquerade, experiencing a kind of gleeful spiritual aggression from the fact that he can toy at will with something his audience must take seriously. It is not assumed, of course, that all cynical performers are interested in deluding their audiences for purposes of what is called “self-interest of private gain”. A cynical individual may delude his audience for what he considers to be their own good, or for the good of the community, etc. (Goffman, 1959:18).

Since the Government has not yet intervened in the way that arms trade to USA is being performed today, it could be a possibility that the war materiel export to the USA can continue since it benefits Sweden economically.

### 1.2.2 The Power of Texts

I am using a method of text analysis in this essay. In *Textens Mening och Makt* (2005), Bergström and Boréus claim that “[t]exts are reflecting, reproducing, or questioning power, but it is not power in itself. They can be used for understanding relations between individuals or groups outside of the texts”. Since I aim to understand the relations between ISP and the Swedish Cabinet, these methods of text analysis have been very suitable.

The power the Swedish Parliament, Cabinet, and other authorities possess regarding arms trade, and the way they handle it, has been the focus of the essay. This power has been established through texts. Many texts are produced when governments are coming to conclusions in different matters, since a great number of people’s opinions and views have to be shared, discussed, and evaluated. All of these texts need to be analyzed if one is to understand the climate of Swedish Arms Trade today. The study of power through texts can be performed in many ways. In this case, when trying to understand the texts that bespeak the power used by the decision makers and authorities that control the Swedish Arms Trade Industry, I have used the Sociologist Steven Lukes’ (1990) three dimensions (or faces) of power.

The first dimension of power, to Lukes, is a type of ‘visible’ power contained within public texts. One part of this dimension of power, when it comes to Swedish Arms Trade, are the laws and guidelines regarding war materiel; these are the visible expression of final conclusions made by Government. In the framework of this study, the first dimension of power is also that of other, non-law texts that might enable ISP to be able to authorize an increasing export of war materiel that contradicts the current laws and guidelines. This power too can be discovered and analyzed within texts that express the standpoints of the Swedish government, such as reports that can shed light on ideas and decisions that lead to the formation of current laws. In the context of this discussion, Lukes’ first dimension of power is analyzed through the manifestation in any available text record of political decisions, standpoints, and conclusions concerning war trade and export over the past decade (Bergström and Boréus, 2005:13).

Lukes' second dimension of power is exercised when raised questions do not reach the agenda. It can be when important issues - for certain individuals or groups – are not debated (Bergström and Boréus, 2005:13). Swedish Arms Trade has been historically debated in the Parliament, but since there are written texts that now make it possible for the Parliament and Cabinet to be camouflaged by those that hold the most power in this matter – the authority called ISP – these debates can no longer lead to very much, and are therefore effectively voided. By establishing ISP in 1996, issues regarding Swedish export of war materiel may no longer be raised at all in the Parliament, because ISP is the deciding authority, and has the power to forward matters in need of debate to the Cabinet at its own discretion. The analysis of this second dimension of power is accomplished by investigating how ISP neglects to forward critical decisions to the Cabinet as it “shall” do by guidelines set down at its creation.

Lukes calls the third dimension of power the ‘power over the mind’, which means the ability to affect the wishes of people in a certain direction so that they will act in a way that really is not at all in line with their interests. It might be the strongest dimension of the three. (Bergström and Boréus, 2005:13). One can claim that Politicians have power over minds when speeches are given that outline policies and directions of a country that do not agree with the practice of that country. According to the 2006 Declaration of Cabinet, for example, the Prime Minister gives the impression that Sweden executes a foreign policy that is contributing to democracy, human rights, and security in the world. Swedish regulations regarding its War Materiel Industry indicate that Sweden is executing very restrictive policies. This front stage might make people forget to investigate the backstage practice, or their ability to oppose the practice if it is found contradictory. In addition, this dimension of power can be the power that mass media exercise today. If mass media would use its resources to highlight the issue of the discrepancy between Sweden's neutrality politics and its support for the Iraq war, for example, a majority of the Swedish population would be educated about these facts. This dimension can be the most difficult to analyze in the context of increasing Swedish war materiel trade, because one must investigate the deeper, back stage actions of a government that are contradictory to its rhetoric, as well as the mass media coverage of those actions.

### 1.2.3 Text Analysis

When trying to find out more about the paradox of the Swedish Arms Trade Industry, it has been necessary to review governmental reports, laws, and guidelines. It has also been necessary to look at certain reports from other authorities, relevant news articles, and

governmental debates to come to an understanding about the interplay between the government and the ISP. A comparison between these texts and the real actions by authorities, Parliament, Cabinet, and Government has then been pursued in order to reach a conclusion. To put it simply: the rhetoric is compared to the practice; the front stage is compared to the backstage.

I set out to understand the paradox between the idea about this industry and the reality about it. As we will discover, the idea about this industry is that Sweden is a neutral country with strict laws regarding export of war materiel whose ideology is to work for human rights issues and democracy. The ideology and the idea about it will be tested against its actions, and the disparity between the rhetoric and reality will be investigated and shown.

I have used the method of Idea and Ideology Analysis to investigate the ideology of the Swedish War Materiel Industry. From within the Idea and Ideology Analysis, I used a 'Critical Ideology Analysis', known also as an 'Ideology Critique', in order to perform this study (Bergström and Boréus, 2005:157). The prerequisite of Ideology Critique is that ideologies, just like theories, can be empirically tested (Bergström and Boréus, 2005:152). Ideology Critique focuses more on extensive criticism of a system, and not so much on the ability to take a position, as focuses, for example, the Tingstenian Idea Criticism. Different segments of any dominating ideology can be compared with an external reality when using this Critical Ideology Analysis. By doing this, the ideology is supposed to be understood, interpreted, or exposed. (Bergström and Boréus, 2005:157).

In order to understand this method fully, it is important to first understand the concepts of idea and ideology. An idea can be a construction of thought that has some kind of continuity – a conception of reality (when it comes to both social and natural phenomenon), an evaluation of occurrences, or an idea about how to act. In many definitions of ideology today, ideas are thought of as components; they are understood as collections of ideas concerning politics and society. They can also be viewed as having functions as contributors to the solidarity of societies or legitimizing specific interests of different classes (Bergström and Boréus, 2005:49-51).

The main point of this text analysis is that the content of different documents - which are expressions of ideology - are analyzed and then compared to an empirical reality, because what actually occurs in reality might not always be in line with or agree with the ideology. Because this is a part of the paradox of the Swedish War Trade Industry today, this method has been very applicable in this study. I have analyzed the laws, guidelines, reports, and documents regarding arms trade and found a contradiction with the actual arms trade. What

occurs in reality is not in line with the ideology of Sweden being a neutral country. In this way ideology is associated with power, since certain discourse and actions are taken for granted by the public that affect their ability to take standpoints for or against them. The powerful idea of Swedish neutrality is so strong that it might be hard for many Swedes to believe the contradictory actions of the Arms Trade Industry. By employing this example of the third dimension of power, which gives the ability to lawlessly and quietly expand the Swedish war materiel export, this industry continues to flourish.

It is not possible to reconstruct an ideology only by analysing the easily visible surface of it, even though that is what is often shown in public for everyone. Importantly, beneath that visible surface there is something else, something deeper, which is more inaccessible. Therefore it is critical that the analysis encompasses an investigation of the reality – separated from the text. By doing this it is possible to give the text realistic perspective. In this way, performing an Idea and Ideology Analysis is a double project. I have had to interpret the text on a linguistic level first, and then let the underlying level become visible. (Bergström and Boréus, 2005:158).

#### 1.2.4 Interpretation

No matter what kind of text analysis is being performed, the text has to be interpreted; its meaning has to be conveyed. Interpretation of texts can be complicated. There are different strategies for it, as well as different keys of understanding the meaning of texts. I have chosen to understand the analyzed texts through a hermeneutic circle, since it is the most suitable tool for this type of study, based on the issues the study discusses and the material I used while performing this study. Using a hermeneutic circle means that “parts of a text are interpreted based on the text as a whole, and the whole text is interpreted based on the parts of the text” (Bergström and Boréus, 2005:24). In accordance to this, I used different keys to understand the texts, which consists of the interpreter, the sender, the recipient, and the social context. It has been an important tool, since reviewing laws means that parts of texts – paragraphs – have been highlighted in order to understand if actions performed are right or wrong. The social context has to be understood when interpreting this existing paradox in Swedish Arms Trade Industry.

Of course there always will be some kind of pre-understanding when interpreting a text. Without it, any kind of interpretation is impossible. Because everything affects the way we interpret a context, “the interpreter uses her contemporary knowledge, and her experiences

interplay with the experiences the original text is based on” (Bergström and Boréus, 2005:25) - just like the philosopher and hermeneutic Hans-Georg Gadamer claimed. This is how the text is given a new meaning. No one is excluded from these facts. Since I interpreted mostly laws, claims in governmental reports, and their actual statistics, I hope that as an interpreter I limited the personal subjective interpretation of the texts. The social context in which this study takes place might affect the outcome of the results, but all in all, I believe that the intersubjectivity of this study is fine, and that other researchers would come to the same conclusions using the same analytical tools.

I tried to get an overview of what happened with the Swedish Arms Trade Industry since 1996 by reviewing and comparing statistical and other reports over the past two decades. I therefore did not deal with older texts, but instead rather new ones, which means that the pre-understanding of the texts does not affect the results of the interpretation that immensely. Laws and guidelines are what they are, and should not be subject to much interpretation. If they are, one can claim that they are poorly written. Instead, the fact that some laws and rules have been written in order to get around issues has made this incongruity possible - Swedish Arms Trade to countries in armed conflicts now flourish – despite it being forbidden by law. I interpreted the meaning in separate texts in relation to other texts concerning the same matters. By reviewing and investigating the separate texts, the discourse was understood, and I extended the hermeneutic circle. The discourse is the whole; the parts are interpreted from the whole, and the whole from the parts.

#### 1.2.5 Validity

In order to understand the current Swedish export of war materiel paradox it was necessary to first investigate and recognize the augmenting of the Arms Trade Industry over the past decade. The data measuring these upward trends have high reliability since they are based on very thorough governmental reports from each year. Importantly, a note has been included in my study about ways by which rules about export of war materiel are avoided, for example by reclassifying certain materiel as non-war materiel – even though the manufactured components will be used as war materiel. This means that the result could be even higher amounts of exported war materiel than actually have been shown in reports. In any case, the trend is of increased export of war materiel.

The main issue in this study was to understand how it is possible that an increased export of war materiel has occurred to critical States, despite the strict regulations against it. The

current laws and guidelines regarding export of war materiel are very clear. By investigating governmental texts, the power ISP possesses in the way it is able to operate also becomes very clear. The general attitude against the Iraq war is supported by claims made by a majority of the Swedish government and by Anna Lindh and Göran Persson at the time the war started in 2003. Since Sweden is a member of the United Nations, it is important to note that this was a non-sanctioned war. One who believes that the USA acted in accordance to Art 51 Chapter VII of the United Nations Charter<sup>2</sup> when invading Iraq might not agree to this. But no matter what pre-understanding one has about this conflict, it is still a fact that Swedish law prohibits export of war materiel to States in armed conflicts, which means that Sweden's drastic increase of export to USA since 2003 should be open for critique and investigation.

