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NUCLEAR NON-PROLIFERATION POLICY OF EUROPEAN UNION: 1957 TO 2008: A STUDY

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1. Introduction

The evolution of the European Union's nuclear non-proliferation policy can be traced back to the setup of the Euratom Treaty (European Atomic Energy Community) in 1957. Although it was started in 1957, the EU's non-proliferation policy has strengthened from the 1980s onwards. Since then, nuclear nonproliferation policy gained significance with the EPC (European Political Cooperation) and CSFP (Common Security and Foreign Policy) by the EU. Despite these new policies, in the 1990s, the EU continued its "soft security approach," not managing enough to get its member states political consensus on non-proliferation, disarmament or the prevention of biological and chemical warfare. After the successful NPT Review Conference-1993 and some common positions in 1995 on Korean Peninsula Energy Development Organisation, for almost ten years, between 1993-2003, the EU failed to launch any significant initiative on nuclear non-proliferation policy.

In 2003, nuclear nonproliferation policy in the EU gained significance with the new initiative of "Strategy against the Proliferation of Weapons of Mass Destruction" (WMD). However, the EU's concern about WMD emerged as a result of the United States' shift from the existing non-proliferation policy to curtail the proliferation of WMD. Further aftermath of the 9/11 terrorist attack, the EU's concern was raised on the potential possession of WMD by terrorist groups. As a result, the EU has placed significant importance on its nuclear nonproliferation policy through the 2003 policy.

All this raises the question, firstly, since the EU is a stringent advocator of nuclear nonproliferation policy and multilateral approach, how does the United State's shift in nonproliferation policy affect the non-proliferation policy of the EU? Secondly, the EU's nuclear non-proliferation policy has been characterized by the absence of any major initiatives, inadequate diplomatic contributions and divergent opinions on the non-proliferation regime by its member states. This situation has affected the EU to provide common policy in non-proliferation for a long time. Thirdly, a renewed interest in nuclear energy of the EU will inevitably increase the risk associated with that technology, notably the proliferation risks. Though nuclear energy for electricity generation does not directly threaten non-proliferation, the supply of nuclear fuels, nuclear facilities installation and many people's involvement would trigger the challenges to non-proliferation.

This paper aims to understand the historical development of the non-proliferation policy of the EU and divergent views of its member states to provide a common policy in nuclear non-proliferation. Following, why did the EU become active in nuclear nonproliferation policy after the 1980s, and how major EU countries influenced the development of EU's non-proliferation policy? Further, the study also tries to understand how the EU's normative notion and multilateral approach regarding nuclear non-proliferation are challenged from the outside and how the EU would succeed in effectively implement the normative notion of non-proliferation policy?

Therefore, this study set the hypothesis that nuclear security guarantees by the nuclear power countries and the independently making relationship by the EU member countries contributed to the absence of significant development in the non-proliferation policy. To analyse the given hypothesis critically, the paper will begin with the evolution of the EU's nuclear non-proliferation regime from 1957 to 2008. Following the paper highlights to critical analysis of the EU's non-proliferation policy.

2. An Overview of EU's Nuclear Non-Proliferation policy

This study classified the evolution of EU's non-proliferation into five distinct phases: such as (I) 1957-1974, (II) 1974- 1980, (III) 1980- 1990, (IV) 1990- 2003, (V) 2003-2008.



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2.1: First Phase -1957- 1974

The origin of the EU's Non-Proliferation Policy can be traced back to the establishment of the "European Atomic Energy Community" (EURATOM), in the Treaty of Rome in 1957. ¹ The 'Eurotom Treaty' entailed objectives such as encouraging nuclear energy collaboration, regulating the development of new technology, establishing the European Free Zone for nuclear fuel and ensuring the use of atoms merely for peaceful purposes. Accordingly, the EU made an obligation to bring its member states nuclear activities under the EURATOM inspection. However, Euratom governance was restricted only to the civilian field. Therefore, all commodities related to national security were exempted from the treaty.

