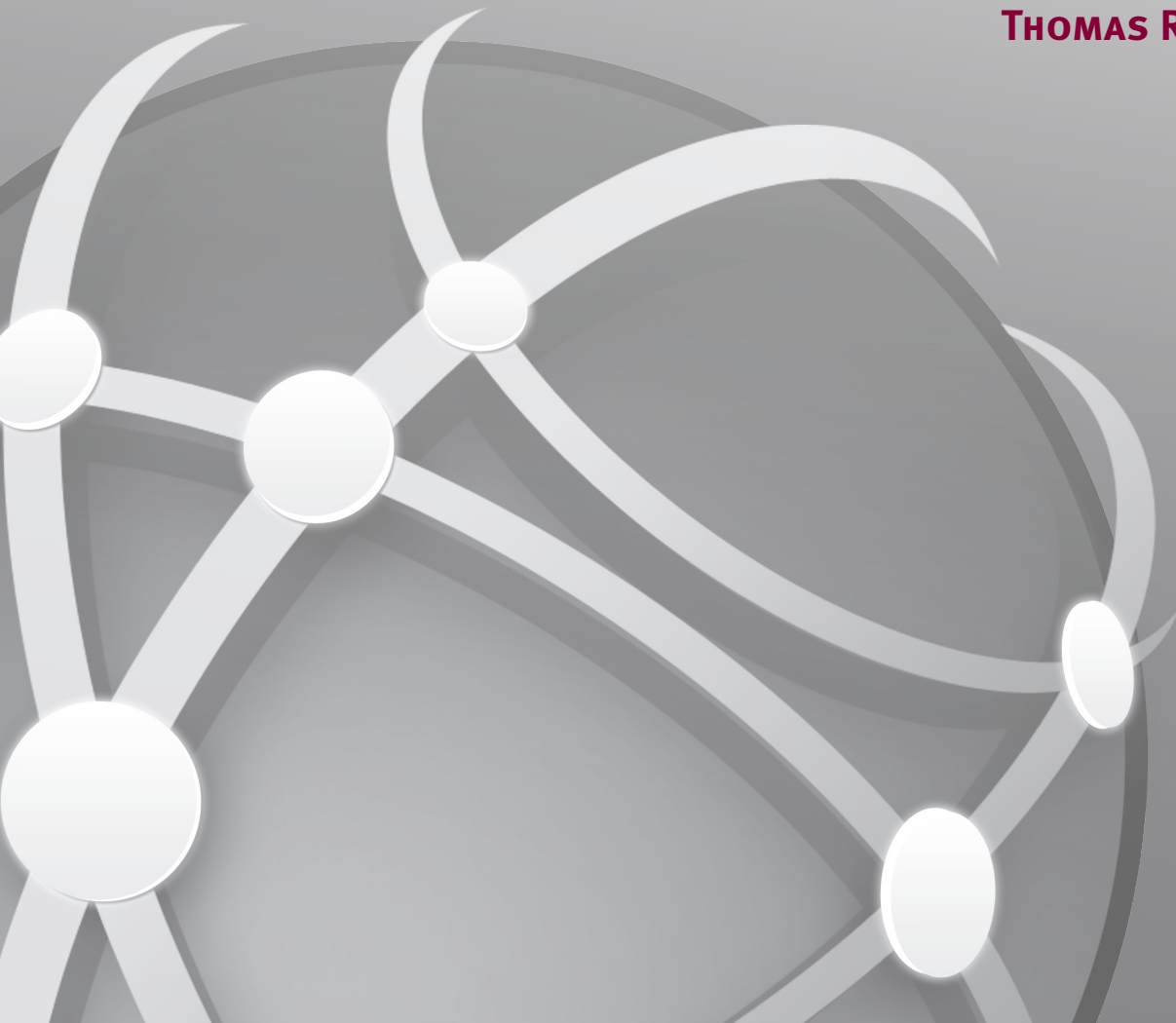


Partnering for a nuclear-safe world: the EU, its strategic partners and nuclear non-proliferation

THOMAS RENARD



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EU STRATEGIC PARTNERSHIPS AND TRANSNATIONAL THREATS

This Working Paper is the first in a series of publications on 'EU strategic partnerships and international threats'. The purpose of this series is to provide evidence of the extent and limits of cooperation between the EU and its strategic partners on security issues, with a focus on transnational threats, namely nuclear non-proliferation, terrorism, organised crime and cyber security.

This series will include four papers. It constitutes an original contribution to the existing literature on the subject, as it locates itself at the intersection between two distinct strands of research. On the one hand, there is a great amount of publications regarding these security issues and the EU's role in addressing them. On the other hand, there is growing literature on the EU's strategic partnerships, at a rather general level. This publication and those that will follow will look into the operationalisation and implementation of all these partnerships in specific policy areas, including security. This crucial intersection offers a new and original angle to look at the EU's foreign policy, and to assess its effectiveness.

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»» **The European Union (EU)** has identified the proliferation of weapons of mass destruction (WMDs) as one of the greatest threats to its security. As a result, in 2003 the EU Strategy against Proliferation of Weapons of Mass Destruction was launched, which identified objectives and included some basic guidelines on how to achieve them. This paper focuses specifically on the EU's approach to nuclear non-proliferation, looking at EU objectives such as the promotion of a nuclear-safe world and the resolution of proliferation crises. To achieve these, the EU promotes a strong multilateral framework, while deepening bilateral cooperation with pivotal countries. In ten years, thanks to this multi-layered approach, the EU has managed to establish itself as a global player in non-proliferation regimes, although it remains mostly a modest power and a fundamentally-fragmented actor, given divergent member states interests.

The objective of this paper is threefold. First, it looks at the EU's cooperation with its strategic partners in the field of nuclear non-proliferation, in order to assess what is and what is not being done. Concrete instances are investigated, as well as existing cooperation mechanisms. Emerging reflections will feed directly into the broader debate about the EU's strategic partnerships. Second, this paper explores the interactions between the bilateral and the multilateral levels in EU foreign policy, with a view to understanding whether strategic partnerships can strengthen effective multilateralism – the EU's fundamental foreign policy goal. Finally, the paper offers an assessment of the EU as a global non-proliferation actor.

Assessing the threat

Nuclear weapons have fundamentally altered the nature of conflicts in the twentieth century, making war among nuclear powers unlikely by raising the human costs to unacceptable levels. No one can prove that nuclear deterrence is infallible, but despite spikes of tensions, it has succeeded in maintaining a certain stability worldwide, a seemingly 'long peace'¹. Everyone, including Europe, has benefited from this *relative* stability. This is the main reason why some scholars, like Kenneth Waltz, generally support the idea that having more nuclear states is a positive evolution.

But not all share the same enthusiasm². Recent decades have witnessed an increase in the number of nuclear-capable countries. A privilege at first limited to only a few powers, it created envy and fear, subsequently leading more states to seek means to acquire the bomb. Nuclear weapons are now in the hands of nine countries: China, France, India, Israel,³ North Korea, Pakistan, Russia, the United Kingdom, and the United States. Four of these states have not

¹ P Gaddis, J. L., *The Long Peace: inquiries into the history of the Cold War* (New York: Oxford University Press, 1989).

² For a discussion, see: Sagan, S. D. and Waltz, K., *The Spread of Nuclear Weapons: a debate* (New York: W.W. Norton & Company, 1997).

³ Israel is strongly believed to hold nuclear weapons, although it has never acknowledged it publicly.

joined or have withdrawn from the Non-Proliferation Treaty (NPT). There is thus a fear that some could become proliferators. Pakistan has a particularly worrisome record in terms of proliferation.⁴ Recently declassified CIA reports confirmed that China might have shared the designs for these weapons in the early days of Pakistan's nuclear programme.⁵ North Korea has an opaque authoritarian regime and its proliferation risk is particularly difficult to assess.

Other countries – notably Argentina, Brazil, Libya and South Africa – could have developed nuclear weapons but decided to give up their ambitions. This suggests that it is possible for international diplomacy to strike successes on counter-proliferation.

Broadly speaking, there are two main challenges to the nuclear non-proliferation regime:

- (1) A state could develop nuclear capabilities while being part of the NPT, after which it can either leave the NPT or stay while maintaining the latent capability to finalise rapidly its nuclear weapons programme, as part of its power strategy or as protection against future threats. This is the path chosen by North Korea and the one that Iran may follow.
- (2) Non-state actors, such as terrorist groups, could seek to acquire nuclear materials. This scenario is widely perceived as particularly dangerous, as terrorist groups appear more likely to use such weapons than national entities. There is evidence that al-Qaeda has actively sought to acquire nuclear material and technology, with the intent of detonating a bomb.⁶ Non-state actors could either try to build a dirty bomb themselves or to acquire (or steal) a ready-made weapon. However, some analysts have pointed out that this remains extremely difficult and unlikely.⁷

In the first category of challenges, Europe is mostly concerned with the evolution of the situation in Iran. A nuclear Iran is seen as potentially threatening not only because Europe sits within range of Iranian missiles, but also because the road to the bomb is mined with tension and confrontation in an already volatile region. Israel, in particular, appears determined to prevent Tehran from acquiring the bomb. A nuclear Iran could lead to a new (nuclear) arms race in the Middle East and further destabilise the region and Europe's neighbourhood. It would also further undermine the NPT, which is already weak and highly criticised. Europe's diplomatic strength will be tested as Iran gets closer to finalising its programme, as divisions are likely to increase within Europe with regard to what should be done, but also with Europe's key ally, the US. North Korea has also drawn much global attention in terms of non-proliferation over the last decade, but the Korean peninsula is geographically more remote and thus appears to be less pressing to European policy-makers or, at least, less relevant strategically.

