

La lettre de l'Observatoire

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THE FIGURE FOR THE QUARTER

28

After the celebrated tour of the navy's ship « La Praya » (which served as the showcase of French military technology,) in the Asian zone, comes the turn of the air force.

Never before has the French air force carried out such a deployment for a salon designed to promote military equipment. No fewer than 28 planes and 180 French flyers participated in the Asian Aerospace 2000 salon, which was held from February 17 to March 4, 2000, at Singapore.

Starting February 22 and during the entire salon, the Rafale, a Mirage 2000 C, and the Patrouille de France carried out daily flight demonstrations: all paid for by French taxpayers at a time when the insufficiency of the defense budget was being decried.

This unwavering support for arms exports, on the part of the air force and of the nation's highest authorities, has been suggested many times in various parliamentary reports on the support of French arms sales. It contradicts the spirit of the official report of the defense ministry on its policy in regard to arms sales. How can France respect its international engagements on the mastery of conflict situations while participating in the anarchic flow of weapons of every type into a region that is far from stable?

The economic crisis that shook Asia in 1997 is beginning to wane in almost all countries in the region. To participate in the relaunching of this enormous military market left in suspension in recent years, not to mention the gain in military tensions recently amplified by the destabilization of Indonesia, by the conflict between India and Pakistan over China, or still worse, by the building up of tension between China and Taiwan can appear irresponsible.

Belkacem Elomari

The French report on arms exports : « Can do better »

The appearance of a substantial official report on French arms sales fills a gap that we have emphasized many times since the creation of the Observatory of Weapons Transfers. With that publication, France joins several other nations of the European Union, including the United Kingdom, its principal European competitor in the arms market, on the pathway of transparency. It is certainly a good sign in an area where French democracy has not, up until now shone.

Henceforth, we shall have a more complete list of the « client » countries for French weapons: in 1998 according to the official report, 123 ordered, acquired, or were authorized to acquire, war materials « made in France. » For its part, the Observatory of Arms transfers had recorded 75. However, -- another innovation in the official report, where arms sales are mentioned in terms of money - the 48 countries « missing » in the Observatory's list represent about 3% of the total sum (orders or deliveries), which confirms the reliability of our report.

Without entering upon an analysis of the official report (see the dossier inside) our principal criticism relates to the fact that the vaunted transparency does not necessarily lead to more democracy. Although the defense ministry addresses this report to parliament, we have found no overture on the principle of parliamentary control of arms sales, which remains the prerogative of the Executive. Taking into account only the most recent period, we have found that in increasing numbers members of parliament are interrogating the government, by written questions, on the arms trade, the proliferation of light arms, antipersonnel mines, the application of the code of conduct... Moreover, a « parliamentary information mission on French arms exports » was formed almost a year ago and must soon give an account of its work. As much as to say that the nation's representatives are sensitized to the problem and all the more conscious of their responsibility because they are goaded by a « civilian society » that is more and more demanding : Why then are the elected representatives who guarantee the democratic operation of our institutions set aside?

The 1999-2000 report of the Observatory of Weapons Transfers, which has just come out, will relaunch this debate: we strongly invite you to read it as a complement to the official report.

Bruno Barrillot

Transparency, a first step still insufficient

For the first time a report on the French policy of arms exports has been distributed to our national representatives. This act of transparency, the objective of which we cannot ignore, merits analysis. Faithful to its tradition, the Observatory of Weapons Transfers will point out the advances and underline the few weak points that could be taken into account in the future reports that the defense minister promised.

An increased transparency

The 123 client countries for French weapons.

The Observatory of Arms Transfers had inventoried for its 1999-2000 edition, some 75 nations that constitute the « World Tour of Acquiring Countries. » With the official report, we can add 33 supplemental countries that have ordered or received French weapons and 15 other supplemental countries that have received an assent from the *Commission interministérielle pour l'Etude des exportations de matériels de guerre* (Interministerial Commission for the Study of Exports of War Equipment, CIEEMG) for the acquisition of French arms in 1998. Our inventory therefore concerns 123 client countries for French weapons, which allows us to say that not counting some island nations of the Caribbean and Pacific and some African nations, more than half of the world's countries are touched by the French weapons trade.