#### 1.2.6 Material and Source Criticism

Most of the material used has been governmental reports, laws, and guidelines regarding Swedish war trade. They hold high validity and reliability. These are the reports about decisions and upon which decisions are being made. Debates in the Parliament have also been reviewed, in the form of text protocols. I have also used other relevant agreements in this matter.

Using Svenska Freds- och Skiljedomsföreningen as a source might be a matter of discussion since they are also in opposition to the export of war materiel that does not agree with Swedish laws and regulations. Their opinions might be very subjective about this matter. But allowing the numbers and laws to speak for themselves, I decided to use them as a source in certain occasions.

I have not performed any interviews myself, although I used one news article where interviews with companies involved in the Swedish war materiel production were performed. This source can of course be criticized, because news articles certainly leave room for

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<sup>2</sup> “Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security” (Charter of the United Nations, 1945).

subjectivity. Since it is hard to get interviews with these companies, I still decided to use one news article as a source in order to reach a closer understanding of the mindset of the manufacturers. There have been a problem to find sources, since this issue is quite controversial to discuss and highlight in Sweden today.

### **1.3 History of Swedish War Materiel Control**

The way Sweden controls and organizes its export of war materiel has changed drastically during the twentieth century. Before 1930, when through a new law the head of the Trade Department became responsible for revising the applications for permits, it was only the king of Sweden who was allowed to grant permission for exceptions to the earliest Swedish laws about export control (1918). Still, the king of Sweden had to approve the export of war materiel when it came to large quantities or exports of high importance. But, between 1949 and 1996, all of these matters have been tried by the Parliament or individual members of the Cabinet. An advisory committee (RN) for matters regarding war materiel was instituted in 1984. (SOU 2005:9).

In June of 1993, an investigator of the Parliament – Gunnar Lund – submitted SOU 1993:56, which dealt with the control of the export of sensitive goods, and it had the effect of a new proposition called *New Authority of Control of War Materiel and other Strategic Sensitive Products* (prop. 1995/96:31). Then on 1 February 1996, the Governmental Body called War Materiel Inspectorate (KMI) was reorganized into the Inspectorate for Strategic Products (ISP). (SOU 2005:9).

After many discussions about the possibilities to “delegate the responsibility for the matters of war materiel to the level of authorities” (SOU 2005:9), the laws regarding war materiel and guidelines for its export and also other matters of international cooperation were formed. The law concerning both production and manufacturing of weapons and export were constituted in 1992 by the Swedish Parliament. It is the *Law (1992:1300) about War Materiel*. According to §1, exporting war materiel should only be granted if it is not in conflict with the principles and goals of the Swedish foreign policy or if there are political security and defense reasons.

The guidelines regarding war materiel were constituted in the Swedish Parliament in 1993. They are called *Laws and Guidelines for Export of Weapons; Swedish Guidelines for Export of War Materiel and Other International Cooperation*. According to these guidelines, export of war materiel should not be allowed to a State

- That is in an armed conflict with another State, regardless of whether a declaration of war has taken place
- That is involved in an international conflict that is feared to lead to an armed conflict
- With domestic armed disturbances and/or conflicts
- Where human rights violations occur
- If it would violate international agreements that Sweden is committed to through decisions made by the United Nations Security Council
- If it should violate international law regarding export from a neutral state during war

It is also stated in these guidelines that “an already approved permission should be revoked, except if there are unconditional obstacles to export<sup>3</sup>, if the receiving State enters into an armed conflict with another State or enters into domestic armed disturbances” (*Laws and Guidelines for Export of Weapons*, 1993). Exceptions to these rules can only be permitted if they are in accordance to international law and Swedish foreign policy goals. And if Sweden is to pursue a more extensive and important international cooperation in the area of war materiel, an agreement should be made by the Cabinet and the target country for the cooperation. The Committee of Foreign Affairs should first be advised (*Laws and Guidelines for Export of Weapons*, 1993).

It should be said that the Swedish Government adopted new guidelines regarding export of weapons in 1971, where it was stated that weapons should not be exported to countries that commit violations of human rights. With the new guidelines in 1993, the Government tightened the restrictions even more in the area of human rights. Today, it should not matter if the war materiel will actually be used to violate human rights, the export of weapons should be stopped if these violations occur at all in the receiving country. Respect for human rights is a “central criteria” for the approval of exporting war materiel (Uppsala Nya Tidning, “*Mänskliga Rättigheter på Undantag*”).

Since Sweden is a member of the European Union, ISP not only has to take Swedish laws and guidelines regarding arms trade into account when making decisions, but also the EU’s criteria about the responsibilities of States when it comes to the export of war materiel, that were instituted in 1991 in Luxemburg, and in 1992 in Lissabon, by the European Council. The

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<sup>3</sup> Unconditional obstacles constitute international obligations such as UN-embargos (SOU 2005:9).

European Council are determined to “prevent export of materiel that can be used for domestic oppression, international aggression, or contribute to regional instability” (EU:s *Uppförandekod för Vapenexport*, 1998). The respect for human rights when it comes to making final decisions is discussed in the second criteria. According to this, in each individual case, and while taking the type of materiel into consideration, the member states will “apply specific caution while issuing licences to countries where serious violations of human rights have been established by qualified UN-organs, the European Council, or EU” (EU:s *Uppförandekod för Vapenexport*, 1998). Domestic oppression is here stated to be torture and other vial, inhumane, and humiliating treatment or punishment. It is important to note that in this instance, the EU regulation is less restrictive than the Swedish, because war materiel permits are not expressly forbidden to states in internationally recognized violation of human rights.

The third criteria establishes “the member states will not allow export which could provoke or prolong armed conflicts or aggravate existing tensions” (EU:s *Uppförandekod för Vapenexport*, 1998). According to criteria number four, which regards maintaining regional peace, security, and stability: “the member states will not issue licence of export if there is an obvious risk that the intended receiver would use the proposed export in an aggressive way against another country or claim a territorial demand with violence” (EU:s *Uppförandekod för Vapenexport*, 1998). The member states are inclined to follow this criteria, and when they do, the European Council demands them to take into account any ongoing armed conflict or probable risk that such would take place between the receiving country and another country.

Member states are also demanded to take into account whether or not the materiel “will be used for anything but the receiver’s legitimate national goal of security and defense” and importantly “the need not to have a negative effect on the regional stability in any noticeable way” (EU:s *Uppförandekod för Vapenexport*, 1998). Even though the member states are urged to take into account the possible effect on other member states’ interests of defense and security concerning the exporting weapons, they must recognize that this factor does not affect their consideration of the criteria regarding respect for human rights and about regional peace, security, and stability. (EU:s *Uppförandekod för Vapenexport*, 1998).

The multilateral agreements and instruments regarding disarmament and non-proliferation are important expressions for the work of the association of states regarding disarmament and to prevent proliferation of weapons of mass destruction and uncontrolled flows of other weapons. It is though required that they will be complemented with a strict and effective control of export in order to achieve the required goals. The control

of export is therefore a central instrument for individual states to fulfill their international undertakings in the area of non-proliferation. The control of export is performed on a national level. It is up to Sweden to make sure that our control of export is responsible and reliable ... Sweden also must take active part and responsibility in the international work in the area of export control. Within the multilateral regimes of export control and in the European Union there is a coordinated encompassed work. The work to effectively prevent proliferation has to be pursued on different levels and in different international forums. Sweden is therefore actively acting, both in the regimes and at an EU-level, to further enhance the control of export as an instrument for non-proliferation and against uncontrolled flows of conventional weapon (Skr 2006/07:114).

## 2 Discussion and Analysis

### 2.1 Swedish Arms Trade Politics Since 1996

*-What is the function of ISP when it comes to exporting war materiel?*

*-What kind of changes can be seen?*

*-Have war material politics become less restrictive?*

*-Has the disparity between the rhetoric and action of the Swedish Government altered to legitimize such a change?*

#### 2.1.1 The Establishment of ISP

*-What is the function of ISP when it comes to exporting war materiel?*

According to proposition 1995/96:31 by the Swedish Government, the former War Material Inspectorate (KMI) was formed in 1935. The strategic exporting control instance and KMI were brought together, and a joint organisation for security-policy motivated control of export was established. It was called the 'Inspektionen för Strategiska Produkter' – 'Inspectorate for Strategic Products' (ISP) and was formed 1 February 1996. Staffan Sohlman became the director-general, and a month later it was decided that Leif Pagrotsky (Trade Minister and Member of the Cabinet) was to supervise the war materiel export from the part of the Cabinet.

Today, ISP employs nineteen people; the director-general since 1 September 2005 is Andreas Ekman. He previously was part of the unit called EIM which works to promote export and the domestic market at the Department of Foreign Affairs, where he coordinated Governmental export support to the Defense Industry ([www.isp.se](http://www.isp.se)). According to *Sydsvenskan*, he is the man who "holds the highest responsibility concerning the interpretation of Swedish rule of [war materiel export] law".

ISP is Sweden's national authority for its commitments according to the United Nations Convention regarding "development, production, possession, and use of chemical weapons" ([www.isp.se](http://www.isp.se)). Today it answers to Department of Foreign Affairs and Trade Minister Sten Tolgfors. The branch responsible for this public authority within the Cabinet is 'the Department of Foreign Affairs Unit for Disarmament and Non-proliferation' (UD-NIS).