In the second category, Europe considers nuclear terrorism a major threat to its security. Europe has a long history of terrorism, which remains a significant threat. Although it is widely recognised that the threat of nuclear terrorism was exaggerated in the aftermath of the 9/11 attacks, Europe remains vulnerable to this type of attack. Nuclear terrorism is a low probability but a very high-impact threat.

⁴ The network of A.Q. Khan – considered a national hero in Pakistan, a rogue scientist elsewhere – famously transferred nuclear technology, illegally and secretly, to various countries, such as North Korea and Libya, and approached various other states in attempts to strike nuclear deals, notably Iran, Iraq and perhaps Syria. See Langewiesche, W., 'The Wrath of Khan', *The Atlantic*, 1 November 2005.

⁵ Burr, W., 'China May Have Helped Pakistan Nuclear Weapons Design, Newly Declassified Intelligence Indicates', *Electronic Briefing Book 423*, National Security Archive, 23 April 2013. Available online: <http://www.gwu.edu/~nsarchiv/nukevault/ebb423/>

⁶ Mowatt-Larssen, R., *Al Qaeda Weapons of Mass Destruction Threat: hype or reality?* (Cambridge: Belfer Center for Science and International Affairs, 2010).

⁷ Mueller, J. E., *Atomic Obsession: nuclear alarmism from Hiroshima to al-Qaeda* (New York: Oxford University Press, 2009).

The EU's strategic approach

Nuclear non-proliferation is a long-standing concern, but it was only after the 9/11 attacks that it acquired a sense of urgency and momentum at the European level. Indeed, the European Council of October 2001 reflected on the possible connections between the terrorist threat and EU efforts regarding non-proliferation and the control of arms exports,⁸ opening the path for the gradual development of a new policy field at the European level.

The 2003 non-proliferation strategy de-linked proliferation from the terrorist threat, recognising WMD and missile proliferation as a distinct challenge that 'puts at risk the security of our states, our peoples and our interests around the world'.⁹ The EU is thus mandated to become a global actor in non-proliferation. The EU's activities in this area are reviewed every six months through 'progress reports'. According to Gerrard Quille, 'this process of drawing up a progress report has contributed to a useful mechanism to benchmark the implementation of the EU WMD strategy'.¹⁰

Since then, nuclear non-proliferation has become a key priority for EU foreign policy. As stated in the non-proliferation strategy: 'Meeting this challenge must be a central element in the EU's external action. The EU must act with resolve, using all instruments and policies at its disposal. Our objective is to prevent, deter, halt and, where possible, eliminate proliferation programmes of concern worldwide'.¹¹ The strategy, however, is considered more of a symbolic demonstration of European unity (similarly to the European Security Strategy – ESS) than a guiding document for action.¹² Concretely, it does not specify how far the EU should go to halt or 'eliminate' nuclear programmes of states such as Iran and North Korea.

The EU's 2008 New Lines for Action in Combating the Proliferation of WMD and their Delivery Systems argued that weapons of mass destruction 'constitute *one of the greatest security challenges which Europeans may ever face*'.¹³ Yet, despite being a top priority, the budget allocated to non-proliferation under the Common Foreign and Security Policy (CFSP) remains modest (€42 million for 2010-12). This might indicate that non-proliferation has been somehow relegated to a 'second-tier concern'.¹⁴ However, these figures do not tell the whole story. Most diplomatic efforts or measures such as sanctions do not appear under the non-proliferation heading, or simply do not cost any money. In addition, outside the CFSP framework the European Commission has spent considerable amounts of funds on non-proliferation. One of the Commission's main tools in this regard is the Instrument for Nuclear Safety Cooperation (INSC), with a budget of €524 million for 2007-13 and €631 million for 2014-20. The new shelter of Chernobyl, for instance, was partly funded with INSC money. The main problem is not necessarily a lack of funds, but rather the need for better aligning existing instruments with overarching objectives.

⁸ 'Follow-Up to the September 11 Attacks and the Fight Against Terrorism', *Declaration by the Heads of State or Government of the European Union and the President of the Commission*, 19 October 2001. Available online: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/ACF7BE.pdf

⁹ Council of the EU, *EU Strategy against Proliferation of Weapons of Mass Destruction*, 10 December 2003. Available online: <http://register.consilium.europa.eu/pdf/en/03/st15/st15708.en03.pdf>

¹⁰ Quille, G., 'The EU and Non-Proliferation of Weapons of Mass Destruction', in S. Biscop and R. G. Whitman (eds), *The Routledge Handbook of European Security* (Abingdon: Routledge, 2013), pp. 235-42.

¹¹ Council of the EU, 2003, op. cit.

¹² Katsioulis, C. and Mölling, C., 'NPT Review 2010: what role for the EU?', *International Policy Analysis*, Friedrich Ebert Stiftung, April 2010.

¹³ Council of the EU, *Council Conclusions and New Lines for Action by the European Union in Combating the Proliferation of Weapons of Mass Destruction and their Delivery Systems*, 17 December 2008. Available online: <http://register.consilium.europa.eu/pdf/en/08/st17/st17172.en08.pdf> [original emphasis].

¹⁴ Van Ham, P., 'The European Union's WMD Strategy and the CFSP: A Critical Analysis', *Non-Proliferation Papers 2*, EU Non-Proliferation Consortium, 2011, p. 9.

The geographical scope of the EU's strategy has progressively expanded over time. Originally, it was strongly anchored in the post-Soviet space, to deal with nuclear material and unemployed scientists from the former Soviet Union. Most programmes of the G8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction (G8GP) and of the funds of the Commission's Technical Assistance to the Commonwealth of Independent States (TACIS) programme were directed towards these ends. More recently, however, the scope was expanded under the Instrument for Stability (IfS) and the INSC to support projects in Asia, the Middle East and Latin America. Thus, at least geographically the EU is seemingly becoming more of a global player in non-proliferation. Yet, this expansion hides a strategic interest that remains strongly correlated with distance: the EU is still mainly concerned with its near- and medium-neighbourhood. This sense of geographical prioritisation was reaffirmed in the document establishing the INSC.¹⁵

With regard to the EU's level of engagement, the non-proliferation strategy offers a multi-layered approach, based on effective multilateralism, the promotion of a stable regional and global environment and, finally, close cooperation with *key partners*, identified as the US and others 'such as the Russian Federation, Japan and Canada'. The words 'such as' imply that more partners could be envisaged. This multi-layered approach, and more specifically its multilateral dimension, has been described as 'innovative'¹⁶ and 'distinctive'.¹⁷ For others, however, the EU's subtle balance between bilateralism and multilateralism, soft and hard power, is a sign that, at least in the field of non-proliferation, the EU is a 'normal power'.¹⁸

The EU regards the Non-Proliferation Treaty as the 'cornerstone' of the global nuclear non-proliferation regime.¹⁹ It views the NPT Review Conferences as critically important, and has become an active, full-fledged participant. The EU promotes universal adherence to the regime's many organisations and instruments, while at the same time trying to reinforce their provisions and ensure compliance. It pursues its multilateral approach by providing strong political backing and financial support to a broad range of international organisations or groups (such as the Zangger Committee and the Nuclear Suppliers Group), treaties or instruments (such as the Comprehensive Test Ban Treaty and United Nations Security Council resolution 1540).²⁰ The EU's multilateral approach is flexible. It relies simultaneously on thin (or informal) and thick (or rules-based and legally-binding) multilateralism. In the eyes of European policy-makers, effective multilateralism remains a long-term objective, but not the only path towards a nuclear-safe world. Many efforts have taken place within the G8 framework, for instance, or in other multilateral fora.

In addition to multilateralism, the EU has pursued non-proliferation through another traditional foreign policy instrument: (inter-)regionalism. Although the non-proliferation strategy was rather laconic on this aspect, the EU has referred to non-proliferation in its dialogues with several regional organisations and has cooperated with the likes of the Association of East Asian Nations (ASEAN) Regional Forum (ARF) and the Asia-Europe Meeting (ASEM). It has also launched initiatives such as

¹⁵ European Commission, *Proposal for a Council Regulation Establishing an Instrument for Nuclear Safety Cooperation*, 7 December 2011.

¹⁶ Valasek, T., 'The European Union's role in non-proliferation', in *U.S.-European Non-proliferation Perspectives: a transatlantic conversation*, Center for Strategic and International Studies, April 2009, p. 48.

¹⁷ Pélopidas, B., 'Non-Proliferation through International Norms: a European preference?', *Les cahiers européens de sciences po.* 3, SciencesPo Paris, 2006, p. 11.

¹⁸ Pardo, R. P., 'Normal Power Europe: non-proliferation and the normalization of EU's foreign policy', *Journal of European Integration* 34 (1): 1-18, 2011.

¹⁹ Council of the EU, *Council Decision 2010/212/CFSP of 29 March 2010 relating to the position of the European Union for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*, OJ L 90/8, 10 April 2010.