Apart from the setup of the Euratom Treaty, the nuclear non-proliferation policy between 1957-1974 received less significance from the EU. It is to be noted that several factors had caused the EU to give trivial on its non-proliferation policy. Firstly, the EU member states were under the US nuclear security umbrella through NATO nuclear policy, for instance, the deployment of Non- Strategic Nuclear Weapons (NSNW) to Europe in 1954. Second, Except France, the United States and EU member states had a good relationship: For instance, in the early 1960's, seven EU states, such as Belgium, Italy, Germany, Greece, the United Kingdom, Turkey and the Netherlands hosted the United States nuclear warheads. Third, the Soviet Union provided security to its Eastern European allies. Such nuclear security assurance by both the US and Soviet Union led to lessening the EU's interest in nuclear non-proliferation policy and nuclear program development. However, The Republic of Ireland has not yet been a member of the EU, introduced a resolution in 1958 to prevent further dissemination of nuclear weapons in the UNO. This resolution was also called the "Irish Resolution" and it paved the way for establishing the NPT Treaty. Besides the Irishs resolution, the EU and its member states role were minimal in non-proliferation policy between the fifties to mid of seventies.

2.2: Second Phase: 1974- 1980

The period from 1974 to 1980 is considered a significant phase in the EU's non-proliferation regime. This period's several factors compelled the EU to enhance its role in non-proliferation policy within the EU and externally. For instance: International Oil Crisis-1973, competition in the international nuclear market, India's Nuclear Test-1974 and the shift in EU-US bilateral Nuclear relationship in the 1970s.

Among the factors, the Oil Crisis in the international market has primarily forced the major EU member states like France and Germany to increase their nuclear energy as an alternative to shortage of oil sources. As a result, France's government has announced a dramatic increase in its nuclear capacity. It planned to develop 13 plants of 1,000MW and be completed by 1980. Further, long- term plan also drew to build 15 reactors in 20 locations by 1985. While Germany emphasised on nuclear industry for generating electricity from 7% to over 35% between 1975 to 1985 period.² Such interest in the nuclear sector by both countries in the mid of 1970s led to competition in the international nuclear market, particularly the export of nuclear technology to third- world countries like Brazil, Pakistan, South Korea, Israel, and Argentina by West Germany and France. For instance: France built a larger nuclear reactor and chemical reprocessing plant in Israel and sold single- power gas graphite to Spain. Also, Germany had exported one PHWR to Argentina.³ Further, India's peaceful nuclear explosion in 1974 motivated several third world countries, such as Argentina, Brazil, Iran, Iraq, South Korea, Pakistan and South Africa, to enhance their nuclear program.

The above given two factors led to dramatically rise in nuclear technology export to third world countries by the EU member states. Particularly, competition in nuclear exportation started between the two major firms⁴ namely, France based FRAMATOME and KWU of Germany. However, German based KWU was lagging behind in the international nuclear markets to get a nuclear contract, while France was far ahead of Germany in exporting nuclear technology to other countries. In such a scenario, Germany had decided to enhance its domestic nuclear industry by bypassing the export regulation of the non-proliferation policy. It was demonstrated as

¹ Portela, Clara (2003). The Role of the EU in the Non-Proliferation of nuclear weapons: The Way to Thessaloniki and Beyond. Research Collection School of Social Sciences, Singapore University, Paper 1686, p- 01. URL:

http://ink.library.smu.edu.sg/cgi/viewcontent.cgi?article=2943&context=soss_research

² Nelkin,Dorothy., and Pollak, Michael .(1980, January). Political Parties and the Nuclear Energy Debate in France and Germany., Comparative Politics, Vol. 12, No. 2, pp. 128-129. <http://www.jstor.org/stable/pdf/421698.pdf?acceptTC=true>

³ Lellouche, Pierre. (1981). Breaking the Rules without Quite Stopping the Bomb: European Views., International Organization, Vol. 35, No. 1, Nuclear Proliferation: Breaking the Chain, p- 44, <http://www.jstor.org/stable/pdf/2706555.pdf?acceptTC=true>

⁴ Except France and Germany firms, other firms are active in export markets such as Swedish company ASEA-Atom, Japan based Mitsubishi, Canada also active in nuclear export. (Joskow, Paul.L. (1976 July). The International Nuclear Industry Today: The End of the American Monopoly, Foreign Affairs, P- 794. <http://search.proquest.com/docview/1290261813/fulltextPDF?accountid=12045>



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“Germany - Argentina deal” in 1979. During the deal Germany didn’t insist that Argentina accept full scope safeguard norms even though export regulation rules of non-proliferation were a peak that time.