The lists of client countries for French weapons in 1998 (orders, deliveries) in the official report is arranged as a presentation by country of the conditions of arms sales. They were formerly furnished by the defense ministry by major regions of the world (Maghreb, Middle East, Europe, Asia, America, Africa). On the other hand, the official report specifies by country the major categories of equipment (aeronautical, naval, or terrestrial equipment), which was not the case formerly. In the future, this data will permit useful comparisons between the level of application of the code of conduct's criteria and, in particular, aid for development received, respect for human rights, and the level of social expenditures per country.

Enlightening information on the criteria for the authorization of arms sales.

The publication, long demanded, of the criteria that the CIEEMG takes into

account is also welcome, even if the adoption by France of the European code of conduct minimizes the impact of that revelation. It is self evident today that the European code of conduct imposes itself in the judicial system for the control of French arms exports. But the enunciation of the criteria is scarcely sufficient: it would be useful to know their hierarchy in or order to learn what is determinant in French policy in this matter.

On the other hand, the official report develops a whole series of departures from these criteria, tied to its foreign policy; its defense agreements, its appreciation of the « end to crisis » of a possible client country. On the other hand, the criteria taken into account by CIEEMG may be in conflict with those of the European code, particularly those that apply to the economic situation of the destination countries.

By presenting all these exceptions to the rule formulated in the criteria, France continues to cling too much to the spirit of its basic legislation on the subject (recalled several times) which rests on the principle of « prohibition, » arms exports constituting an exception in principle. In several places, the official report invokes the « sovereignty » of France so well that its own valuation seems to take precedence over the application of the code of conduct. A case of « carrying on regardless » is even signaled in the report for the 1998-1999 period: it is a question of a « NATO country » (Turkey?) to which France is said to have delivered « episcopes » for armored vehicles.

In spite of these remarks, the reader of this report will find a useful close look at the control system for French weapons exports: we have there the basic principles that will perhaps allow a revision of the tangle of legislative texts on weapons since the decree-law of 1939. Moreover, France emphasizes that its policy takes into account international systems of control (control of dual use technologies, Wassenaar arrangement on conventional

weapons) which are succinctly described.

Notorious insufficiencies

A transparency that is too limited in regard to the destinations of French weapons

The lists of orders and deliveries by country presented in the report includes, however, a serious lack in the transparency announced in the introduction to these very tables. It is not admissible that more than 38% of French arms deliveries for 1998 have an unidentified destination. Thus, the report indicates a « sub-total » combining deliveries to « international organizations, states that are not members of the United Nations, and other destinations » of 15,884 billion francs, of which 12,995 billion in aeronautical material (out of a total of 41,178 billion francs). It escapes no one that « the nation that is not a member of the United Nations » is Taiwan and that the 12,995 billion can correspond to payment for acquisition of Mirage 2000 (and associated missiles) by this country. We can assume that France has likewise delivered equipment to the peace keeping forces of the United Nations to which it is a party. But there remain « other destinations » that once again allow France to maintain defense secrecy in a discourse that claims to be transparent.

The same « sub-total » (international organizations, states not members of the United Nations, and other destinations) in the table of orders taken in 1998 amounts to only 2.6 % of total orders. It remains to be seen, whether, for the following years, the imbalance in the table of deliveries between what is « secret » and what is « public » is of the same order.

What does France gain from allowing such inconsistencies between its discourse and its practice? The national and international media have spoken sufficiently about arms sales to Taiwan for camouflage to be useless. Moreover, such dissimu-

Togo in the front line

A recent report from the United Nations Security Council (February 28, 2000) has just called into question the role of several African-American countries in the provision of weapons to the UNITA movement of armed opposition in Angola, in violation of the sanctions imposed by the Security Council. The sanctions forbid the sale or provision of arms or military equipment to UNITA.

The group of experts who drew up this report summarize the problem thus: « *UNITA has taken a not negligible quantity of weapons and military equipment from governmental forces in the course of combat. Moreover, UNITA has been able to import large quantities of weapons and military equipment because of four main factors: firstly, certain African countries have agreed to cede to UNITA their user certificates and to facilitate the passage over their territory of weapons and military equipment that are intended for UNITA--in particular Zaire under Mobutu, Togo, and Burkina-Faso. Secondly certain countries that supply weapons, especially Bulgaria, in the case in point, have agreed to sell weapons officially or unofficially without really worrying about their final destination. Thirdly arms merchants and international airline companies have hastened to offer their services as intermediaries between UNITA and the furnishers of weapons and military equipment. Fourthly, UNITA has always found means of paying for whatever it wants.* »

Of the three African countries cited, Togo is especially targeted by this well-documented report, which implicates, in particular President Eyadéma. After the overthrow of Mobutu (Zaire), Eyadéma, by means of silver and diamonds, « *became UNITA's main furnisher of final user certificates for weapons and military equipment.* »

Such facts do not stop the French military cooperation program from pursuing its activities with the Togo of that same President Eyadéma. In 1998, the CIEEMG granted 16 preliminary assents for provision of weapons to Togo.