²⁰ In April 2004, the United Nations Security Council adopted UN Security Council Resolution 1540, establishing for the first time binding obligations under Chapter VII of the UN Charter on all UN member states to take and enforce effective measures against the proliferation of WMD, their means of delivery and related materials. UNSCR 1540, if fully implemented, can help ensure that no state or non-state actor is a source or beneficiary of WMD proliferation.

the EU CBRN²¹ Centres of Excellence, which aim to strengthen and deepen regional cooperation against proliferation.²²

Finally, the EU has intensified its bilateral relations with strategic partners. The 2003 non-proliferation strategy only mentioned four partners, mirroring the members of the G8GP. Over the last decade, however, the EU has expanded its horizon. As of 2013, the Union has strategic partnerships with ten countries, namely Brazil, Canada, China, India, Japan, Mexico, Russia, South Africa, South Korea and the United States. This cooperation is perhaps less ambitious and institutionalised, but is nonetheless based on high-level political commitments. Even if these partnerships are not all equally relevant to the EU's non-proliferation efforts, they do constitute a useful instrument at the service of a more effective strategy.

Some scholars have indicated that the objectives of the EU's strategic partnerships remain loosely defined.²³ This also applies to non-proliferation. The 2003 non-proliferation strategy and the ESS are equally vague with regard to the objectives and operationalisation of the strategic partnerships. Yet, based on the EU's rhetoric and policies, at least three key purposes can be identified. First, they open bilateral channels to share global views or, more concretely, to exchange expertise and capabilities on non-proliferation, but also to raise issues of concern or to tame tensions or misunderstandings when they arise. Second, strategic partnerships are meant to facilitate contacts and cooperation on specific cases of proliferation, such as Iran or North Korea. Third, the EU aims to strengthen the regional and multilateral fabrics through the deepening of privileged relationships with key players. Although it is likely to be a long-term effort, this can be achieved by building mutual trust, paving the way for further cooperation within the framework of the multilateral system. Finally, strategic partnerships are designed to facilitate cooperation on nuclear safety and security with important countries.

The challenge of implementation

Pursuing the EU's strategic approach on nuclear non-proliferation requires a high level of coordination, first and foremost internally, but also externally, with partners and multilateral organisations.

The division of labour must be clear among the various EU institutions, but above all between the EU and its member states, not least because the latter hold most powers in the field of non-proliferation. Two EU member states – France and the United Kingdom – are nuclear powers and, at the global level, member states have their own priorities and strategic partnerships (some of which overlap with those of the EU). Several coordination and cooperation mechanisms have thus been designed to maximise the effectiveness of the European approach. The assumption here is that the EU cannot be considered a strategic player – and partner – globally if it is unable to craft a coordinated policy.

Initially, EU non-proliferation efforts were developed exclusively within an inter-governmental framework, thus providing for only a limited profile for the Union internationally. The European Commission initiated its own non-proliferation policies within the framework of its technical and financial assistance to Central Asian and Eastern European countries, following the disintegration of the Soviet Union and concerns over what to do with its CBRN stockpile. After 2003 when non-proliferation climbed up the political

²¹ Chemical, biological, radiological and nuclear.

²² See the website: <http://www.cbrn-coe.eu/AboutCoE.aspx>

²³ See for instance Renard, T., 'The treachery of strategies: a call for true EU strategic partnerships', *Egmont Paper* 45, Brussels: Egmont – Royal Institute for International Relations, 2011.

agenda, a certain division of labour was informally established between the Council of the EU, dealing mostly with the implementation of the WMD strategy and international agreements, and the European Commission, in charge of long-term capacity-building activities. These institutional developments challenged the coherence of EU non-proliferation policy-making and, according to one scholar, led to the ‘undermining [of] the recognition of the EU as a non-proliferation international security actor’.²⁴

Several measures have been taken to minimise Europe’s fragmentation on non-proliferation issues. Since 2007, until the entry into force of the Lisbon treaty, Commission and Council officials met once a month (on average), and every six months with member states in the EU’s WMD Monitoring Centre²⁵ – the EU’s coordination mechanism, mandated to ‘implement and develop’ the EU’s WMD strategy and to ‘create synergy’ among the various European actors.²⁶

Following the entry into force of the Lisbon treaty, the European External Action Service (EEAS) now centralises many non-proliferation policies. However, coordination remains highly important even within the EEAS, given that competences are divided among thematic desks, geographic desks and the Foreign Policy Instruments’ unit. In addition, several Commission Directorates-General (DG) maintain some influence over this field, *inter alia* DG Enlargement, DG Development Cooperation, DG Trade, DG Home Affairs and DG Energy.²⁷ Euratom also plays an important role in EU non-proliferation policies, not least because it has the exclusive right to conclude supply contracts for nuclear materials with the rest of the world.

Some form of coordination, and even collective action, does take place at the European level, although with mixed results. For instance, the positive role of the Council Working Party on Non-Proliferation (CONOP) and of that on Global Disarmament and Arms Control (CODUN), where all member states are represented, should be highlighted. The Lisbon treaty has engendered some progress towards coherence and consistency in the EU’s external action and representation. The EU delegation at the International Atomic Energy Agency (IAEA) in Vienna is a good case in point. It has been reinforced with expert staff from member states and has considerably improved synergy with national Ambassadors in Vienna and with Brussels.²⁸ Through its High Representative, Catherine Ashton, in 2010 for the first time the EU was represented at the NPT Review Conference. The level of coordination was particularly elaborate, given that the European Council had prepared a common position ahead of the conference.²⁹ On the other hand, it could be argued that as a consequence of the diminished role of the rotating presidency in foreign affairs the EU has lost clout in international organisations and regimes given that in most of them it now only has observer status.³⁰

Overall, the EU’s ability significantly to influence global non-proliferation issues remains limited in terms of available resources and competence. As some authors have stated: ‘the EU’s efforts with regard to nuclear non-proliferation have evolved, but by no means play a significant role’.³¹ The big

²⁴ Zwolski, K., ‘The External Dimension of the EU’s Non-proliferation Policy: overcoming inter-institutional competition’, *European Foreign Affairs Review*, 16(3): 330, 2011.

²⁵ Van Ham, op. cit., p. 6.

²⁶ Council of the EU, *EU Strategy against the Proliferation of WMD: Monitoring and enhancing consistent implementation*, Concept paper, 12 December 2006. Available online: <http://register.consilium.europa.eu/pdf/en/06/st16/st16694.en06.pdf>

²⁷ Quille, op. cit.

²⁸ Lundin, L-E., ‘The European Union, the IAEA and WMD Non-Proliferation: unity of approach and continuity of action’, *Non Proliferation Paper 9*, EU Non-Proliferation Consortium, 2012, p. 4.

²⁹ Council of the EU, 2010, op. cit.

³⁰ For instance, the EU has observer status in the following export control regimes: Australia Group, Nuclear Suppliers’ Group (NSG), and Zangger Committee, as well as in the Global Initiative to Combat Nuclear Terrorism.

³¹ Katsioulis and Mölling, op. cit., p. 4.

member states (and certainly France and the UK) remain major players in this field. Yet, member states are divided over global disarmament, the redeployment of US non-strategic missiles (which is openly desired by some member states) or the US-Indian nuclear deal (of which some member states, like France and the UK, are more supportive than others).

Internal fragmentation and recurrent disagreements among member states over key issues continue to hamper the emergence of the EU as a single and strategic actor. Yet, this does not prevent Brussels from engaging globally with key stakeholders, namely its strategic partners, to pursue its non-proliferation objectives.

The EU has established a web of structured non-proliferation dialogues. It is extremely difficult to assess the effectiveness of these institutional mechanisms, which are likely to vary across time and partnerships, but it seems that in some cases at least they can facilitate coordination and cooperation between the EU and its partners. In other cases, they will allow for information exchanges or raising concerns at the appropriate diplomatic level.

At the highest level, leaders of the EU and partner countries get a chance to discuss non-proliferation issues during annual summits. These issues can appear systematically on the agenda, like with the summits with the US, which might indicate a shared perception of their importance. With most partners, however, non-proliferation will be discussed occasionally and usually in periphery of more pressing issues. This is the case with Canada, Brazil, India, China, Japan, Russia and South Korea. Non-proliferation has rarely or never been discussed at leaders' level with Mexico and South Africa. In addition to summits, discussions can also take place at the ministerial level. EU High Representative Catherine Ashton has regular bilateral exchanges on non-proliferation issues with the US Secretary of State. She has also had the opportunity to talk about Iran and North Korea with her Chinese counterpart in the context of the High-Level Strategic Dialogue. Discussions with Russia take place in the Permanent Partnership Council.³²

The EU has established dialogues with its partners at the working level as well. It holds regular political dialogues on non-proliferation and disarmament, annually or twice a year, with all its strategic partners, except for Mexico and India. Although there is no formal dialogue with India, informal consultations do take place.³³ In addition, these issues can be discussed in the context of the EU-India security dialogue, which is meant to cover non-proliferation and disarmament, among others.³⁴ It should also be noted that some of these dialogues are relatively recent, and thus must still demonstrate their usefulness. The political dialogue with South Africa, for instance, was established in 2011. Discussions can also be put on hold, as was the case with Brazil between 2009 and 2013. The US is a unique case, since all member states are directly involved in these discussions via their representatives in the Council working groups CODUN and CONOP. This is the sole instance of a '28 (member states) +1 (EU) +1 (US)' dialogue on non-proliferation between the EU and a third party. These exchanges are particularly useful in order to coordinate the implementation of concrete projects and to avoid duplications. Yet, this inevitably blurs the image of the EU as a single global actor in non-proliferation.

³² See all the progress reports on the website of the EEAS: http://eeas.europa.eu/non-proliferation-and-disarmament/documentation/documents/index_en.htm

³³ Ibid.