*Council for Export Control - Exportkontrollrådet (EKR)*

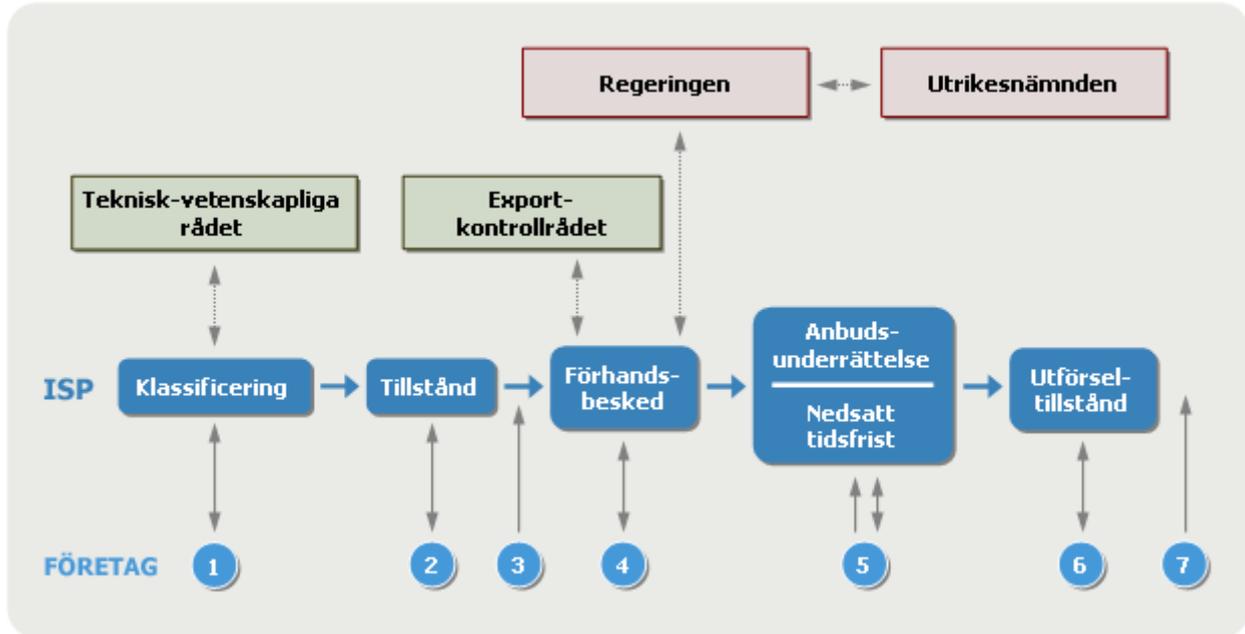
ISP receives support from a joint governmental advisory organ called the Council for Export Control - 'Exportkontrollrådet' (EKR). EKR was formed at the same time as ISP, and has representatives from all political parties.

A governmental advisory committee called 'Rådgivande Nämnden' (RN) has existed in Sweden since 1985; it was established to "relieve the pressure of the Foreign Affairs Committee" ([www.isp.se](http://www.isp.se)). Another purpose of establishing this Committee was to enhance the possibility of managing a larger number of issues. Also, since the Committee consisted of six parliamentarians from each party represented in the Foreign Affairs Committee, the political parties had a right to veto every agreement. When KMI was reorganized into ISP, the Advisory Committee was reorganized into EKR, which is a council tied to ISP. The number of members was extended in 2007, and has today eleven members instead of ten. It convenes once a month, or at least ten times a year. It assists the general-director of ISP with interpretation of guidelines in the separate matters. He is also the chairman of this council. The way it is supposed to work is not regulated by law, but has come to evolve as time has passed. ([www.isp.se](http://www.isp.se)).

Members from the Department of Defense and Foreign Affairs Department are participating in the meetings of the Council, "since the guidelines prescribe that the decisions regarding war materiel export shall be taken with the needs of the Swedish Defense as a starting point and makes demand regarding the judgements about different conditions in the recipient countries" ([www.isp.se](http://www.isp.se)). ISP claims that "in every separate matter that is being treated, the political needs of defense, a judgement of the country and earlier relevant interpretations of the regulations is being presented" in EKR ([www.isp.se](http://www.isp.se)). According to ISP, every decision about war materiel export is shown to EKR, which is thousands every year. The members of EKR are not making any decisions, but they present their standpoints in the matters where ISP requests advice. Based on these, the general-director formulates the preliminary decisions to the industry. But, EKR cannot veto any matter like the former Advisory Committee was able to do. Also, the members of EKR are subjected to the same regulations of secrecy as the members of ISP. ([www.isp.se](http://www.isp.se)).

### *The Process of Controlling the Export of War Materiel*

If companies desire to export war materiel, they will have to apply for permits. Here is an overview of the process how permits are handled:



Dokument som tas fram under processen:

1. **Begäran om klassificering**
2. **Ansökan om tillstånd (tillverka/tillhandahålla)**
3. **Marknadsföringsrapporter**
4. **Förfrågan om förhandsbesked**
5. **Anbudsunderrättelse/begäran om nedsatt tidsfrist**
6. **Ansökan om utförelsetillstånd (inkl EUC)**
7. **Leverans-/avgiftsdeklaration**

Under processen sker regelbundna möten med företaget.

Source: [www.isp.se](http://www.isp.se)

### *The Process for Export Control*

First, companies apply to ISP for classification. ISP then communicates with its Technical Science Council (TVR), which is constituted by the director-general (who is the chairman) and of leading officials from different academies and technical authorities. The officials are appointed by the Cabinet based upon suggestions from the Inspectorate itself. This council normally assembles four times a year. After this, companies apply for permits to produce/supply war materiel to ISP. They also submit reports about marketing. On this basis,

ISP deliberates with the Council for Export Control (EKR) about providing a preliminary answer to the company. If ISP considers it necessary, it can consult the Cabinet in certain critical cases where decisions might be hard to make. The Cabinet would then consult the Foreign Affairs Committee in order to come to conclusions in that particular matter. After that, ISP creates a document regarding information about the offer and about reduced assigned time period being forwarded to the company. Then ISP creates a permit of export, at which point the company submits their final papers regarding delivery and fees. During this process, ISP meets regularly with the company ([www.isp.se](http://www.isp.se)).

### *ISP's mission*

ISP's mission is to handle the supervision and control of war materiel and of products with double areas of usage<sup>4</sup>, in accordance to the *Law (1992:1300) about War Materiel*, the *Law (2000:1064) about Control of Products with Double Areas of Usage*, and to the *Regulation (2000:1070) of Technical Aid/Assistance* (§1, *Regulation (1995:1680) of Instructions for the Inspectorate of Strategic Products*). ISP shall “try cases which fall under the *Law about War Materiel*, and by efficient control of the export, contribute to international peace and security as well as to non-proliferation”. It will do this by having the “interests of the Swedish defence and security policy as a starting point and by accordance to the principles of foreign policy” ([www.isp.se](http://www.isp.se)). In §1a in the *Law (1992:1300) about War Material*, it is stated that “the Inspectorate shall, with its own statement, hand over a case to be tried by the Cabinet, if the case is of special significance, or if it is of utter importance”. The director-general shall, according to §8 of Regulation 1995:1680 “if possible confer with EKR before ISP hands over a matter to the Cabinet”. The general-director decides which matters these are according to Regulation 2001:614.

### 2.1.2 Significant Changes

*-What kind of changes can be seen?*

Over the past decade, Sweden has created a society that facilitates a growing war material industry. Today the Defense Industry is focusing on export to a greater extent. One way is

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<sup>4</sup> Products that can be used for civilian activities, defense purposes or in connection to weapons of mass destruction (Skr 2006/07:114).

attending worldwide conventions to promote itself in the international arena, in order to show Swedish technique and its ability to export 'world class' war materiel. The Director of Communication at the Defense Industry Association, Lars Ohlsson, said in an article in *Aftonbladet* from January 15, 2007 that "the sale has increased thanks to commitments to export" (*Aftonbladet*, "Svensk Granat Ska Döda i Irak" 070315). He goes on by saying "the items we produce hold world class" (*Aftonbladet*, 070315).

In 2000, six countries - Sweden, France, Italy, Spain, Great Britain, and Germany - who represent ninety percent of the world's arms trade industry, signed a skeleton agreement about war materiel in order to "facilitate the reconstruction and operation of the European Defence Industry" ([www.isp.se](http://www.isp.se)). This agreement, called FA/LOI, was signed in order to develop the industry and to increase the potential for this industry to grow (the background for this international cooperation is found in proposition 2000/01:49 by the Swedish Government).

These goals are being exceptionally met. Both the production of war materiel and the number of countries to which Sweden exports have increased substantially over the past decade. Reports from ISP and the Swedish Government show that the Swedish Arms Trade Industry has more than tripled over the past ten years – from three billion SEK per year to over ten billion SEK.

According to statistics, during the 1990s "Swedish war materiel production increased an average of 5.5 percent each year" (Linddahl, *Fokus på Vapenhandeln*, 2001:18). During this entire decade, Sweden exported war materiel to a total of sixty-nine countries. Norway, Singapore and USA were the three biggest buyers (Linddahl, 2001: 18).

In 1990 to 1991, we see a decrease from 3 327 million SEK, to 2 705 million SEK. Since then, it increased slowly but steadily. An average of 5.5 percent is not too overwhelming, but it may indicate the direction in which the industry was heading. On a whole, it increased with about one billion SEK during the entire decade, starting out with 3 327 million in 1990 and ending with 4 371 million in 2000. From 2001-2002 the numbers went down a bit, only to almost double in 2003.