Bruno Barrillot

lation can create suspicion about French foreign policy: are arms being delivered to countries in conflict, in plain contradiction to the criteria of the code of conduct?

An insufficiency in the official report reflects also on the means of control of French arms exports fabricated abroad under license. Moreover, in the face of the internationalization of the weapons industry, we can easily imagine that the control of arms sales will be all the more difficult until a harmonization of national legislation has been undertaken.

Limited information on the types of equipment exported.

There is a fundamental inconsistency in the report's presentation of the various facets of arms sales. On the one hand, the report gives the orders (89 countries identified) and deliveries (90 countries identified) while indicating the sums in millions of francs according to the categories of equipment; on the other, it gives the declaration of France to the Register of the United Nations, identifying 13 client countries and giving the number and denomination of the equipment.

The Observatory underlines the lack of precise information in the official report. The report provides only the financial totals without giving any details on the type of equipment exported or any specific information on the sales of light arms and small caliber weapons. Worse still, the gifts in the form of military cooperation are not even taken into account, although they constitute part of the weapons transfers.

Code of Conduct: an application to review

The account of the application of the CIEEMG criteria and of the European code of conduct presented at the end of the official report does not fail to astonish--even if it is presented by country--mainly because of the explanations of notifications of refusal. When one considers that only one notification of refusal was delivered under the title « *respect for human rights in the destination country,* » one can measure the wide divergence in evaluating the problem between the Observatory on Arms Transfers and the official service charged with monitoring arms sales. What can we think, in fact, of contracts concluded with Algeria, China, the United Arab Emirates, Pakistan, Turkey... in regard to respect for human rights?

Two advances in principle have been evo-

ked in the enunciation of the foundations of French policy and control procedures providing on the one hand, for the inclusion of « *certain equipment that is paramilitary or currently used by security forces* » (in other words, police equipment), on the other for a concern with the proliferation of light arms. However, the official report does not allow verification of the application of these « *advances* » since it explicitly excludes indicating the exported equipment.

One finds, however, that a single refusal was issued under the title of « *compatibility of arms exports with the technical and economic capacity of the destination country* ». Simply reading the list of some 123 destination countries for French weapons in 1998 suffices to show to what extent this criteria is not a determinant when it comes to arms sales.

In a general manner, 16 notices of refusals in 1998 for 3847 authorizations and 34 notices of refusal between January 1 and May 5, 1999, for an unknown number of authorizations, hardly showing a firm political will to decrease the weight of arms sales!

No opening on a parliamentary control of arms sales

Although the report of the minister of defense is addressed to Parliament, that body is not asked to give its advice.

Concerning the Rwandan genocide, the Quilès Information Mission had emphasized the dysfunctional nature of the application of French regulation in regard to arms transfers, and even added that « *this situation was not limited to Rwanda.* » We can understand that for the moment the government does not want Parliament to interest itself too closely in arms sales, all the more so in that parliamentary control in the matter has never been part of French government culture.

However, the transparency to which the official report calls attention throughout, should lead to the setting up of democratic control. The « *parliamentary information mission on French arms exports* » is to turn in its report soon, doubtless after in-depth examination of the official report of the defense minister. Let us wager that it will advance concrete measures making possible democratic debate in a domain that has been reserved for too long to a limited circle of the administration, and taking into account the proposals of civil society.

Production d'armes et puissance des Nations

(Arms Production and the
Power of Nations)

Renaud Bellais

L'Harmattan, Paris, 1999, 221 p.

Does weapons production constitute a hindrance to economic growth? This is the point of departure for Bellais' work on the relations that the industrialist, the merchant, the military person, and the politician maintain? After having belonged « to the *terrae incognitae* of economic sciences,» the debate on the stakes in the production of weapons has for Renaud Bellais, a flavor of the «incomplete,» leaving « numerous questions in suspense.»