³⁴ Council of the EU, *The India-EU Strategic Partnership Joint Action Plan*, 7 September 2005. Available online: http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/er/86130.pdf

In addition to these bilateral dialogues, meetings can be organised trilaterally, such as the EU-US-Canada senior officials meetings on Iran, gathering twice a year, or the EU-US-Russia tripartite efforts to prevent terrorist groups from acquiring nuclear weapons. Discussions and informal consultations can also take place within the framework of multilateral meetings or institutions, as illustrated below. Informal consultations also occur regularly in the margins of multilateral meetings. Finally, the EU has concluded agreements on the peaceful use of nuclear energy and on nuclear research with all its partners, except for Mexico, India and South Korea. The European Commission is leading these dialogues. Euratom has also concluded agreements on non-proliferation with international organisations, including the International Atomic Energy Agency.³⁵

Partnering on non-proliferation issues

In recent years, the EU has become more visible and more active globally on non-proliferation issues. It has notably strengthened its mediating role over Iran, while simultaneously investing in bilateral and multilateral efforts to promote nuclear safety and security worldwide. In every endeavour, the EU has relied on key partnerships. This section reviews the EU's cooperation with its strategic partners in major non-proliferation initiatives.

Dealing with cases of proliferation

There are at least three major cases of nuclear proliferation which are of global concern: Iran, North Korea and the conflicting duo India-Pakistan. The EU is not equally engaged in these three cases, and the potential role of its strategic partnerships varies accordingly.

The EU's most visible stance on non-proliferation is its leading position in negotiations with Iran, where the Union has established itself as a convener-in-chief and mediator between the UNSC P5 (plus Germany) and the Iranian regime.³⁶ This is not a small accomplishment. Having said this, the EU's real clout on the outcome of these negotiations is hard to assess. Its struggle to define a positive agenda together with the other parties has been criticised.³⁷

The US is undoubtedly the EU's closest ally in these negotiations. Originally, a deep rift separated Washington and Brussels, but now the partners are coordinating more closely, even though the US has tended to maintain some distance from the European mediation.³⁸ Canada is another important partner. Although it is not directly involved in the negotiations, it explicitly supported the EU's leadership in their 2005 joint summit declaration.³⁹ The transatlantic partnership finds a strong expression in this context, through regular trilateral meetings among European, US and Canadian senior officials on Iran.

³⁵ Kobia, R., 'The EU and Non-Proliferation: need for a quantum leap?', *Nuclear Law Bulletin* 81, 2008.

³⁶ Meier, O., 'The EU's Non-Proliferation Efforts: limited success', *Arms Control Today* 38(4): 20-6, 2008; Meier, O., 'European Efforts to Solve the Conflict over Iran's Nuclear Programme: how has the European Union performed?', *Non proliferation paper 27*, EU Non-Proliferation Consortium, 2013.

³⁷ Meier, 2013, op. cit.

³⁸ Parsi, R., 'The Obama effect and the Iranian conundrum', in A. de Vasconcelos and M. Zaborowski (eds), *The Obama Moment: European and American perspectives* (Paris: EUISS, 2009), pp. 153-66.

³⁹ Council of the EU, *Joint Summit Declaration: EU-Canada Summit*, 19 June 2005. Available online: http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/er/85364.pdf

Russia and China are two other major interlocutors in negotiations over Iran. The EU and Russia share a sense of global responsibility towards non-proliferation, which translates notably through their regular bilateral consultations on the issue.⁴⁰ Yet, no visible deliverables have been achieved so far. Recently, Russia has opposed sanctions on Iran. In a similar vein, China has consistently opposed sanctions or a stronger stance against Tehran. In diplomatic words, the EU and China 'appreciate' – rather than support – their mutual efforts.⁴¹ Overall, the EU shares security concerns with China and Russia, but concrete cooperation remains fairly limited for various reasons, including normative ones.⁴²

Indian and Brazilian positions on the Iranian issue have created some tensions with Europe. India, who depends highly on Iranian oil, refuses to support Western sanctions against Tehran and the imposition of an oil embargo as a means to force the re-opening of negotiations on the nuclear programme. While the issue was addressed during the 2012 EU-India summit, Europe could not convince India. There was also a concern that Indians would take advantage of European sanctions to increase their oil imports, therefore offsetting Western efforts. As for Brazil, its attempt to use the Iranian crisis in order to raise its diplomatic profile worldwide resulted in tensions with Europe. In 2010, it tried to strike a deal with Iran – together with Turkey – in a move that was largely seen in Europe as sidelining international negotiations.⁴³ In early 2012, Catherine Ashton went to Brazil to talk with the Brazilian Foreign Minister specifically about Iran (and Syria) in an attempt to harmonise views.⁴⁴ This resulted in a more consensual summit statement in 2013 supporting multilateral disarmament and non-proliferation treaties.⁴⁵

On the second major nuclear file, namely North Korea, the EU is essentially a bystander. It maintains diplomatic channels open through its regular bilateral political dialogue with Pyongyang, while simultaneously imposing sanctions. Beyond this, however, the EU relies exclusively on the six-party talks. As noted above, the EU tends to focus mostly on its own neighbourhood, and its level of engagement diminishes with distance. Yet, some voices in Europe try to raise the EU's interest for North Korea, arguing that the EU's economic and strategic interests in Asia will be affected by its lack of active engagement.⁴⁶

Unlike in the case of Iran where there is positive cooperation, the transatlantic partnership too appears much weaker with regard to North Korea. The EU's lack of focus contrasts with the US's engagement,⁴⁷ in spite of the fact that non-proliferation, and more specifically the Korean peninsula, was mentioned in the EU-US statement on the Asia-Pacific region.⁴⁸ China leads the six-party talks together with the US

⁴⁰ See progress reports, op. cit.

⁴¹ Council of the EU, *Joint Declaration of the People's Republic of China and the European Union on Non-proliferation and Arms Control*, 8 December 2004. Available online: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/83002.pdf

⁴² Larsson, M., 'The Security Governance of the European Union and China Regarding the Nuclear Program of Iran: future security cooperation?', *Asian Regional Integration Review* 4:28-45, 2012.

⁴³ Sauer, T., 'The Emerging Powers and the Nuclear Non-Proliferation and Disarmament Regime', *Security Policy Brief 27*, Brussels: Egmont – Royal Institute for International Relations, 2011.

⁴⁴ EEAS, *Remarks by High Representative Catherine Ashton Following her Meeting with Foreign Minister of Brazil Antonio Patriota*, Brussels, 7 February 2012. Available online: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/127860.pdf

⁴⁵ European Union, *VI Brazil-EU Summit Joint Statement*, 24 January 2013. Available online: http://eeas.europa.eu/delegations/brazil/documents/eu_brazil/declaration_summit_january2013_en.pdf

⁴⁶ This argument was notably made by Werner Bauwens, the Belgian special envoy for non-proliferation and disarmament. Quoted in Fitzpatrick, M., 'North Korean Proliferation Challenges: the role of the European Union', *Non-proliferation paper* 18, EU Non-Proliferation Consortium, 2012, p. 14. See also Casarini, N., 'Security Developments in East Asia: what implications for the EU?', *EUISS Policy Brief 7*, Paris: EU Institute for Security Studies, 2011.

⁴⁷ O'Hanlon, M., 'The United States, Europe and East Asia', in Vasconcelos and Zaborowski (eds), op. cit., pp. 201-12.

⁴⁸ European Union, *Joint EU-US Statement on the Asia-Pacific Region*, 12 July 2012. Available online: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/131709.pdf

and has a close relationship with the North Korean regime. It is therefore a pivotal partner with whom the EU holds regular bilateral discussions, for example in the context of the High-Level Strategic Dialogue, as well as in various regional fora, such as the ARF. Nevertheless, it is far from certain that China would welcome further EU involvement in North Korea. In China's eyes, the EU's added value on this issue is limited. EU involvement could even be seen as undesirable since it would be perceived as strengthening the US position – a view that was reinforced by the EU-US joint statement on the Asia-Pacific region.

In view of its ties with its northern neighbour, South Korea is also a key partner. Regular contacts exist between Brussels and Seoul to address the issue, including at the highest level, as agreed in their 2010 Framework Agreement.⁴⁹ Deeper cooperation between the EU and South Korea could engender greater influence for the EU in the sub-region, not least if the six-party talks are resumed.⁵⁰ Japan and Russia participate in the talks too, but this issue is marginal in their partnership with the EU.

A third issue of concern for Europe is the conflict between two nuclear powers in South Asia, namely India and Pakistan, which operate outside of the NPT framework. India presents a major dilemma for the EU. On the one hand, the two strategic partners are 'resolved to enhance collective action to fight the proliferation of WMD as well as their means of delivery' and to do so through various means, including 'the pooling of all efforts and resources'.⁵¹ On the other hand, it is difficult for the EU to claim that the NPT constitutes the 'cornerstone' of the non-proliferation regime and simultaneously to accept that one of its strategic partners remains outside the treaty's remit. This important dilemma became even more acute following the 2006 nuclear deal between the US and India. Some European countries, such as Austria, Ireland and Sweden, fear that the deal might further weaken the NPT and reward non-compliance.⁵²

Strengthening the multilateral fabric

Most partners have committed to work jointly with the EU in a multilateral context. This commitment spans from a clear support for effective multilateralism, as a means and objective, such as expressed in joint statements with Canada⁵³ and Japan,⁵⁴ or the mention of 'multilateral consultations' with India.⁵⁵ In this regard, there is a distinction to be made between like-minded partners, which tend to converge with the EU's view on multilateralism, and the other partners, which have a more instrumental view of the multilateral system. This does not prevent the EU from engaging all its partners at the multilateral level, nonetheless.

