



John N. T. Helferich

Arms Export Controls under Siege of Globalisation

Defeated Nation States or Voluntary Surrender?

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Preface

Today, the arms industry is increasingly internationalized, but arms export decisions remain a core prerogative of national governments. The question of whether and how the internationalization of defence production affects national arms export decisions is a crucial one.

To shed light on the different facets of this issue, John Helferich begins this work by contrasting the historical processes that led to the liberalization of the arms industry in Germany, on the one hand, with the emergence of international arms export control regimes on the other hand. Subsequently, the political dynamics that have influenced the common regulatory policies in the EU are analysed with particular reference to the implementation of the *EU Common Position on Arms Exports* as well as the *EC Dual-Use Regulation*.

Therein, a key finding is that the level of economic integration among multi-domestic defence companies trumps the level of political integration in arms export control questions in Europe. Moreover, it is found that the incomplete European export control architecture, entails economic disadvantages as well as a number of arms diversion risks. The latter Helferich conceptualises as phenomena of hyper-globalisation.

The body of the work is made up of three case-studies which focus on distinct scenarios where national export control practices face transnational trade contexts. Each of the cases reveal different empirical and theoretical insights on the matter. A broader conclusion that can be drawn is that despite the comparatively strict regularly stance on arms exports in Germany, the German government has only limited practical or political means to prevent the re-export of military goods once they have left the German jurisdiction. This is largely due to the high level of trade liberalisation that took place from the 1980s onwards and a result of particular foreign/security-policy choices that Germany took to re-establish its military-industrial base after World War II.

The work is based on interviews with 20 policy stakeholders in five countries and aims to bring practical export control procedures into a broader political and IR context. As such, the cases presented are examined through different theoretical lenses, arguing that arms export control policy is a multifaceted phenomenon demanding an analytically eclectic approach.

Based upon the findings of this study, a policy recommendation that Helferich puts forward is the need for standardisation of EU external exports as well as a deepening of cooperation in EU working groups, in particular COARM.

This study thus provides academic and policy-relevant insights on a topical debate.

Dr Hugo Meijer

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12 September 2020

Abstract

While defence industrial production and trade is increasingly transnationalised, the control of arms exports still takes place almost exclusively on a national level.

With the example of the German arms export control regime, this work seeks to analyse whether the current situation yields arms export control risks that could undermine German foreign and security policy principles. In a second step, inferences about International Relations theory are drawn based on the current regulation and its implementation.

Looking at three case studies in which national control regimes are confronted with transnational trade contexts, this work finds that transnational production and trade indeed creates a number of arms diversion risks, however, these risks are predominantly a result of deliberate political choices rather than a phenomenon of hyper-globalisation.