The thesis defended by the author is that even «if weapons do not contribute to economic growth directly and in the short term, it is abusive to think that their production contributes nothing to» such growth. The announced increase in the military expenditures of several major countries that are arms producers (United States, France, etc.) with, as a consequence, the revival of business in the «arms world» would tend to support Renaud Bellais.

In fact, according to the author, what permits the production of weapons—which is a burden in the short term—to transform itself into an asset in the world economy where an exacerbated competition reigns, is its statute of exception. The nations, deprived of their traditional levers for intervention in the economic field, use the argument of «national defense» to establish a strong industrial and technological policy. In particular, through a large investment in research and military development «which greatly benefits the 'ensemble' of national companies and gives them a competitive advantage, without the nations' incurring the wrath of the WTO [World Trade Organization] and other international institutions.»

One regret: the author too quickly drops the question of the purpose of weapons and of the social, ethical stakes, while dismissing partisans and opponents without pronouncing in favor of either.

Patrice Bouveret

Spain

In February 2000, the Spanish defense minister and the French-German company Eurocopter signed a contract for 15 light helicopters EC120 B Colibri. Deliveries will begin in July 2000 and will be finished by July 2001. The contract for about 98 million francs also provides for a training simulator and a stock of loose parts.

Greece

In February 2000 Greece ordered 4 Cougar AS 532 helicopters from the Franco-German company Eurocopter. March 21, 2000, the Greek defense minister declared that Giat Industries' Leclerc tank remains in the running (with other models from Germany, America, and England) in the bidding for the purchase by Greece of 250 combat tanks. Greece will reach a decision no earlier than June 2000.

Morocco

In July 1999 the Chantiers de l'Atlantique obtained confirmation of the order by Morocco for two frigates of the Floreal type. The two surveillance frigates were constructed at Lorient. The first will be delivered in July 2001 and the second at the end of January 2002.

Poland

The French-German company, Eurocopter has proposed to Poland that it buy 32 Tiger helicopters in the antitank version. The Tiger is in competition with four other models, notably American and Italian.

Romania

In January 2000, Giat Industries began to deliver to Rumania 24 THL-20 turrets with 20 mm M621 cannon destined for IAR-330 Puma helicopters produced under French license at Brasov.

Senegal

In February 2000, a device for disembarking infantry and tanks, the Edic 9070 Javeline was ceded free of charge by France to the Senegalese Navy during a ceremony bringing together a large delegation from the French and Senegalese armed forces.

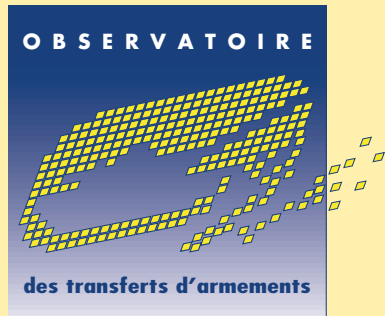
Singapore

March 3, 2000, the Singapore defense ministry and the French company DCN International, signed a contract for the provision of six «furtive» frigates. The first frigate will be constructed at DCN Lorient and will be delivered to Singapore in 2005 while the other five will be constructed locally by Singapore Technologies Marine. All the ships will be operational in 2009. The exact value of the contract is not known, but at Singapore the figure of 1.5 billion dollars about (10 billion francs) is cited. On the other hand, at Paris, the figure of about 5 billion francs is given, leaving it to be assumed that the contract covers only construction of the frigates without their combat systems.

Turkey

The Turkish government has eliminated from competition The Tiger helicopter of the Franco-German company Eurocopter to the benefit of American, Italian, or Israeli-Russian equipment. The failure of this deal for Eurocopter could be explained by dissonance between France and Germany in regard to arms sales to Turkey, Germany being more than reticent. German scruples were quickly swept aside however, since the Turkish government, at the beginning of March 2000, chose German Leopard 2 tanks (1000 of them) to equip its Army, to the detriment of the Leclerc tank that Giat Industries proposed in the name of France.

Belkacem Elomari



OBSERVATOIRE
des transferts d'armements

**The 1999-2000 report of the
Observatory of Arms Transfers
has been published**

*French arms sales in the light
of human rights.
Analysis of the French
governmental report*

220 pages. 106 F postage paid (16.16 Euros)