As previously mentioned, the NPT is the 'cornerstone' of EU non-proliferation efforts. Some partners share this view and specifically emphasise the need to preserve and strengthen the NPT, such as the US⁵⁶ or Mexico.⁵⁷ India stands out as the only strategic partner that has not signed the treaty.

⁴⁹ EU-ROK, *Framework Agreement Between the European Union and its Member States, on the one Part, and the Republic of Korea, on the other Part*, 2012. Available online: http://eeas.europa.eu/korea_south/docs/framework_agreement_final_en.pdf

⁵⁰ Fitzpatrick, op. cit.

⁵¹ Council of the EU, *The India-EU Strategic Partnership Joint Action Plan*, 2005, op. cit.

⁵² Lewis, P., 'EU and US Cooperation for Nuclear Security and Disarmament: enhancing the impact', in A. de Vasconcelos (ed), *The Agenda for the EU-US Strategic Partnership* (Paris: EU Institute for Security Studies, 2011), p. 58.

⁵³ Council of the EU, *Joint Summit Declaration: EU-Canada Summit*, 2005, op. cit.

⁵⁴ Council of the EU, *Japan-EU Joint Declaration on Disarmament and Non-proliferation*, 22 June 2004. Available online : http://eeas.europa.eu/japan/docs/2004_disarm_en.pdf

⁵⁵ Council of the EU, *The India-EU Strategic Partnership Joint Action Plan*, 2005, op. cit.

⁵⁶ Council of the EU, *EU-US Declaration on the Non-Proliferation of Weapons of Mass Destruction*, 26 June 2004. Available online: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/81250.pdf

⁵⁷ Council of the EU, *Mexico-European Union Strategic Partnership Joint Executive Plan*, 16 May 2010. Available online: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/er/114467.pdf

The United Nations system is a central item of all partnerships. The EU actively supports the work of the UN 1540 Committee – 23 of the 46 states that have offered assistance through the Committee are EU member states. All strategic partners have offered assistance as well. The EU is the only non-state actor that is active in the Committee and is also a modest donor, having contributed €670,000 in total since 2004.⁵⁸ Most partners of the EU have pledged to promote the full implementation of UNSC resolution 1540, which imposes binding obligations on all states to adopt legislation to prevent the proliferation of WMDs and their means of delivery, and establish appropriate domestic controls over related materials to prevent their illicit trafficking. It also encourages enhanced international cooperation on such efforts.⁵⁹ Beyond this specific resolution, exchanges and consultations take place regularly in the UN context. Mexico and the EU went as far as saying that, when necessary and possible, ‘an attempt will be made to accommodate the interests and concerns of both parties in any draft resolutions put forward’.⁶⁰

The EU has also deepened and strengthened its cooperation with the IAEA, particularly in recent years. A new cooperation mechanism between senior officials from both organisations was established in 2013.⁶¹ Together with its member states, the EU is the second largest donor to the IAEA Technical Cooperation Fund. For 2007-13, the EU’s overall contribution to the IAEA amounted to €115 million.⁶² The EU alone, not counting its member states, is the second largest contributor to the IAEA Nuclear Security Fund, behind the US and ahead of the UK and Canada.⁶³ Although it is mostly a technical organisation, the Vienna body is increasingly perceived by the EU as a partner and a forum for possible political outreach to other regions and countries, including strategic partners. For instance, the IAEA has provided an important platform for establishing contacts and facilitating the dialogue between the EU and China on non-proliferation.⁶⁴ The EU’s role as a ‘moderating and constructive force in this context should not be underestimated’.⁶⁵

Beyond the promotion of ‘hard’ multilateral instruments, the EU has also joined lighter forms of multilateralism, in which it has been actively and financially engaged. The European Commission has committed over €800 million through the G8GP. Other European G8 members have also committed similar amounts of money.⁶⁶ The EU’s overall contribution, including those by individual European members of the G8GP, amounts to €3 billion, a huge sum although not even half of that committed by the US (\$10 billion or €7.6 billion). Canada is another key partner in the G8GP, as it was the driving force behind the initiative, together with the US.⁶⁷ South Korea joined in 2004 and Mexico in 2012. Japan and Russia are of course part of the initiative. However, as a recipient, Russia is a special case. In the first phase, which ended in 2011, most projects were directed towards Russia and the former Soviet Union. The new phase has a broader geographical scope and it is trying to include

⁵⁸ Grip, L., ‘The Role of the European Union in Delivering Resolution 1540 Implementation Assistance’, *Non-proliferation Paper 22*, EU Non-Proliferation Consortium, 2012.

⁵⁹ ‘United Nations Security Council Resolution 1540 (2004)’, Available online: <http://www.un.org/en/sc/1540/>

⁶⁰ Council of the EU, *Mexico-European Union Strategic Partnership Joint Executive Plan*, 2010, op. cit.

⁶¹ EU-IAEA, ‘Nuclear: new cooperation mechanism established between the EU and the International Atomic Energy Agency (IAEA)’, *Joint EU-IAEA press statement*, 25 January 2013. Available online: [http://eeas.europa.eu/250113_nuclear_new_cooperation_mechanism_established_between_the_eu_and_the_international_atomic_ene_\(2\).pdf](http://eeas.europa.eu/250113_nuclear_new_cooperation_mechanism_established_between_the_eu_and_the_international_atomic_ene_(2).pdf)

⁶² EU-IAEA, ‘Factsheet: overview of EU support to the International Atomic Energy Agency (IAEA) in the field of nuclear safety, safeguards, security and Technical cooperation financed during the current Multiannual Financial Framework 2007-2013’, *Joint EU-IAEA press statement*, 25 January 2013. Available online: http://eeas.europa.eu/250113_fact_sheet_eu_support_to_iaea.pdf

⁶³ IAEA, ‘UK Signs Agreement to Contribute to IAEA Nuclear Security Fund’, *IAEA press report*, 8 March 2011.

⁶⁴ Lundin, op. cit., p. 8.

⁶⁵ *Ibid.*, p. 12.

⁶⁶ EEAS website, *G8 Global Partnership*. Available online: http://eeas.europa.eu/non-proliferation-and-disarmament/g8-global-partnership/index_en.htm

⁶⁷ Akbulut, H., ‘The G8 Global Partnership: From Kananaskis to Deauville and Beyond’, *OIIIP Working Paper 67*, Vienna: Österreichische Institut für Internationale Politik, 2013.

new members, namely China, India, Brazil and South Africa. The new phase has also improved the connection between the G8GP initiative and effective multilateralism, focussing notably on the implementation of UNSC resolution 1540.⁶⁸

Another multilateral effort of significance is the Proliferation Security Initiative (PSI). Launched in 2003 under the auspices of the US, it is a global effort supported by more than 100 countries that aims to stop WMD trafficking, their delivery systems, and related materials involving states and non-state actors that have been identified as potentially dangerous. Eight of the eleven original PSI members were EU member states. By 2012, all EU member states were participants. The EU has supported this effort rhetorically, and has requested an observer status – a request that has encountered resistance. Half of the EU's strategic partners have joined the initiative – the US, Canada, Japan, Russia and South Korea – whereas China and India have openly criticised it.

Finally, as part of its efforts to strengthen the multilateral fabric globally, the EU supports regional non-proliferation initiatives and promotes inter-regional dialogues. For instance, the EU supports the difficult process towards the establishment of a WMD-free zone in the Middle East, not least via the organisation of seminars to promote dialogue and build confidence such as those held in 2008, 2011 and 2012.⁶⁹ Well beyond the EU neighbourhood, in 2007 the EU and ASEAN adopted a Plan of Action, which includes references to WMD non-proliferation.⁷⁰ A dialogue has also been established with the EU's Asian strategic partners in the context of the ARF. Such issues have indeed been addressed in the ARF Inter-Sessional Meeting on Non-proliferation and Disarmament established in 2008, which focuses mostly on the regional implementation of UNSC resolution 1540.⁷¹ But observers have pointed out that despite being supportive, the EU's contribution to these regional efforts is less active than it could be.⁷² Cooperation has also taken place within ASEM, and a declaration on non-proliferation was issued by foreign ministers in 2003, reaffirming the importance of international norms and treaties. The 2012 Guidelines on the EU's Foreign and Security Policy in East Asia emphasised the importance of regional cooperation, but offered little in terms of guidelines on how to move forward.⁷³ The 2004 EU-China Joint Declaration on Non-Proliferation and Arms Control also underlined the importance of the regional approach.⁷⁴ Some discussions have taken place at the inter-regional level between the EU, on one side, and Latin America (Mercosur) and Africa (African Union, AU), on the other side. Contacts have been established with the AU's African Commission on Nuclear Energy (Afcone), in order to explore possibilities to develop joint projects.

Bilateral cooperation on nuclear safety and security

One of the core objectives of the EU's non-proliferation strategy is to reinforce nuclear safety and security worldwide. Many of the projects and initiatives developed in the multilateral context mentioned above are directly related to this objective. To complement multilateral efforts, the EU also launches its own programmes, some of which are conducted in cooperation with international partners.

⁶⁸ Ibid.

⁶⁹ Council of the EU, *Council Decision 2012/422/CFSP of 23 July 2012 in support of a process leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East*, OJ L 196/67, 24 July 2012.

⁷⁰ EU-ASEAN, *Plan of Action to Implement the Nuremberg Declaration on an EU-ASEAN Enhanced Partnership*, 2007 Available online: http://ec.europa.eu/research/iscp/pdf/action_plan_07.pdf

⁷¹ The US and Russia also participated in the 4th meeting in 2012.