- A Study of Swedish War Materiel Export -

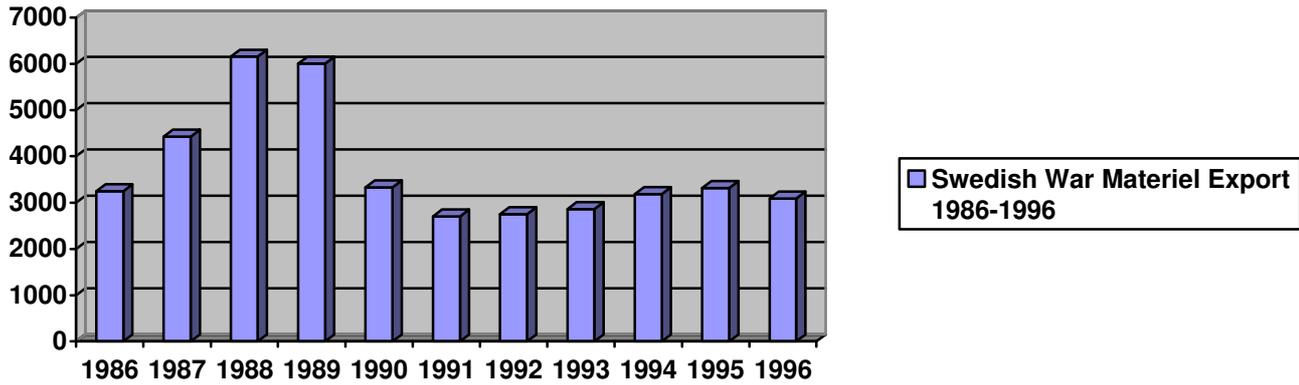


Fig 1. Amount of Swedish war materiel export in Millions of SEK from 1986-1996

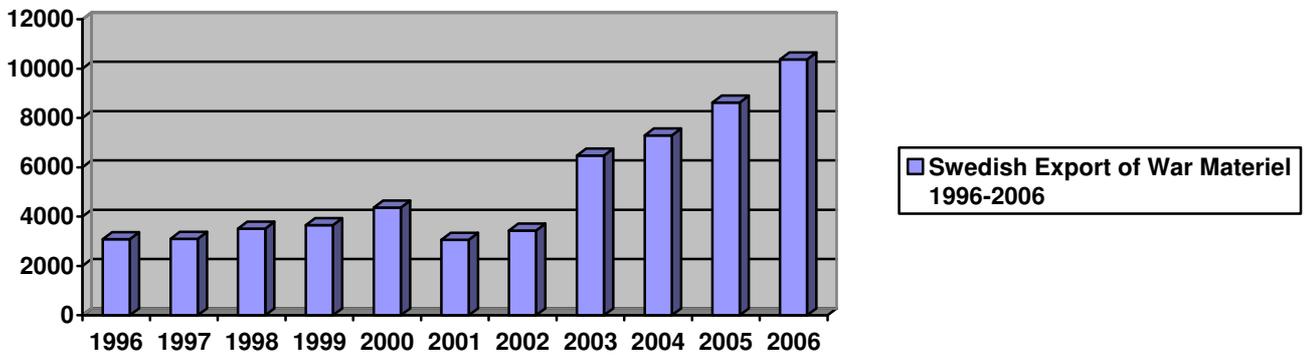


Fig 2. Amount of Swedish war materiel export in Millions of SEK from 1996-2006

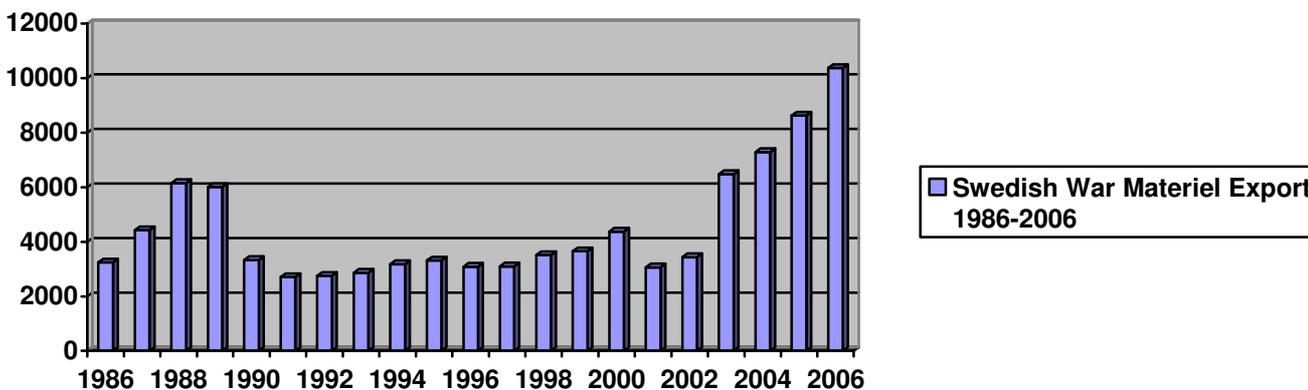


Fig 3 Amount of Swedish war materiel export in Millions of SEK from 1986-2006

Even if one can spot a tendency of increased arms trade during the 1990s, there was a radical increase in 2003, and an exponential increase in the following years. In addition, both the volume of the export and the number of countries targeted for export have increased. In 2003, when the Iraq War began, the total export of war materiel almost doubled from the year before – to reach a total of 6 479 million SEK. It increased over eighty-eight percent. Since then, it has continued to increase every year. It increased twelve percent in 2004, which means that Sweden exported war materiel for 7 291 million SEK. A year later, the export increased eighteen percent, to reach a total of 8 628 million SEK. During 2006, it increased another twenty percent, and exceeded ten billion (10 372) SEK (Skr 2006:07/114).

Since 1996, when ISP became the sole authority that controls Swedish arms trade, Sweden has increased its export by more than seven billion SEK. Today it has reached the highest amount in Swedish history. In 2005, the export of war materiel reached fifty-five percent of the Defense Industry's income from sales of war materiel, and fifty-three percent in 2006. (Skr 2006:07/114).

Export to the USA has steadily increased since the beginning of the Iraq War. It increased slowly from the year 2000, but came to a drastic increase in 2003. Before the Iraq War, Sweden's defense minister Leni Björklund and the American Defence Minister Donald Rumsfeld signed a special war materiel export cooperation agreement, which will be discussed later on, but it is important to mention that this increase in arms trade to the United States in particular is a deliberate action on Sweden's behalf. The export of war materiel increased from 460,8 million SEK in 2002, to almost 625 million in 2003, an increase of 35 percent. The amounts keep increasing, and in 2004, the sum had increased to a little over 770 million SEK. In 2005, 745 million SEK worth of war materiel were exported to the USA. It continues to rise, and in 2006, it reached 953 million SEK, which is an increase of another 28 percent. Since 1999 the export of war materiel to the USA has more than doubled.

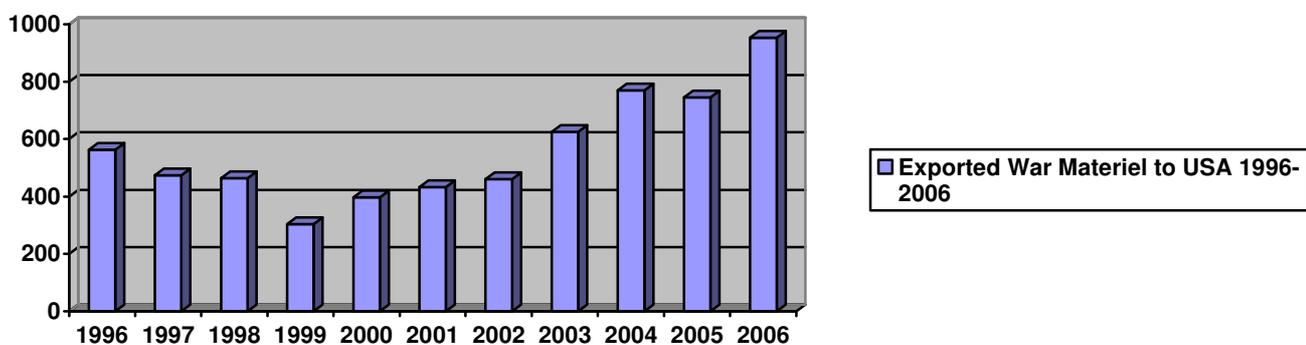


Fig 4. Amount of exported war materiel to USA in Millions of SEK from 1996-2006

Sweden exported ammunition called “Pansarskott AT4” for a little over one billion SEK in 2006. USA and France imported the highest amount of “Pansarskottet AT4”. When it comes to ammunition and spare parts to “Granatgevärssystemet CarlGustav”, USA and Australia were the countries who received the most in 2006. (Skr 2006:07/114).

Not only did the export increase to the United States when the war started in 2003, but an increase can be spotted to all countries involved in the Coalition of the Willing. The only exception is Denmark, where the numbers fell from 2002-2004, but only to rise again from 2005-2006. From 2002-2003, USA increased its import from Sweden thirty-five percent. Great Britain increased an overwhelming 525 percent; Spain, forty-seven percent; and Australia, sixty-five percent. Poland had in 2002 almost a non-existent war materiel import from Sweden, but in 2003 it imported war materiel worth twenty-nine million SEK.

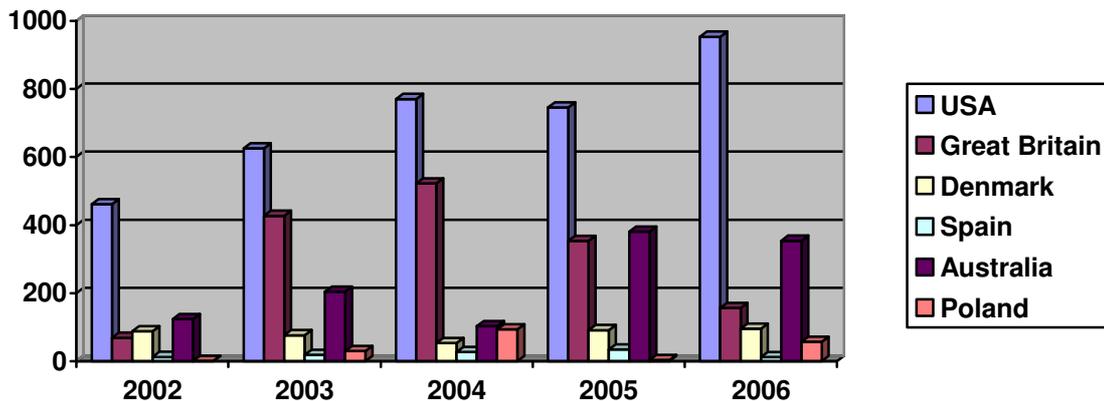


Fig 5. Amount of exported war materiel to the countries involved in the Coalition of the Willing in Millions of SEK from 2002-2006

It is very important to mention that Swedish war materiel goes to countries where extensive violations of human rights occur. During the first four years in this new century, Sweden exported large amounts of war materiel to nine countries internationally recognized to be in extensive violation of human rights, for an amount of close to three billion SEK. These countries are Bahrain, Brazil, India, Malaysia, Mexico, Pakistan, Thailand, Tunisia and Venezuela (Uppsala Nya Tidning, ”Mänskliga Rättigheter på Undantag”, 20040428).

During these four years, Sweden exported war materiel to Bahrain for thirty million SEK (E.g., anti-tank weapons). In Bahrain perpetrators are tortured. During the same time period, Sweden sold cannons and missiles to Brazil for 514 million SEK, where extensive human rights violations occur in forms of torture, executions (outside of the legal system), and death squads (often consisting of ex-policemen), who are known to murder without discretion. (Uppsala Nya Tidning, 20040428).

The export to India reached a number of 560 million SEK from 2000-2004. This is also a country where torture and illegal executions occur. Jammu and Kashmir are two areas in India that where people are exposed to torture and other cruel, inhuman treatment. In Pakistan there are severe systematic human rights violations such as murders and other cruel and inhuman treatment of minorities, torture, executions outside the legal system, and “arbitrary imprisonment in connection to the war on terror”. During 2000-2004 Swedish exported parts for torpedoes and other war materiel for 37 million SEK went to Pakistan. (Uppsala Nya Tidning, 20040428).

India and Sweden’s war materiel connections have been controversial since the 1980s, when Bofors made bribes in order to sell war materiel – which ultimately lead to an Indian boycott of Bofors for nearly ten years. But in 2002, Bofors sent a cannon to India so it could be tested, trying to get a new contract, which was obtained. In addition to there being extensive violations of human rights in India today, it is also in conflict with Pakistan. Sweden is now delivering war materiel to both sides in the conflict. In 2006, Sweden exported war materiel to India for 366 million SEK and to Pakistan for 1201,5 million SEK (Skr. 2006/07:114).

The export to Malaysia during 2000-2004 was 252 million SEK, which included warships and other war materiel. Despite the fact that torture and other cruel and inhuman treatment were occurring, in Skr. 2006/07:114 one can read that Sweden exported war materiel for 16 million SEK to Malaysia in 2006 and that it leased “marina eldledningssystem” to the country.

To Mexico – where torture, executions outside the legal system and “disappearances” occur – Sweden’s export from 2000-2004 was 784 million SEK. In Thailand where the same types of violations of human rights occur, guided missiles and other war materiel were exported for 295 million SEK. Gunpowder, parts to bombs, and other war materiel to Tunisia reached a sum of thirty million SEK. 436 million SEK worth of war materiel was exported to Venezuela where torture and executions outside the legal system occur (Uppsala Nya Tidning, 20040428).

