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FINNISH-US NEGOTIATIONS FOR A DEFENSE COOPERATION AGREEMENT

FIRST STEPS AS A NATO ALLY

A Defense Cooperation Agreement will enable rapid and effective collective action between Finland and NATO allies, but the negotiations will also bring up new and complicated questions over US rights, obligations, and territorial access.

In recent years, the United States has undertaken to update its global network of Defense Cooperation Agreements (DCAs) to ensure the smooth and effective transfer of personnel and materiel between countries. These agreements provide the general conditions and rules under which the US forces can enter and operate in a host country during joint exercises and training, for example. Most recently, Norway concluded an updated agreement in 2022. Finland, Sweden, and Denmark are currently also engaged in negotiations to update their respective agreements with the US.

The Nordic countries are pursuing DCAs for three main reasons. Firstly, they are a prerequisite for US and joint defense planning, such

as prepositioning military materiel and plans for reinforcing the host country in a crisis. In other words, a DCA is a tool used by the US to ensure that it can effectively implement security guarantees. Secondly, all Nordic countries have a long history of defense cooperation with the US, and they hope to deepen it further. The agreement would considerably simplify the planning processes for exercises and joint training. Thirdly, Russia's illegal war of aggression against Ukraine has drastically weakened the security environment in Europe. The Nordic countries are seeking to shore up defense planning and preparations for any possible conflicts in their neighborhood.

As a country with a long land border with Russia and difficult

logistical chains through the Baltic Sea or other Nordic countries, Finland is reliant on receiving resupplies and reinforcements from NATO allies and partners in any full-scale conflict. For these reasons, creating conditions for US prepositioning of military materiel as well as effective supply chains is a key national interest. Further, cooperation with the US air and land forces, or with elements such as special forces or intelligence, would benefit from an agreed framework. However, negotiations are likely to be long and complex because they involve questions related to sovereignty and jurisdiction to an extent that Finland has not been used to. Based on Norwegian experiences, these likely include the rights and obligations of US force members in

Finland and US security planning in certain locations.

At the core of the DCA are so-called Agreed Areas, locations meant for unrestricted joint access by both the host nation and US forces. These areas can be used, for example, for training logistics and storing military materiel. Within Agreed Areas, some locations can be designated for exclusive access and use only by US forces. These could involve locations with critical US communications or intelligence equipment. This type of sustained US presence and infrastructure on Finnish soil will be a new phenomenon for Finland. However, any Agreed Areas should be evaluated against the sum of US activity in the Nordic region and how they serve NATO's collective defense planning.

It is possible to define certain restrictions or criteria for cooperation during the negotiations. For example, Norway will not permit the stockpiling of nuclear weapons, landmines, or cluster munitions in its territory. All Agreed Areas within Norway must be located in existing military sites, support the needs of Norwegian defense, and their size and locations must not

contribute to increased tensions in the region.

What, if any, conditions, might Finland push for? Finland will be reluctant to publicly impose any restrictions on bilateral cooperation with the United States or NATO allies. However, Finnish defense cooperation has always been based on the interests and needs of Finland's national defense. Placing Agreed Areas within existing military zones would likely alleviate legal concerns by limiting the possibility of civilians coming into contact with US security planning. Finally, the import and possession of nuclear explosives is currently prohibited by the national Nuclear Energy Act.

The DCA will also open a path to US investments in local military infrastructure. In Norway, the US air force has announced plans to invest more than 119 million US dollars in facilities at Rygge Air Station. Under the agreement, all infrastructure built by the US forces automatically becomes the property of Norway, but the US forces have a right to use these facilities. This is a prerequisite for securing congressional approval in the US.

In the Finnish case, possible US interest in infrastructure investments would likely be discussed in the negotiations.

In summary, Finnish-US negotiations for a Defense Cooperation Agreement represent a major intensification of bilateral military cooperation. The agreement would enhance allies' ability to support and resupply Finland in conflict situations and enable investments by the US military in Finland. The negotiations should be seen in the context of deepening the US presence in the Nordic region. The extent of US legal and sovereignty claims will be novel for Finland and will face close parliamentary scrutiny. Any conditions set by Finland for cooperation will likely be used as a template for negotiations over new Agreed Areas in the future.

In the end, difficult issues will need to be measured against the interests of national defense. The negotiations will likely be complex and time-consuming, but a necessary and important step for ensuring the effectiveness of NATO's collective defense planning and US security guarantees. /