⁷² Anthony, I. and Grip, L., 'Strengthening the European Union's Future Approach to WMD Non-Proliferation', *SIPRI Policy Paper 37*, Stockholm: SIPRI, 2013.

⁷³ Council of the EU, *Guidelines on the EU's Foreign and Security Policy in East Asia*, 15 June 2012. Available online: http://eeas.europa.eu/asia/docs/guidelines_eu_foreign_sec_pol_east_asia_en.pdf

⁷⁴ Council of the EU, *Joint Declaration of the People's Republic of China and the European Union on Non-proliferation and Arms Control*, 2004, op. cit.

The Instrument for Nuclear Safety Cooperation (INSC) is one of the EU's major instruments in this sense. It intends to promote a high level of nuclear safety, to support nuclear safety authorities and to improve the operation and maintenance of nuclear installations. The INSC derives from the previous TACIS instrument, which focussed exclusively on the former Soviet territories. Russia had received more than €600 million between 1991-2006 under the TACIS programme. Cooperation with Moscow is currently on hold, but the EU's ambition is to 'continue to seek ways for effective and mutually satisfactory cooperation in the field of nuclear safety with the Russian Federation on a partnership basis'.⁷⁵ Some of the projects in Russia have been developed jointly with the US and Japan, such as the so-called 'science centres' to employ former Soviet scientists, or joint cooperation on the disposition of surplus weapon-grade plutonium.⁷⁶

Three projects have been conducted under the INSC in Brazil, for a total of €7 million,⁷⁷ and two other projects were implemented in Mexico, for €3.3 million. All projects were related to capacity-building and strategic planning. Four projects were carried out in China as well, for €7 million. One of these was initially submitted by China to the IAEA, and then transferred to the EU's INSC, indicating a good level of trust between the three actors.⁷⁸

Beyond ongoing projects under the INSC, the EU intends to deepen its bilateral partnerships with a view to strengthening nuclear safety and security. This commitment was visible in the 2012 Guidelines on the EU's Foreign and Security Policy in East Asia. This document calls for an intensification of the dialogue and cooperation on nuclear safety and security with Japan and South Korea.⁷⁹ It also recommends stepping up cooperation with China on non-proliferation. It is to be expected that the EU will pursue similar objectives with its other partners, even if this has not yet translated in strategic guidelines.

Political conditionality

Beyond the traditional coercive means (diplomatic pressure, sanctions, etc), the EU has a unique instrument specifically dedicated to the pursuit of non-proliferation: the WMD clause. The clause was designed as an 'effective stick and carrot policy linked to non-proliferation commitments in its relations with third countries'.⁸⁰ The purpose was to insert the WMD clause in all the EU's mixed agreements – which include a combination of economic and political elements – in order to make non-proliferation commitments (a CFSP competence) conditional to cooperation in trade or development (a Community competence).⁸¹ Although a potentially powerful, unique instrument of EU foreign policy, so far concrete results have been rather meagre with only a very limited amount of clauses in force. There has been a clear reluctance from various countries, including some strategic partners, to include the WMD clause into mixed agreements – or even to enter into mixed agreements at all. According to some scholars, the EU's ability to become a more powerful actor in the field of non-proliferation is a factor of its capacity to convince third countries to sign and abide by the WMD clause.⁸²

⁷⁵ European Commission, 'Staff working document accompanying the document 'Implementation of the Instrument for Nuclear Safety Cooperation Second Report - Action Programmes for 2010 and 2011', Brussels, 18 December 2012. Available online: http://ec.europa.eu/europeaid/how/finance/documents/comm_native_sw_d_2012_436_other_staff_working_paper_en_v2_p1_712818.pdf

⁷⁶ Grip, L., 'Assessing Selected European Union External Assistance and Cooperation Projects on WMD Non-Proliferation', *Non Proliferation Paper 6*, EU Non-Proliferation Consortium, 2011; Yoon, S. and Suh, J., 'Nuclear Non-Proliferation', in T. Christiansen, E. Kirchner, and P. Murray (eds), *The Palgrave Handbook of EU-Asia Relations* (Basingstoke: Palgrave MacMillan, 2013).

⁷⁷ One of these projects covered Brazil and Argentina.

⁷⁸ European Commission, 2012, op. cit.

⁷⁹ Council of the EU, *Guidelines on the EU's Foreign and Security Policy in East Asia*, 2012, op. cit., p. 14.

⁸⁰ Council of the EU, *Action Plan for the Implementation of the Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction*, 13 June 2003, p. 6.

⁸¹ Grip, L., 'The EU Non-Proliferation Clause: A Preliminary Assessment', *SIPRI Background Paper*, Stockholm: SIPRI, 2009, p. 3.

⁸² Grip, 2009, op. cit.; Quille, op.cit.

South Africa was the first country to accept the inclusion of the WMD clause in the revision of a mixed agreement – the Trade, Development and Cooperation Agreement (TDCA) – with its provisions on export control and accession to additional non-proliferation and disarmament instruments as essential elements. It seems that it was South Africa more than the EU that requested the inclusion of the clause, which contrasts starkly with the difficulties faced by the EU in persuading other countries to include (at least part of) the WMD clause.⁸³ One possible explanation is that South Africa is trying to do away with its dubious past record in terms of proliferation and wishes to establish itself as a credible and responsible partner in the African continent. This is illustrated by Pretoria's membership of the New Agenda Coalition, which promotes complete nuclear disarmament. In Asia, the WMD clause was included in the 2010 legally-binding Framework Agreement with South Korea.⁸⁴ This was a sign of great convergence of objectives and means, but it could also pave the way for a greater European role in the Korean peninsula through a deeper strategic partnership with Seoul.

China has allegedly accepted to include the WMD clause in the draft Partnership and Cooperation Agreement (PCA) currently under negotiation, although it remains to be seen whether the clause will closely reflect the 'model clause' or will be diluted, if the PCA is ever to see the light.⁸⁵ Indeed, a strong WMD clause would force China to ratify the 1996 Comprehensive Nuclear-Test-Ban Treaty (CTBT). In the last decade, China has made a lot of efforts to be perceived as a responsible stakeholder, and bring an end to its dubious record, notably regarding Pakistan and Iran (with which it has allegedly shared nuclear weapons delivery systems technology). It has taken measures to comply with international non-proliferation norms and has signed international agreements.⁸⁶ The EU has encouraged this Chinese opening towards multilateralism. In the 2004 joint declaration, the EU pledged support for China's bid to enter the Missile Technology Control Regime (MTCR), despite US opposition. China is not part of the regime yet but the EU's support has been highly valued by Beijing. Although this declaration was not followed by concrete initiatives, it indicates to China and other partners that Brussels can develop a non-proliferation policy autonomous from Washington.⁸⁷

Discussions over a Free Trade Agreement (FTA) with India are more advanced, but also more tense. Since negotiations were launched in 2007, the EU has pushed to include the WMD clause in the agreement, which would constitute a major step forward in non-proliferation cooperation. But India remains strongly reluctant. For the EU, the challenge is clear: 'the course of the FTA negotiations with India has given rise to speculation that the EU has, in the interest of trade, abandoned its principle that all new cooperation arrangements with third countries must be tied to non-proliferation commitments when dealing with its first difficult case',⁸⁸ as noted by Lina Grip. In 2007, Annalisa Giannella, Solana's personal representative on non-proliferation, warned of the danger of creating a 'terrible double standard' and that 'if we were to adopt for India an approach different from the approach we adopt with other countries, I think we would abandon altogether the idea of having a WMD clause with third countries'.⁸⁹

As the EU and Russia are currently negotiating a new framework agreement, the inclusion of a WMD clause could be discussed. But there is no indication that this will be the case. Negotiations over

⁸³ Grip, 2009, op. cit., p. 8.

⁸⁴ EU-ROK, op. cit.

⁸⁵ Grip, 2009, op. cit., pp. 7-8.

⁸⁶ Zhao, J., 'Mapping China's Place in Multilateral Export Control Regimes: policy implications for the European Union', *NFG Working Paper 2*, Berlin: Freie Universität Berlin, 2013.

⁸⁷ Yoon and Suh, op. cit.

⁸⁸ Grip, 2009, op. cit., p. 11.

⁸⁹ 'EU Aide Worried by Calls to Drop India WMD Clause', *Reuters*, 2 March 2007.

a new trade agreement with Mercosur – which includes Brazil – could encompass a WMD clause as well, but talks are stalled and the issue is uncertain. On the other hand, progress towards the inclusion of the clause has been achieved in discussions with Canada and Japan, with which the EU is also negotiating new trade agreements.⁹⁰

Assessing the partnerships

The EU's cooperation on non-proliferation issues with its strategic partners is uneven. Each partnership aims at curbing the risk of nuclear proliferation. However, this ambition is set in different kind of documents with different partners and with distinct levels of significance. The EU has adopted joint declarations specifically related to proliferation issues with several partners, such as the US, China or Japan. These declarations are not binding, but they carry a strong political message. Joint commitments can also be expressed in the body of joint summit statements, as it was the case with Canada. This indicates a good level of convergence, although it bears less value symbolically than a separate declaration. With most 'emerging' partners, including Brazil, India, Mexico and Russia, the commitment to non-proliferation was inscribed in the joint action plans – the roadmaps of strategic partnerships. These documents are political and thus non-binding, but they set the general principles and the overall course for cooperation under the strategic partnership for the few coming years.⁹¹

In some rare cases, the EU and its strategic partners have written down the principles of their cooperation on proliferation issues in legally-binding documents. This is the case with South Africa and South Korea, under the 2009 revision of the TDCA and the 2010 Framework Agreement respectively. The EU's goal is to move progressively towards legally-binding commitments with all its partners, with a view to maximising its levers. A close assessment of the evolution of cooperation with South Africa and South Korea would therefore be useful. In the meantime, this study suggests that the absence of such commitments has not prevented some form of cooperation between the EU and its strategic partners.