Also, in November 2005, the Swedish Government agreed upon a military cooperation with a Saudi Arabian Defense Delegation. The Saudi Arabian vice-defense minister Prince Khaled visited Sweden, and plans were made about letting the Saudis invest in the Swedish airborne surveillance/battle leading system Erieye. The agreement opens with the phrase that the two countries “with great satisfaction express their wishes to further enhance good and friendly relations through direct military cooperation” (Svenska Freds- och Skiljedomsföreningen, 2007).

The Swedish Government has also recently been discussing Swedish cooperation with another dictatorship; Sweden is pondering a longstanding agreement with the United Arab Emirate in the Middle East. This agreement includes both export and import of weapons. It also includes cooperation between the United Arab Emirate’s and Sweden’s defense industries concerning research, handling of weapons, joint education, and exchange of military experiences (Ohlsson, Birgitta, “Vapenhandel med Diktaturer Mörkas av de Borgerliga”, *Dagens Nyheter* 070125). The situation in the United Arab Emirate is critical, according to the Ministry of Foreign Affairs report about human rights and democracy. The country is being ranked as “not free” by the American Democracy Think Tank ‘Freedom House’, where it was given a six on a one to seven scale (the highest number representing the worst conditions). It is a fact that The United Arab Emirate has no democratic elected institutions, there are no political parties allowed, and freedom of speech is highly restricted. Converting from Islam formally leads to death penalty, publications with anti-Islamic content are prohibited, political institutions and unions are prohibited, Muslim women are prohibited to marry non-Muslim men, and homosexuality is prohibited as well (*Dagens Nyheter* 070125). In Skr 2006/07:114 one can read that in 2006 a “pansarterrängbil” was leased to be demonstrated in the United Arab Emirate.

Another significant change is the increased ability to avoid the principles regarding export of war materiel. The classification of war materiel has come to be of great importance. Companies can manufacture components, for example telescopic sights that will be used in battle. Telescopic sights are in themselves not components that are classified as war materiel, but when purposely used on a weapon, it really is war materiel. Sales of components are usually projects of cooperation between companies. Other ways to avoid the principles are to export war materiel through foreign subcontractors, by false registers of goods, and by letting the exported goods touch base in one country first in order to let the export continue.

### 2.1.3 Altering the restriction

*-Have war material politics become less restrictive?*

The main part of the Swedish production of war materiel is used for export today, which according to Swedish law, only should be granted if it is considered necessary to satisfy the need of materiel or knowledge of the Swedish defence, if it is not in conflict with the principles and goals of the Swedish foreign policy, or if there are security reasons that make the export of war materiel necessary (*Law (1992:1300) about War Materiel*). Also, the guidelines regarding war materiel that The Swedish Parliament constituted in 1993 suggested that export of war materiel should not be allowed to a State that is in an armed conflict with another State, with domestic armed disturbances and/or conflicts, nor to a State where extensive human rights violations exist (*Lagar och Riktlinjer för vapenexport; Svenska riktlinjer för krigsmaterielexport och annan utlandssamverkan, 1993*).

Since 1 February 1996, when ISP became the authority to handle decisions regarding war materiel and other strategic sensitive products, certain changes can be spotted. Overall there has been a huge increase in the arms trade. As noted earlier, during the 1990s there was an average increase each year of 5.5 percent. Again, if we look at our current decade, there was a decrease in 2001-2002, but then the export almost doubled again in 2003. We could spot an increase of eighty-eight percent. Since then it has had a steady increase of twelve, eighteen, and then twenty percent in the past year. There are many reasons to believe that this increase has a connection with the Iraq War. Not only since there is proof that Sweden increased its arms trade with all but one of the countries in USA's Coalition of the Willing in 2003 (all but Denmark, who actually lowered their import of war materiel this year), but as a trend, it is easy to spot the tendency of increased arms trade to all the other countries in comparison to 2002.

*The Investigation of War Materiel - KRUT (KrigsmaterielUTredningen)"Reformerat Regelverk för Handel med Försvarsmateriel"*

On 10 July 2003, a group lead by Anders Svärd (c) was appointed to investigate the Swedish rule of law concerning war materiel "in light of changes over the past years within international security and defense politics" (Skr 2006/07:114). The Investigation of War Materiel (KRUT) was to come up with reformed rules for the Swedish war materiel trade. It

was commissioned to investigate Swedish laws, regulations, and guidelines regarding war materiel, as well as the executive organisation (dir. 2003:80).

Besides Anders Svärd from the Department of Defense, the group consisted of six other people. It was Ingrid Tersman (Special Advisor, Deputy Assistant Under Secretary, Department of Foreign Affairs); Filip Ingelsson (Military Advisor, Defense Department); Hans Christer Olson (Special Advisor and Negotiation Director, Trade Department); Lotta Gustavsson (The National Police Board and Legal Expert for the Justice Department); Maria Domeij (Expert, Area Director at the Swedish Defense Board of Materiel); and finally Lena Norlander (Expert, Research Director at the Swedish Overall Defense Research Institute) (SOU 2005:9).

The group presented their findings about Swedish laws and regulations regarding war materiel in February 2005. According to SOU 2005:9, where KRUT present its findings, it is stated that the assignment

has been formulated against the background of the most recent changes in foreign policy, security, and defense areas, which has meant that development, manufacturing, and acquisition of defense materiel as well as control of export increasingly has been subject to international cooperation. The assignment has also been formulated in light of the organisational reform in 1996 which meant that the examination of permits regarding matters of export where delegated from the Cabinet level to the level of an authority.

In SOU 2005:9, KRUT came to the conclusion that the current organisational structure that Sweden has had since 1996 when ISP was established is “appropriate” and “essentially is working well”. This was based on the observation that neither the Parliament nor members of the Cabinet could be *held responsible* for ISP’s decisions. On the other hand, the Cabinet may have to answer to the actions of ISP if it does not try matters according to Governmental directions and if the Cabinet does not take action against it. KRUT claims that the Government has a possibility to control politics that are executed through the yearly reports of the war materiel export that ISP submits, or through interpellations. It also believes that “the influence that the representatives from the governmental parties have through EKR enhances the legitimacy of ISP’s decisions”. It states that the purpose of the establishment of ISP (“to liberate the Cabinet from matters of administrative character”) has been reached, since the Cabinet only has settled fifteen cases since 1996, none of which occurred after December 2000. It does not believe that the trying of the cases has changed, “since that was an important prerequisite for the reform”, instead it claims that ISP has been making decisions based upon

the law and guidelines. KRUT suggests that ISP should continue to have “an independent position from the Cabinet”, and that the possibility that EKR has to affect ISP’s decisions is internationally unique. To conclude, KRUT states that today’s “organisation and regulation make it possible to have an effective control of the war materiel export”. (SOU 2005:9).

KRUT suggested even looser regulations to be instituted in the future. For example, according to KRUT’s suggestions:

- general prohibition of export should be abolished
- interests of the trade and industry should be promoted
- deeper military cooperation with the USA should be promoted
- the aspect of human rights could be overlooked where decisions of exporting war materiel are concerned
- the demand for democracy in recipient countries should to be dismissed

First, KRUT suggests that the directions from EU (*Europeiska Unionens Uppförandekod för Vapenexport*, 1998) should replace the current Swedish guidelines. The new guidelines would be for Sweden to “apply specific caution while issuing licences to serious violations of human rights issues”. This would overwrite the current guidelines that explicitly prohibit war materiel export to countries where grave violations of human rights occur, which means that the human rights aspect could be overlooked; it will no longer be prohibited – but instead States are urged to simply apply specific caution. (SOU 2005:9).

Second, according to SOU 2005:9 “the need to limit export and cooperation due to neutrality political reasons does not exist today compared to the time when the current guidelines were constituted”, since Sweden and the United States signed a political declaration of principles for enhanced cooperation in matters of defense equipment and defense industry in 2003 (DoP).

Third, KRUT suggested that the phrase ‘war materiel’ would be changed to the euphemistic ‘defense materiel’ in Swedish law, because it is thought more “modern”. They also suggest that the guidelines should be divided into ‘principles’ and ‘criteria’. (SOU 2005:9).

This proposal is a clear indicator that points to the fact that Swedish politics regarding arms trade are aiming to become less restrictive in the future. Decision about this proposal from KRUT was to be made by the Cabinet this spring, but it has not yet occurred.

ISP believes that the reformed rules proposed by KRUT regarding war materiel trade “create good prerequisites” for the control of export to be “continuously responsible” (*Betänkandet* SOU 2005:9 KRUT). ISP says that by accepting this proposal, “involved instances – first and foremost ISP – will get the tools they require to prevent Swedish defense materiel’s ending up in wrong hands” (*Betänkande* SOU 2005:9 KRUT). It does not see any reason to assume that the number of countries importing future Swedish war materiel would increase to any extent worth considering. Also, ISP thinks that this proposal should be accepted on the grounds that it suggests “continued thorough examination of all cases”, upon which judgment is made of “all relevant aspects” and with the ability of EKR to still be effective and have an insight (*Betänkande* SOU 2005:9 KRUT).

In order to come to a conclusion about whether or not Swedish arms trade politics have become less restrictive, it is important to follow up on a few things. Like mentioned earlier, ISP hands over critical cases to the Cabinet at its own discretion only. During the critical time period of 2000-2003, ISP did not hand over a single decision to be taken by the Cabinet (2003/04:KU20). This proves that ISP did not find any cases hard to decide upon, not even during the crucial time when the USA was hurting after September 11<sup>th</sup>, 2001, nor when they were threatening a non-sanctioned war on Iraq, nor when human rights issues began to surface regarding the United States’ detainees at Guantánamo Bay and Abu Ghraib<sup>5</sup>. ISP decided upon all matters the years leading to the Iraq War themselves, and approved more and more war materiel to be exported to the USA since the war was initiated in March, 2003. This

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<sup>5</sup> The New York Times reported January 12, 2005 about a testimony suggesting that extensive human rights violations had occurred at Abu Ghraib. Some allegations are too graphic to describe, but “pouring phosphoric acid on detainees... pounding detainee's wounded leg with collapsible metal baton” are some examples of violations that occurred according to this testimony. Pictures in the media have also been suggesting that allegations of extensive human right violations did occur.

proves that by using ISP for controlling the arms trade, Swedish arms trade politics have become less restrictive. ISP is simply not following the laws and guidelines that it is supposed to. As we now know, the ISP is supposed to forward critical decisions to the Cabinet, but since it has not happened once since December 2000, it is clear that ISP have been given the power to make war materiel politics very unrestrictive on their own. Nor can what they decide be questioned, or tried in a court (SOU 2005:9). It is up to this authority to follow the restrictions regarding which countries Sweden can export to. ISP is supposed to take the Swedish laws and guidelines into consideration, but in reality it has not been doing that. Allowing export of war materiel to the USA and its allies in a non-sanctioned war and to countries that violate human rights indicates just that. On this basis, one can state that Swedish war materiel politics have become less restrictive. ISP did not just allow war materiel to be exported to the USA once; it has allowed the export to double since 1999, with an exponential increase every year since the Iraq War.