In addition to the documents underpinning non-proliferation cooperation, each partnership relies on a sophisticated architecture. Depending on the partner, encounters can take place at several levels (heads of state, ministers, senior officials, experts) and cover the three pillars of the NPT: non-proliferation, disarmament and peaceful uses of nuclear energy. The member states are indirectly involved in these encounters, through Council working groups CODUN and CONOP, where the various national positions can be expressed and debated. There is one exception: with the US, all member states are directly involved in the political dialogue. This format reflects the unique importance of the US as a partner, but also the depth of the partnership.⁹²

The breadth of bilateral cooperation on proliferation issues between the EU and its partners varies greatly. The partnership with the US is the deepest of all, although diverging views persist on several important issues, such as the centrality of the multilateral system and the ratification of some treaties, such as the CTBT. The partnerships with Canada, Japan or South Korea are mature, although less ambitious. The partnerships with South Africa and Mexico are newer and offer potential for more cooperation. As for the BRIC countries, bilateral cooperation remains largely under-developed. These

⁹⁰ Council of the EU, *Six-monthly Progress Report on the implementation of the EU Strategy against the proliferation of weapons of mass destruction (2013/1)*, Brussels, 7 August 2013. Available online: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:228:0004:0026:EN:PDF>

⁹¹ For more details on the joint documents with each strategic partner, see the appendix.

⁹² For more details on the dialogues with each strategic partner, see the appendix.

four countries are clearly difficult interlocutors on non-proliferation matters, although for different reasons. Yet, these countries *are* strategic for non-proliferation purposes due to their geopolitical clout, their nuclear weapons, their role in major international fora, or all of these factors together. For example, China could help solve the North Korean crisis and India could make a major move by joining the NPT.⁹³

Evidently, the importance and effectiveness of each partnership differs according to the issues at stake. For instance, the transatlantic partnership is central to solving the Iranian dossier, whereas it bears less weight in the North Korean case. Mutual perceptions can also vary across issues. China is wary of a transatlantic alliance against its interests in the Korean peninsula, yet it welcomes European support to its bid to enter the MTCR, despite US reticence. The partnerships are not all equally relevant, but they are all helpful in one way or another to pursue the EU's non-proliferation objectives. This suggests that the strategic partnerships are a useful instrument at the service of a more effective strategy.

But bilateral cooperation alone is insufficient. It complements other (inter-)regional and multilateral initiatives under the EU's multi-layered approach. Many efforts have taken place within the UN system, notably within the 1540 Committee and the IAEA. The EU is a staunch promoter of effective multilateralism in this policy domain, politically and financially. It was Europeans – the UK and France more precisely – that initiated the idea of the 1540 Committee, and the Europeans (EU plus its member states) are major financial contributors to the Committee and the IAEA. But the EU also relies on thin multilateralism, as illustrated by its participation in the G8GP. Both forms of multilateralism do not exclude each other, but it has been pointed out that the EU's financial contribution to the G8 Partnership far exceeds that to the 1540 Committee, which would call into question the EU's stance on effective multilateralism.⁹⁴ Above all, this suggests that the EU is a pragmatic actor in non-proliferation, not necessarily constrained by multilateral dogmatism. In itself, this pragmatism is a positive sign, which indicates that the EU is willing to engage all of its partners in a flexible manner, even those who are more reluctant towards multilateral solutions.

The multilateral approach is reinforced by a regional approach. The EU cooperates with its Asian partners on non-proliferation in the context of the ARF and ASEM, and with the US and Russia in the Organisation for Security and Co-operation in Europe (OSCE). This regional cooperation is still fairly-limited, however, and the EU could seek to explore more opportunities at the inter-regional level. The EU's regional partnerships, in particular with the AU, could become an instrument of choice in this regard.

Bilateralism and multilateralism can be mutually compatible, as bilateral ties can ease cooperation in multilateral fora. Strategic partnerships create the necessary bilateral mechanisms to exchange information and expertise, and build mutual trust. In turn, these bilateral foundations can facilitate exchanges at the multilateral level and, eventually, allow for converging positions. Yet, this is inevitably more visible with like-minded countries. Strategic partnerships can also become an instrument to deepen multilateralism,⁹⁵ for example by jointly promoting UNSC 1540 resolution. However, not all strategic partners adhere equally to effective multilateralism, and a more flexible or incremental approach is often in order. The EU's support for China's MTCR membership is a good illustration of this.

⁹³ For a brief assessment of the state of play under each strategic partnership, see the appendix.

⁹⁴ See Grip, 2012, op cit.

⁹⁵ This confirms the argument developed in Gratius, S., 'Can EU Strategic Partnerships Deepen Multilateralism?', *FRIDE Working Paper 109*, 2011, Madrid: FRIDE.

Conversely, multilateral organisations can operate as facilitators for bilateral interactions that would otherwise not take place. For example, informal consultations with strategic partners (including South Africa or Brazil) have been reported in the margins of IAEA meetings.⁹⁶ But multilateral organisations can also facilitate bilateral cooperation among partners with no previous relations on sectoral issues. According to some reports, the IAEA has played this role between the EU and China.⁹⁷

Conclusion

Overall, this paper has shown that there is clearly no ‘one size fits all’ approach to non-proliferation, given the wide variety of EU partners. It is also clear that to make a real difference in this domain, most strategic partnerships are still largely under-developed and under-delivering. Yet, the EU’s outreach toward all its partners has improved over the past years. This confirms similar observations made by other scholars.⁹⁸ In fact, the EU has started to engage more partners globally on non-proliferation, beyond its ‘special ten’.⁹⁹ Dialogues or informal consultations have been established with other countries, namely Argentina, Pakistan and Ukraine.¹⁰⁰ Australia is another key partner on non-proliferation, given its role in the G8GP and in other multilateral groups such as the Australia Group, which is active in the control of exports of chemical and biological weapons. It was not necessary to upgrade the relationship with these countries to a ‘strategic partnerships’ in order to engage them effectively on non-proliferation.

But one last question remains: is the EU *itself* a strategic partner in the field of non-proliferation? The EU has identified the issue as a major challenge to its security, and has developed a strategy to confront it. This paper shows that at the international level, the EU has sought to pursue the precepts of this strategy. Ten years after its crafting, however, the context and many assumptions underlying the strategy have changed – and the strategy needs a refresh.

Throughout the last decade, the EU has taken steps to raise its game on non-proliferation, by becoming more active globally and by improving its internal coordination. The EU’s role in the Iranian negotiations is a case in point. Having said that, non-proliferation remains first and foremost a national competence, and there are in Europe two nuclear powers (France and the UK) that are strategic players in their own right. This makes the emergence of the EU as a single, strategic actor more complicated. It also calls for a greater engagement by member states in developing and implementing non-proliferation programmes abroad. There could be further synergies between Brussels and key member states – in terms of sharing expertise, experience, networks or financial burdens. Smaller member states could equally benefit from the EU’s rising profile to step up their ambitions regarding non-proliferation.

Looking at Europe from other parts of the world, the EU does not appear yet as a major power centre on security issues, including non-proliferation. Building true strategic partnerships will inevitably require more work from the European Union side.

⁹⁶ See progress reports, op. cit.

⁹⁷ Lundin, op. cit., p. 8.

⁹⁸ Ibid., p. 3.

⁹⁹ Gratius, S., ‘The EU and the ‘Special Ten’: deepening or widening Strategic Partnerships?’, *FRIDE Policy Brief 76*, June 2011, Madrid: FRIDE.

¹⁰⁰ Interview with an EEAS official, Brussels, 18 April 2013.

Appendix

The purpose of this appendix is to offer synthetic information on each strategic partnership, to complement the main body of this paper. It covers the key documents defining the principles of cooperation; relevant dialogues established to address non-proliferation issues; and a brief assessment of each partnership. The information provided here is not comprehensive. Only the dialogues that are addressing non-proliferation issues on a regular basis are listed here, hence leaving out other dialogues that could potentially address the issue in the future (this explains why summits or ministerial dialogues are not systematically mentioned).

EU-USA

Key documents:

- EU-US Declaration on the Non-Proliferation of Weapons of Mass Destruction (2004): http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/81250.pdf
- EU-US Joint Programme of Work on the Non-Proliferation of Weapons of Mass Destruction (2005): http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/er/85388.pdf
- EU-US Declaration on Enhancing Cooperation in the Field of Non-Proliferation and the Fight Against Terrorism (2005): http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/er/85384.pdf
- EU-US Declaration on Non-Proliferation and Disarmament (2009): http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/110929.pdf

Key dialogues:

- Summit (annual)
- Ministerial meetings on foreign affairs (annual)
- Political dialogue on non-proliferation (twice a year)
- Political dialogue on disarmament (twice a year)
- 28 member states + EU + US dialogue on non-proliferation (twice a year)
- EU-US-Canada senior officials meetings on Iran (twice a year)
- Joint steering committee on nuclear material safeguards, and security research and development (annual)

Brief assessment:

The US is indisputably the most important actor in non-proliferation, and the EU's main partner. It has significantly shaped the global agenda, including within the multilateral system, although not always necessarily in line with the EU's preference for 'effective multilateralism'. Overall, the EU and the US cooperate effectively at the bilateral and multilateral levels. However, they still differ on some major issues, such as the US non-ratification of the CTBT. The 2005 joint statement between the US and India also preoccupies some European countries, concerned that it might weaken the NPT. This comes in addition to the fact that the other major US initiative, the PSI, also falls outside the NPT regime.