#### 2.1.4 Rhetoric and Action of the Swedish Government

*-Has the disparity between rhetoric and practice of the Swedish Government altered to legitimize such a change?*

What is it that had made this change possible? Is it the disparity between the rhetoric and action of the Swedish Government that has altered to legitimize such a change? Is it the function of ISP in combination with its less restrictive arms trade politics, and the Parliament and Cabinet's lesser control over the latter? Swedish arms trade has been increasingly distanced from its foreign policy goals, laws, and guidelines. This contradictory behaviour will now be investigated a little further. Let us first take a closer look at the rhetoric of the Swedish Government.

In March 1998, the Swedish Government submitted the first official report regarding the roll of human rights in Swedish foreign policy (Skr 1997/98:89). Its purpose was to describe Sweden's attitude towards human rights, and what goals and guidelines it should follow. It claimed in Chapter 4.8 that

it is necessary that the Swedish attitude is, and experienced by surrounding countries, as consequent. Consequent in its standpoints, inasmuch as these are rested on an objective and solid ground of principle, is

of utter importance for the trust in – and success of – our politics. This concerns the foreign policy as a whole, but it is just as important in the sphere of human rights.

A follow up to these goals and guidelines was submitted 30 October 2003. The introduction in Skr 2003/04:20 concludes that “human rights concern every one” and that they

shall pervade all parts of the foreign policy, the development of cooperation as well as the politics of migration, trade, security, and other foreign policy...The commitment for human rights is Sweden’s interest and is mirroring the expectations about a world where people can live freely and safely, without fear...Working for human rights is a main priority in Swedish foreign policy. Our national commitment, through EU and in international organisations is giving results. But the government’s ambition is to further enhance our international work for human rights through a result-oriented and integrated politics ...

Chapter two states the principles and politics for human rights, where it says that “Sweden can and shall exert influence on other countries to respect human rights” since “[they] are universal – they apply to all persons, all over the world, irrespective of country, culture or specific situation...human rights apply to individuals; their protection is the responsibility of Governments” (Skr 2003/04:20).

Also, since war materiel trade is prohibited to any country where grave violations of human rights occurs, it is important to define what grave violations are according to the Swedish Government. According to them grave violations include death penalty and all forms of torture. Torture and other cruel and degrading treatment must never be accepted. (Skr 2003/04:20).

Skr 2006/07:114 from the Foreign Affairs Department (which presents ISP’s latest report of the export of war material and products with double areas of usage) claims that Sweden - through international cooperation - ensures that its interests and politics regarding foreign policy, security, and defense are satisfied. It says that:

Besides international cooperation, a certain amount of export is needed in order to maintain the position as a leading nation within certain technologies. The control of this export is necessary in order to guarantee that the exported products are delivered to, for us, acceptable receiver-countries. War materiel may only be exported if there are security or defense political reasons for it and if it does not contradict Swedish foreign policy. It is of utter importance to secure that the guidelines regarding export of weapon are fulfilled.

So, there is a consensus that a certain amount of export is needed because Sweden desires to be a leading nation within war materiel related technologies. But the Government also claims that it is necessary to have a good control of this export - so that the exported war materiel does not end up in unacceptable receiver-countries. If this is stated in 2006, how can it be that an increased amount of war materiel is exported to the USA – a country that has violated international law when it comes to its current warfare? How can it be that the Swedish Government contemplates extensive cooperation with the United Arab Emirate, and have undergone cooperation with Saudi Arabia – countries that openly violate human rights? If war materiel only can be exported when there are “security or defense political reasons” or “if it does not contradict Swedish foreign policy”, and if “it is of utter importance to secure that the guidelines regarding the export of weapons are fulfilled” – why are Sweden’s actions contradictory to these principles?

There is a deep disparity between the rhetoric and the practice of the Swedish Government in this matter today. Increased export of war materiel can be noticed over the last decennia, and alarmingly to countries that violate international law and are in violation of human rights protected by the United Nations, as well as abhorred within its own elocution. This disparity has come to increase since ISP was formed.

Since 1996, ISP has had the function of making decisions regarding Swedish arms trade. On ISP’s webpage ([www.isp.se](http://www.isp.se)) one can read that “the Cabinet establishes the policies, while the authorities enforce it through decisions made in separate matters - as in any other public activity”. If this were how it operates - if ISP would enforce the policies the Cabinet establishes through the decisions it makes regarding war materiel, Sweden would not have exported any war materiel to the USA since 2003, nor would it have exported to countries that violate inalienable human rights. Although ISP claim that they are working in accordance to §1 in the *Law (1992:1300) about War Materiel*; where “permits for exporting weapons can only be granted if there are political reasons in the aspects of security and defence”, and “Swedish arms trade and international military cooperation should never be in conflict with the foreign policy goals and guidelines of the country according to Swedish law”; the actions contradict this language. The authority has been given administrative freedom in extremely important matters – since its decisions directly involve human lives – and it appears that the Government has distanced itself from these decisions through ISP.

The Government states that:

By accepting the suggestions of law in proposition 1995/96:31 regarding the formation of ISP, the government approved of the delegation of responsibility and its conditions. The governmental parties are involved in the application of the guidelines in important matters through EKR [Export Control Committee]. The representatives in the committee also receive an exclusive insight in decisive matters and in other current matters (SOU 2005:9).

The Government let ISP have the control over decisions made in 1996. It still can receive some insight in the matters through EKR, and by law, in matters deemed by ISP of utter importance, ISP are to forward the case to the Cabinet who are to make the ultimate decision (§1a, *Law (1992:1300) about War Materiel*). Before doing so, if the general-director so decides, ISP can confer with EKR, where the general-director is the chairman (§10, 1995:1680). The fact is that not very many matters have been profiled as being “of utter importance”, forwarded by ISP and handed over to the Cabinet for decision. It has not been asserted very often since 1996, and not once since 1 December 2000 (SOU 2005:9). If ISP truly were to follow the laws and guidelines that they claim to uphold, decisions about exporting war materiel to the USA should have been of utter importance, because the war against Iraq was non-sanctioned by the United Nations and therefore violated international law. Not only according to a majority of the Swedish Government, but also to the Foreign Affairs Minister Anna Lindh and Prime Minister Göran Persson. Therefore, one can claim that decisions regarding export of war materiel to these countries at this time should have been made by the Cabinet and not by the ISP. These decisions should have been forwarded, but not once did ISP forward any matters to the Cabinet. Instead, ISP made it possible for Swedish companies to increase their export of such materiel to USA and Great Britain in particular.

Today, Anders Ekman (the director-general) is the person responsible for making the decision regarding whether a specific matter is of enough importance to be presented to the Cabinet. The Government claims that “Political responsibility cannot be demanded from [him] since he is a civil servant” (SOU 2005:9), but the Cabinet may dismiss him if they are unsatisfied. (SOU 2005:9). It has not yet taken place, which indicates that the majority of the Government have never been dissatisfied with the person in charge of ISP.

Through the institution of several other principles when ISP was formed, the Cabinet has distanced itself from the export of Swedish war materiel to critical countries. For instance, the claim that “[t]he Cabinet cannot be held responsible by the Parliament if ISP does not present a matter” (SOU 2005:9) is one way of doing so. If ISP does not forward the matters of utter importance, which they are supposed to do, no one else can be held responsible for that.

But in §1a in *Law (1992:1300) about War Materiel* it is stated that the Cabinet may submit regulations about handing over matters to the Cabinet according to 1995:1659. “This means that the Cabinet in the light of an approaching conflict in the area can decide that ISP shall hand over matters because of neutrality political aspects. Any possible matters of this kind, which are already being processed at the authority, would not be encompassed by these regulations. The reason is that the Swedish constitution does not allow the Cabinet to interfere in decisions of authorities in separate matters” (SOU 2005:9). Also, “[t]he Cabinet cannot change a decision about permit made by the ISP” (SOU 2005:9). ISP’s decisions cannot be tried in court. Also, members of the cabinet cannot answer for ISP’s decisions in specific matters, but only about the direction of the politics of export control in general. (SOU 2005:9).

When ISP violates Swedish laws and guidelines about war materiel, and when they ignore or act without accordance to Swedish foreign policy goals – the Parliament can claim that it cannot do anything about it. It is claimed on the grounds that it simply does not handle this issue. And once the decisions by ISP have been made, the Parliament and the Cabinet are unable to change them. If ISP decides upon critical matters on their own - even if it is not supposed to - no one can be held responsible if unlawful decisions are made, because ISP’s decisions cannot be tried in court. Members of the cabinet cannot be responsible for them - nor even ISP themselves. And because no decisions are made in EKR - they give only advice to ISP - neither can they be held responsible. The Cabinet and the Parliament are therefore able to give responsibility to this separate authority and simultaneously to hide its accountability behind it. By doing this, important and sensitive questions regarding arms trade can be avoided. Export to ‘critical States’ can continue without consequence. One can question if this was the purpose of the institution of the *Law (1992:1300) about War Materiel*, when it seems this was the very outcome the government was to prevent.

In 1995, the Swedish Parliamentary Chancellor of the Judiciary and Civil Administration did warn the government that enforcing this new system could mean a deteriorating political control. He claims in (prop. 1995/96:31) that by forming ISP, the parliament could become dependent on ISP in the judgement of to what extent customs may have to be changed, and that the political control of the handling of war materiel may therefore become weakened.

According to the director-general of ISP, Anders Ekman, the reason that this system is working very smoothly is “mutual understanding”. Today there are no scandals, no messy political complications or embarrassing hearings within the Government (*Sydsvenskan*, 070402). Ekman claims that ISP has a “close dialogue with the companies [that produce war

material]” (*Sydsvenskan*, 070402). He says that “they know pretty well what works” (*Sydsvenskan*, 070402). When reading this, it seems like Sweden really has found a way to first create and then to maintain this disparity between rhetoric and practice when it comes to export of war materiel. This disparity has legitimized the changes that we see in the politics of war materiel today. Sweden openly criticizes violations of international law, which include human rights issues. There have been voices raised in the Parliament from certain parties demanding changes to the current way Sweden is handling these issues. The unlawful export of war materiel to critical States continues.

The tremendous increase of arms trade has been very good for Swedish business. Simple conclusions can be drawn that suggest that it has been creating more job opportunities for unemployed Swedish citizens. This is very important, since unemployment has been rather high in Sweden the past years, compared to the historic unemployment rate the country has experienced. Since the welfare system is very well developed, the fewer people unemployed the better, because the government then does not have to help to provide for them. Instead, employed people will be part of a purchasing power. As business and economy improve in a country, a number of good things will come along with it. Making money on exporting goods is always a welcome income for the Swedish Government when trying to balance a budget.

There are also several other common arguments for why Swedish foreign policy goals have to be put aside at times specifically concerning arms trade. It is not only the argument that the interests of the nation should be prioritized, that the industry will suffer if Sweden does not continue the development of the arms trade we have seen over the past years, but another argument is that the USA has come to be such an important strategic partner of cooperation for the country. If Sweden shows the United States enhanced cooperation at a time when it is in an armed conflict that is non-sanctioned internationally, perhaps there will be rewards from this powerful country in the future, as well as enhanced reciprocity now. On the other hand, the more intense the cooperation between Sweden and USA, the harder it is for the former to refuse demands and requests from the American government. There is perhaps a fear that USA could retaliate somehow, likely economically or through future non-support of Sweden. For example, the Swedish Combat airplane JAS-Gripen is dependent on American components. JAS-Gripen is in its turn supposed to be used by the United Nations. Therefore one can suggest that if Sweden does not perform its mission in the United Nations, our international efforts of peacekeeping would suffer.

## **2.2 Export to USA since the Iraq War**

To restate, between 2000 and 2003, it was reported to Konstitutionsutskottet (KU) that Sweden exported war materiel to the nations involved in the Iraq War - USA, Great Britain, Australia, Spain, Poland and Denmark - for 2.3 billion SEK (2003/04:KU20). Since 2003, the export of war materiel to the United States has exceeded 3 billion SEK. Sweden has increased its export to the United States each year since the Iraq War started. It started out with the amount of 460 million SEK in 2002, to increase to almost 625 million SEK in 2003. In 2006, Sweden exported war materiel to USA for the amount of 953 million SEK. This means that since the war started, Sweden has doubled its export to the USA. It has been done despite the fact that the war was not sanctioned by the UN, that Swedish law and guidelines prohibit Sweden to export to a State that is in an armed conflict with another State, and despite the fact that this export clearly is out of line with Sweden's foreign policy goals.

### 2.2.1 Companies Involved

On 15 March 2007, an article about Swedish war materiel trade by Peter Kadhammar was published in *Aftonbladet*. He had gotten the opportunity to meet with representatives for a few of the companies involved in this industry. The following is what they have to say about their involvement in the export of war materiel to USA since the Iraq War started.

Christer Henebäck, Head of Information at BAE Systems Bofors in Karlskoga, claims that "Iraq has meant a renaissance for artillery. The Americans have realized that it is not enough to dominate the airspace" (*Aftonbladet*, "Svensk Granat Ska Döda i Irak", 070315). He means that their new grenade called "Excalibur" – "the most advanced in the world" – is a "true success story" (*Aftonbladet*, 070315). According to Henebäck, the American forces needed a new type of grenade which can be used in the new type of warfare where the enemy is all around; the Americans tried to develop this type of grenade themselves but were unable to do so. Henebäck believes that "it is important for Sweden's reputation as a partner in technology" (*Aftonbladet*, 070315). He goes on by explaining that "Swedish defense industry is sailing before the wind" (*Aftonbladet*, 070315) and that it is connected to September 11, 2001. Every year, Sweden puts about 20 billion into defence, whereas America put in about a hundred times as much. Today, according to Henebäck, the money as well as the biggest challenges lie within in USA. He says that Excalibur has a "bright future" and that "there are great markets for weapons of precision" because "the Americans have spoken about gradually ordering several ten thousands of grenades", since "nothing indicates that USA's war is over

yet” (*Aftonbladet*, 070315). “Of course, ‘the Jacks’ will need more”, says Lars Ohlsson, at the Swedish Defense Industry Association (*Aftonbladet*, 070315).

Since 11 September 2001, there have been several deals made between the US government and Swedish companies. In 19 November 2002, Saab Barracuda got a contract for camouflage equipment worth ten million dollars. Saab Training signed a deal with the USA on 2 December 2002 worth seven million dollars. In 6 January 2003, Bofors signed the deal mentioned above regarding the artillery grenade Excalibur for two billion SEK, and on 3 February 2003, Saab Bofors Dynamics received a request for new deliveries of “Pansarskottet AT4” (Svenska Freds- och Skiljedomsföreningen, 2007). The Head of Information at the latter, Anders Florenius, conveys that sales have increased over the past years, due to the fact that Americans need a lot of weapons in Iraq and Afghanistan. He says that “[w]e are proud and happy that they have chosen to buy their weapons from us. It is pretty prestigious to be able to deliver to one of the most demanding defenses that exists” (*Aftonbladet*, 070315). According to Florenius, Saab-Bofors has a “close cooperation with the user” and that they “make decisions based on indications from the market” (*Aftonbladet*, 070315). They have also developed a splinter grenade that fires a cloud of one thousand small arrows, which is a weapon that human rights organizations have spoken strongly against. To this, Florenius says that “[t]he American customer and we do not consider that it violates the Geneva Convention regarding particularly inhumane weapons” (*Aftonbladet*, 070315).

Several other companies in Sweden have had increased business since USA decided to invade Iraq. And they are all proud exporters. In 2006, a company called Aimpoint located in Malmö received an order from the American Army who required 163 000 telescopic sights (the American Army calls them close combat sights). The Vice President Lennars Ljungfeldt claims that it was surely the largest order they have ever received in the history of the company. These telescopic sights are not classified as war materiel in Sweden. (*Aftonbladet*, 070315).

There are also Swedish companies who have subsidiaries in USA that are producing war materiel. For example, Saab Barracuda in Gamleby Sweden is such a company. They are producing advanced electronic camouflage nets. In the summer of 2006, the company signed a deal with the American army, which Vice President Mats Warstedt believes is worth several billions. “Our camouflage nets are important for the Americans. They say that it is crucial materiel for them”, Warstedt explains (*Aftonbladet*, 07031).

There are even more examples. Saab Avitronics located in Järfälla manufactures a system that protects airplanes against heat seeking guided missiles. Anna Bergenlid is the Head of

Information at Saab Avitronics and she says that this product is “successful” and that they “deliver to the F14-planes in the American Navy” (*Aftonbladet*, 070315). Siemon Wezeman, at Sipri says that this equipment is extremely important because without it the Soldiers would not be able to close in on enemy troops, as they have been able to in both Afghanistan and Iraq (*Aftonbladet*, 070315).

A Stockholm based company that manufactures satellite communication systems, called Swe-Dish, has delivered over 200 systems to the USA, most of them to the American Military. “The company has expanded quickly and over half its turnover 2005 came from USA” (*Aftonbladet*, 070315). It could seem as a contradiction that on the company’s webpage there are pictures from ‘central Iraq’ where technicians are serving one of Swe-Dish’s satellite dishes, because these products are not being classified as war materiel in Sweden.

At another company, called Nammo, owned by Norway but operating in Karlsborg, the number of employees has increased from 100 to 170 in six years. Nammo is producing fine calibre ammunition for American carbines, and at the factory people are working in three shifts in order to manage the workload. According to Kadhammar, Klas Karlsson (the Vice President of the Company) is a man of few words and only makes a comment to say that their activity is “secret, so to speak” (*Aftonbladet*, 070315). But the Head of Information in Norway, Sissel Solum, explains that “the American Army is a large part of our turnover. Through Norwegian eyes, the market has generally improved” (*Aftonbladet*, 070315). When Kadhammar tells her that there is a general prohibition against export of war materiel in Sweden, Solum laughs. She had no idea about this.

It can be argued whether or not it is really that bad to export satellite communication systems, that it is not as severe as exporting cluster bombs. But no matter what type of war materiel that is being exported, it is an act of supporting a non-sanctioned war and an act of violating Swedish laws, since USA is in an armed conflict at the moment.

It is clear that many Swedish companies have benefited from the American invasion of Iraq in March, 2003. For many of these companies the Iraq war is a good trade off. They increase their turnovers, which means that they most probably start to employ more people. It seems many companies take a certain pride in cooperating with USA, especially being needed by the United States and by knowing better than the USA when it comes to certain technology.

### 2.2.2 Reports and Decisions since 2003

*-What reports and what decisions can be connected to the American led Iraqi invasion of 2003?*

It has been shown that Sweden has increased its export of war materiel to the United States since the Iraq War started in 2003. Every year, arms trade has increased, and reached the highest amount in Swedish history. It has been debated that international law is changing and that humanitarian interventions in order to prohibit genocide or other extensive assaults against any population should be in accordance to international law, even when the action is not sanctioned by the United Nations. There is a risk with such a development though, and this is important to mention when discussing Swedish arms trade, because through Swedish actions of continued weapon export to the USA after its non-sanctioned war, Sweden is a highly involved actor in the international arena. There is a risk that this type of development of international law increases the incitement for strong military and economic States to use military violence in order to protect non-defense interests. It is especially worrying when a powerful nation interprets Article 51 of the United Nations Charter – concerning the right of self defence – in a way that makes it possible to execute a preventive/pre-emptive strike against any State if it is felt suitable. Since this is a very crucial change of politics in the world today – making preventive/pre-emptive strike possible without sanctions from the UN – it could be interpreted that Sweden indirectly accepts these violations of international law when it continues to export war materiel to the countries involved. By continuing its arms trade to USA and also by increasing it year by year, Sweden can be viewed as a country that supports this new custom regarding international law – even if this new custom has not gained approval by the Swedish Government.

In June, 2002, Ericsson Microwave System in Mölndal sold four units of the Arthur system to Great Britain. The system is used to localise enemy artillery. The deal was approved by EKR and ISP. When it was clear that Ericsson needed four years in order to deliver these units - at the same time as the relations between Iraq and USA with its allies were getting worse - Great Britain made a proposal for an earlier delivery date. Instead it was decided to lend four of these units from the Swedish defense storage facility in Kristinehamn. Even though it has been confirmed by a press spokesman of the British Defense Ministry that these units in fact were used in the Iraq war, ISP could not be held responsible for lending these

units, since according to them, it was a decision made by the Swedish Ministry of Defense (2003/04:KU20).

The Commander in Chief of the Swedish Defense Per-Fredrik Grill said in an article in *Dagens Nyheter* 9 September 2003 that they informed the Swedish Government about their intentions to lend Great Britain the radar system, and that they wouldn't have been surprised if the Cabinet would have objected to this decision. But the Cabinet did not. According to Gustav Fridolin (mp) and Mats Einarsson (v), the Cabinet should have used its contingency to prescribe that matters regarding export of this war materiel to Great Britain be turned over to the Cabinet for examination due to the situation of conflict before the Iraq war was initiated. They claim that by not doing so, the Cabinet has blocked its opportunity to demand political responsibility for Swedish war materiel export to one of the countries involved in the Iraq war (2003/04:KU20).

The Swedish Ministry of Defense, Leni Björklund, claims that this was ISP's decision, and that the Cabinet had nothing to do with leasing this equipment to Great Britain, because "Försvarsmakten" and the Department of Defense did not regard this lease to harm the Sweden's operative ability nor its state of alert. Therefore, Björklund did not find any reason for this decision to be forwarded to the Cabinet. It would have been possible for the Department to submit a motion to the Cabinet, but it was not done. Also, Björklund did not feel that it was necessary to inform the other parties about how the Department of Defense estimated Sweden's ability to lease the equipment, because it was five weeks before the war was initialized (2003/04:KU20).