EU-CANADA

Key documents:

- EU-Canada Joint Summit Declaration (2005):
http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/er/85364.pdf

Key dialogues:

- Summit (annual)
- Political dialogue on non-proliferation (annual)
- Political dialogue on disarmament (twice a year)
- EU-US-Canada senior officials meetings on Iran (twice a year)
- Joint steering committee meeting on nuclear cooperation (annual)

Brief assessment:

Bilateral cooperation seems to be framed largely, but not exclusively, in the broader transatlantic context of EU-US relations, as suggested by the regular trilateral dialogue on Iran. Canada is nonetheless a key player at the multilateral level, notably in the G8 and 1540 Committee. Overall, the EU's cooperation with Canada is deemed constructive and facilitated by like-mindedness, with a certain level of coordination on mutual projects and initiatives.¹⁰¹

EU-MEXICO

Key documents:

- Mexico-European Union Strategic Partnership Joint Executive Plan (2010):
http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/er/114467.pdf

Key dialogues:

(none)

Brief assessment:

There is an evident gap between cooperative rhetoric and the absence of cooperation in the EU-Mexico partnership. Mexico is generally perceived as quite active in the field of disarmament and non-proliferation. It was one of the first supporters of the NPT and was an active member of the New Agenda Coalition (together with Brazil and South Africa, among others) that promotes complete nuclear disarmament. It is also the first, and so far only, Latin American country to have joined the G8 initiative. In this light, it seems that there is more scope for cooperation between the EU and Mexico than presently developed.

¹⁰¹ Interview with an EEAS official, Brussels, 18 April 2013.

EU-BRAZIL

Key documents:

- Brazil-European Union Strategic Partnership Joint Action Plan (2008): http://eeas.europa.eu/brazil/docs/2008_joint_action_plan_en.pdf
- European Union-Brazil Strategic Partnership Joint Action Plan (2011): http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/124878.pdf

Key dialogues:

- Summit (annual)
- High-Level Political Dialogue (annual)
- Political dialogue on disarmament and non-proliferation (annual)
- Dialogue on nuclear issues (annual)

Brief assessment:

Brazil is an ambiguous actor in the field of non-proliferation. On the one hand, it has abandoned completely its military nuclear ambitions (even forbidding it constitutionally) and has been active globally against the proliferation of WMDs, notably within the New Agenda Coalition. On the other hand, it has continuously refused more stringent controls by the IAEA on its nuclear facilities (it is one of the very few countries that has not signed the IAEA additional protocol). The issue of whether Brazil is a reliable and strategic partner in non-proliferation is therefore open to question. One interpretation is that the EU and Brazil share the same ultimate objective, but diverge on the path and, more precisely, on their trust of the current multilateral non-proliferation regime. Another interpretation is that Brazil is using non-proliferation issues to raise its international profile (for example in negotiations with Iran) and to obtain more weight in the international system (the IAEA additional protocol being used as a bargaining chip). These two interpretations are not mutually exclusive, but they emphasise that building a true EU-Brazil strategic partnership on non-proliferation will require addressing much broader issues at the same time.

EU-SOUTH AFRICA

Key documents:

Council Decision amending the Agreement on Trade, Development and Cooperation (2008): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52008PC0050:EN:NOT>

Key dialogues:

- Political dialogue on non-proliferation and disarmament (annual)

Brief assessment:

Despite being the EU's only strategic partnership in the African continent, the relationship with South Africa is still largely under-developed. Security issues, including non-proliferation, are only starting to make their way into the political agenda.

¹⁰² White House. 2005. *Joint Statement Between President George W. Bush and Prime Minister Manmohan Singh*, 18 July. Available online: <http://georgewbush-whitehouse.archives.gov/news/releases/2005/07/20050718-6.html>

EU-INDIA

Key documents:

The India-EU Strategic Partnership Joint Action Plan (2005): http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressData/en/er/86130.pdf

- Global Partners for Global Challenges: The EU-India Joint Action Plan (2008): http://eeas.europa.eu/india/sum09_08/joint_action_plan_2008_en.pdf

Key dialogues:

- Summit (annual)
- Security dialogue (annual)
- Informal consultations on non-proliferation and disarmament (annual)

Brief assessment:

India is a challenging partner for the EU on non-proliferation, given the fact that it has neither signed the NPT nor ratified the CTBT. In addition, the deal on nuclear power struck with the US, which recognised India as a 'responsible state with advanced nuclear technology',¹⁰² has raised many questions in Europe. Not all member states agree on the effectiveness of such a deal to bring India closer to the non-proliferation regime, although some, like France, have been particularly keen to open discussions on nuclear energy with New Delhi, following in the US's footsteps. In this sense, India is not just a challenging partner, but also a divisive one.

EU-CHINA

Key documents:

Joint Declaration of the People's Republic of China and the European Union on Non-proliferation and Arms Control (2004):

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/83002.pdf

Key dialogues:

- Summit (annual)
- High-Level strategic dialogue (annual)
- Political dialogue on non-proliferation and disarmament (twice a year)
- Steering committee on peaceful use of nuclear energy (annual)

Brief assessment:

The EU-China partnership on non-proliferation has intensified over the last decade, with a multiplication and deepening of contacts at various levels. Both partners have an important role to play in ensuring the good implementation of international norms and regimes. Yet, cooperation is still quite limited. There is scope for stepping up cooperation at the bilateral, regional and multilateral levels, as acknowledged by the Guidelines on the EU's Foreign and Security Policy in East Asia, a policy document adopted by the Council of the EU in 2012.¹⁰³ On the two major proliferation crises, namely Iran and North Korea, the EU and China have divergent views.

¹⁰³ Council of the EU. 2012. *Guidelines on the EU's Foreign and Security Policy in East Asia*, 15 June. Available online: http://eeas.europa.eu/asia/docs/guidelines_eu_foreign_sec_pol_east_asia_en.pdf

EU-JAPAN

Key documents:

- Shaping our Common Future: An Action Plan for EU-Japan Cooperation (2001): http://eeas.europa.eu/japan/docs/actionplan2001_en.pdf
- Japan-EU Joint Declaration on Disarmament and Non-proliferation (2004): http://eeas.europa.eu/japan/docs/2004_disarm_en.pdf
- 20th EU-Japan Summit Joint Press Statement (2011): http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/122303.pdf

Key dialogues:

- Summit (annual)
- Political dialogue on global disarmament, arms control, and non-proliferation (annual)
- Nuclear safety and CBRN cooperation (ad hoc)

Brief assessment:

Despite a good convergence of objectives and views on the multilateral approach, and several joint initiatives, cooperation on non-proliferation issues is not a major element of the EU-Japan partnership, partly due to the fact that Japan is mostly concerned with the evolution of the situation on the Korean peninsula, where the role of the EU is very limited. Japan and the EU cooperated to deal with the North Korean problem in the context of the Korean Peninsula Energy Development Organisation (KEDO), but the project failed. Overall, the strategic partnership is deemed to be valuable, but lacks 'concreteness and effectiveness' in its efforts to promote a non-proliferation regime.¹⁰⁴

EU-SOUTH KOREA

Key documents:

Framework Agreement Between the European Union and its Member States, on the one Part, and the Republic of Korea, on the other Part (2010):

http://eeas.europa.eu/korea_south/docs/framework_agreement_final_en.pdf

Key dialogues:

- Summit (annual)
- High-Level political dialogue (annual)
- Political dialogue on non-proliferation (annual)

Brief assessment:

The EU and South Korea concur that the proliferation of WMD represents 'one of the most serious threats to international stability and security', according to their Framework Agreement. Yet, despite a good amount of interactions and consultations on non-proliferation issues, the partnership has produced limited results. At the strategic level, the EU remains mostly a bystander in negotiations over North Korea, which is an existential concern for Seoul. If the six-party talks are resumed, the EU could seek a greater role, which could be facilitated by a deeper cooperation with South Korea.

¹⁰⁴ Pourzitakis S. 2012. "Defusing the Bomb or just Chit-Chat? Cooperation between the European Union and Japan on the NPT", *Non-Proliferation Paper 17*, EU Non-Proliferation Consortium, 8.

EU-RUSSIA

Key documents:

- Road Map for the Common Space of External Security (2005):
http://eeas.europa.eu/russia/docs/roadmap_economic_en.pdf

Key dialogues:

- Summit (twice a year)
- Permanent Partnership Council (several times per year)
- Political dialogue on arms control and non-proliferation (twice a year)
- Energy dialogue (annual)

Brief assessment:

Russia is different from all other strategic partners in the sense that most concrete EU actions on non-proliferation have been implemented *in* Russia (as a recipient). Some of these programmes are developed jointly with third countries (for example US or Japan) or in multilateral fora. At the G8 summit in Kananaskis in 2002, participants pledged to raise \$20 billion to help Russia deal with its nuclear legacy from the Cold War and to avoid that fissile material, weapons or know-how get used by 'rogue states' or terrorist groups. In 2010, the EU committed €955 million and spent over €635 million, mainly in Russia, through its TACIS nuclear safety programme.

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