In that article in *Dagens Nyheter*, 9 September 2003, the director-general of ISP in 2003, Lars-Hjalmar Wide, claims that ISP does *not* have the mandate to decide over lending weapons, since ISP only grants permissions regarding the export of war materiel. (2003/04:KU20). It is clear that ISP decided to deliver these units of the Arthur system to the Defence Procurement Agency (Great Britain) on 8 October 2003 - units that definitely would be used in the Iraq war. When the Constitutional Committee (KU) asked ISP to answer a few questions regarding the lease, ISP stated that they granted permission for leasing these units to Great Britain on 16 January 2003. The Cabinet as a whole has not been in contact with this particular decision. Björklund mentioned to Anna Lindh that this matter might be discussed in the Cabinet, through ISP. But since ISP finally made the decision itself, and since the

Department of Defense through Björklund made the decision not to forward the matter to the Cabinet, it was never included in the decision (2003/04:KU20).

### 2.2.3 Official Measures since 2003

*-What other official measures have been taken in this connection?*

#### *Declaration of Principles for Enhanced Cooperation in Matters of Defense Equipment and Industry*

As stated, the American led invasion of Iraq in March 2003 was not sanctioned by the United Nations. Neither could the attack be regarded as an act of self-defense, according to Article 51 of the *United Nations Charter* (1945) which states that “[n]othing in the present Charter shall impair the right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security” because the attack upon Iraq was pre-emptive. The fact that this war is not in line with public international law plays a significant roll in criticism of how the Swedish Government has acted in the matter of export of war materiel to countries involved in this particular war. When the attacks started, Swedish Prime Minister Göran Persson made several public statements in which he pointed out how this war was contradictory to international law. Even a majority of the Swedish foreign affairs committee (2002/03:UU16) shared this opinion. (*Granskningsbetänkande*, 2003/04:KU20)

In spite of this, the Swedish Government has continued close arms trade ties with the USA. During the top meeting in the European Union in Gothenburg during the summer of 2001, George Bush declared “the USA has given Sweden a special military status which facilitates weapon export and makes it easier to access American defence technique” ([www.svenskafreds.se](http://www.svenskafreds.se)).

The war materiel interchange and connection between USA and Sweden did not end, even if the Swedish Prime minister and a majority of the Swedish government strongly agreed that the American led invasion of Iraq violated international law. Instead, something very important happened in the spring of 2003. The Swedish defence minister Leni Björklund and the American defence minister Donald Rumsfeld signed an agreement regarding increased

cooperation in the area of war materiel called *Declaration of Principles for Enhanced Cooperation in Matters of Equipment and Industry* (DoP). According to this agreement, the United States Department of Defense (US DoD) and the Swedish Ministry of Defence (SW MoD)

recognize that their governments, as longstanding partners, share cooperative relationships in such defense activities as strict enforcement of export policies for defense systems and technologies, strong industrial security systems, and compatible industrial security practices.

The purpose of this cooperation agreement was to “indicate the areas in which the Participants intend to enhance cooperation for their mutual benefit” (DoP). Also, this agreement was formed in order to establish “principles for future agreements, arrangements, procedures, or amendments to existing agreements or arrangements, which may cover the industrial, investment, and export sectors of defense in both countries” (DoP). The agreement served to “enhance military capability, increase interoperability, reduce the costs of military equipment and ... advance their shared security interests” (DoP). Further, the agreement claims that with this document SW MoD and the US DoD “desire to enhance the environment for mutual defense equipment and industrial cooperation for their mutual benefit by establishing a framework that will facilitate greater integration of their defense companies” (DoP).

This Declaration of Principles indicates that the Swedish and United States Governments decided to work closer with each other at the time when the Iraq War came about. Apparently this mutual agreement was reached because there were mutual benefits if their defense companies would be integrated to a larger extent, which involved reduced costs of military equipment and enhanced military capability on the part of America for the Iraq War. It serves to “lessen the obstacles, in forms of laws and restrictions in order to optimize the competition in the markets that promote trading war materiel, by combined efforts (*Granskningsbetänkande*, 2004/05:KU20).

#### 2.2.4 Contradictory Behaviour

As discovered, looking at the front stage and backstage behaviour when it comes to handling war materiel export to USA, one can see a paradox. According to the current regulations regarding Swedish War Materiel Industry, the Swedish backstage approach towards USA since the Iraq war is contradictory. According to (2003/04:114 appendix 3) Sweden cannot

permit export of war materiel for battle or other international cooperation regarding war materiel for battle. According to Swedish guidelines it cannot permit war materiel to a State that is in armed conflict with another state, regardless of whether there has been a declaration of war, nor to a State that is intricate in international conflict that could lead to an armed conflict.

The SW MoD decided to sign agreements regarding arms trade and “advance shared security interests” (DoP) with the United States, who – with Sweden’s objections – clearly violated international law by invading Iraq in March 2003. If international security lies in worldwide stability and non-violent climate, America’s aggression on Iraq would not contribute to that. Instead, this type of non-sanctioned, pre-emptive aggression would have had (and in fact, has had) the effect of increased violence and a more unstable world community. Therefore, it doesn’t appear that the US and Sweden had shared security interests at the time this agreement came about.

Also, continuous export of war materiel to USA is contradictory if one considers the conditions and treatment of detainees at Abu Ghraib and Guantánamo Bay violations of human rights. According to Article V in the *Declaration of Human Rights*: “no one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment”.

### 3 Conclusion

Major changes have occurred within the Swedish War Materiel Industry over the past decade. Sweden has transformed from being a truly neutral country, with uniquely restrictive war materiel exportation laws and policies, into being one of the ten largest exporters of war materiel in the world. Most of the manufactured war materiel in Sweden is now used for export. An increasing trend of export has made the Swedish War Materiel Trade Industry flourish.

On the front stage, towards the public, Sweden is upholding its image of being a neutral country. Its doctrine is the same as it has been since the beginning of the 1990s: that Sweden has restrictive arms trade politics. It is true that Sweden has strict laws and guidelines concerning war material trade; according to these, export of war materiel is not allowed to countries where extensive human rights violations occur. Neither is it allowed to countries in armed conflict, where there is a fear that an armed conflict will occur nor to a State with domestic armed disturbances/conflicts. Also, Swedish war materiel trade should never be in conflict with its foreign policy goals, which are enhancing Sweden's contribution to freedom, security, democracy, prosperity, and sustainable development in the world.

Despite this, Swedish war materiel export has now reached the highest amount in Swedish history. Backstage, the view of export has changed and an export-oriented custom has taken hold. In the 1990s, Swedish war materiel production increased with an average of 5.5 percent every year. But over the past 4 years, the trend has increased drastically, especially due to the Iraq War. Since it broke out, the total export of war materiel has almost doubled. In 2006 it exceeded ten billion SEK, which means that during the past ten years, the Swedish arms trade industry has more than tripled – from three billion SEK per year to over ten billion SEK. Not only has Sweden increased its export of war materiel to the USA - in times of war - but also to countries where extensive violations of human rights occurs, for example India, Pakistan, Malaysia, Mexico, Thailand and Bahrain.

The front stage behaviour and the backstage action contradict each other. There is a difference in rhetoric and practice. It is a paradox to appear neutral front stage when exporting war

materiel to 'critical States' backstage. Somehow Sweden has come to facilitate a climate that allows this to happen.

The reason for an increasing number of permissions of war materiel export being passed to countries that violate human rights or are engaged in armed conflicts is that there has been a shift of governmental responsibility and accountability regarding war trade. The many freedoms from historically stringent materiel export regulation were in 1996 given from the Cabinet to an independent arms trade authority, called Inspection of Strategic Products (ISP). This authority is subject to neither the same restrictions nor accountability that the Cabinet used to be. Since the Cabinet is no longer held accountable to enforce war materiel trade and export laws, it is able to hide behind this new, separate authority. Because, when ISP violates the Swedish laws and guidelines about war materiel, and when it ignores and acts out of accordance with Swedish foreign policy goals – the Cabinet claims that it cannot do anything about it, simply because it does not handle the issue. And once the decisions by ISP have been made, the Cabinet is unable to change them. If ISP decides upon critical matters on their own – even if it is not supposed to - no one can be held responsible if unlawful decisions are made, because ISP's decisions cannot be tried in court. Members of the cabinet cannot be responsible for them - not even ISP themselves. No decisions are made in EKR (where the director-general of ISP is the chairman); it only gives advice to ISP – which means that they can not be held responsible either. This has made it possible for open disputable war trade to take place in Sweden today - without any accountability or consequence.

It seems almost impossible for the Swedish Government to eliminate this backstage practice concerning increased export of war materiel to critical countries. Even if it is stated in §1a in *Law (1992:1300) about War Materiel* that the Cabinet may submit regulations about handing over matters from the ISP to the Cabinet - because of neutrality political aspects - any possible matter of this kind, which is already being processed at the authority, would not be encompassed by these regulations because the Swedish constitution does not allow the Cabinet to interfere in decisions of authorities in separate matters (SOU 2005:9). During the critical time period of 2000-2003, ISP did not forward a single case to the Cabinet. Since ISP did not make use of its contingency to hand over decisions to the Cabinet, and since the Cabinet is not allowed to “interfere in decisions of authorities in separate matters” according to the Swedish constitution – the Cabinet has to really be on its toes to submit regulations about taking over matters from ISP before they are being processed.

So what does the future hold for Swedish War Materiel Trade? As shown, Sweden has been taking certain measures in making its politics regarding arms trade less restrictive over time, despite its very clear current and historic laws, guidelines, and foreign policy goals. It has created an authority which has made it easier for war materiel to be exported, despite earlier restrictions. It has engaged in international agreements with the other largest exporters of weapons in order to make this industry grow. Also, an investigatory group (KRUT) was appointed to review the current laws and guidelines regarding war materiel, who suggests that the human rights aspect could be overlooked when decisions about exporting weapons are made, that the demand for democracy in recipient countries should be dismissed, that deeper military cooperation with the USA should be promoted, and that the general prohibition of export should be abolished.

If the Government agrees upon the newly suggested guidelines this year, it will obtain a less restrictive approach. It does not seem to be a new trend that the Cabinet will use its possibility to intervene in 'critical matters'. Instead, it is on the verge of creating a new precedent by developing the war materiel politics in a way that facilitates export to critical States. The incongruence between theory and practice – between the front and backstage – might not be able to uphold much longer. There are two options for Sweden. Either Sweden will loosen its export regulations to agree with the practice today – with the backstage behaviour – and adjust its policies to commercial needs and to our new partners of cooperation. Or it will embrace its foreign policy and make the War Materiel Industry agree with the goals of enhancing human rights, democracy, security, and sustainable development in the world.

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