The risk of hazardous competition between Germany and France heightened with the entry of Italy into the international nuclear market. Italy built a large plutonium “hot cell in Iraq and trained a large number of Iraq technicians in Italian facilities in reprocessing technology during the mid of 1975; thereby it triggered the dangers of proliferation of nuclear materials from the EU states to third world countries.⁵ This scenario, to some extent, posed the risk of illicit nuclear proliferation by the EU member states. Other hand, it caused to intensify political and strategic risk associated with the export of nuclear technology for third world countries in the EU.⁶ As a result, certain EU states decided to opt for multilateral non-proliferation policies or treaties to curb the illicit proliferation of nuclear materials within the EU.

2.2(1): Heightened concern on NPT

The above given competition between France and Germany to have supremacy over the international nuclear market caused the EU member states to place greater importance on multilateral nonproliferation treaty. Therefore in mid of 1970s, EU member states such as West Germany, Italy, Belgium, Netherlands and Luxemburg ratified the NPT Treaty. It was considered as a turning point in the EU’s non-proliferation regime as earlier, these countries were reluctant to safeguard regulation of the NPT treaty. As a matter of factor, accepting the IAEA safeguard is necessary to join the NPT to any country. Notably, these countries had ambivalence to accept two safeguard regulations, such as the IAEA safeguard system of NPT and EURATOM safeguards on their nuclear program. In 1957 six member states, by initiating the EURATOM agreed to allow their nuclear activities to inspection under the treaty.⁷ Therefore, two safeguards measures confused the EU members about which would be the primary safeguards system, either the IAEA or EURATOM.⁸ However, EU demands that Euratom safeguards would apply in the EU instead of the IAEA safeguards. Therefore, in 1969, these countries opined that once a satisfactory agreement was reached on both safeguards they would sign the NPT Treaty.⁹

Moreover, another obstacle to joining the treaty in the initial stage was that the new initiative of IAEA safeguards was a more systematic technological and quantitative approach than the earlier safeguards system of IAEA. However, to bring the EU states within the purview of the Treaty, a safeguards agreement was signed between Euratom and IAEA in 1973. After the successful agreement between the IAEA and Euratom these countries ratified the treaty. Along with the 1973 agreement, India’s nuclear test leveraged EU states in 1975 to finally approve the treaty.

Despite the safeguards obstacles between the EU member states and NPT, major EU member countries like France, Germany and Italy’s reluctance caused delays in ratifying the treaty. Among these states, France was firm reluctant to join the NPT as it was maintained that every state has the rights to build nuclear weapons with its own means. Also, it opposed the treaty on the ground that, Treaty was the product of a US-Soviet ‘condominium’.¹⁰ France, unlike the other member states consistently had a reluctant relationship with the United States. Therefore, France feared the United States’ dominant position in the IAEA and export organs of the NPT.¹¹ While France was a major competitor to the United States’ nuclear materials and technology market, it significantly posed a challenge to the US market. Therefore, France assumes that if it signs the treaty, the US would control the nuclear business of France and consequently, it would hamper domestic nuclear development.

In addition, the bilateral relationship between France and the US was not good. For instance: In the early cold war period, the United States assured to provide nuclear security through NATO to the EU. However, France refused to accept the US offer and set up its independent deterrence policy. Because France doubted the US security agenda, the US’s unsuccessful attempt in the Vietnam War and the containment of Soviet Union policy. Also, De Gaulle opined that ‘France should never trust its defence and therefore its very

⁵ Lellouche, Pierre.(1981). ⁿ⁴, p- 50.

⁶ Ribicoff, Abraham A.(1976 July). A Market-Sharing Approach to the Nuclear Sales Problem., *Foreign Affairs*. 54.4.p- 764.
<http://search.proquest.com/docview/1290261768/B7C4BB35B08F46C8PQ/24?accountid=12045>

⁷ International Conference on Nuclear power and Its Fuel Cycle , at Salzburg, Austria , 2-13 May 1977
http://www.iaea.org/imis/collection/NCLCollectionStore/_Public/08/303/8303950.pdf?r=1

⁸ Kessler,Christian, J. (2013).Technical Negotiations in a Political Environment. , *Journal of the Non-proliferation Review*, Vol. 20, No. 3, p- 494.
<http://dx.doi.org/10.1080/10736700.2013.852785>

⁹ International Conference on Nuclear power and Its Fuel Cycle , ⁿ⁸.

¹⁰ Lellouche, Pierre- ⁿ⁴, p- 44.

¹¹ Jabko, Nicolas. & Weber, Steven. (1998). A certain idea of Nuclear weapons: France’s Nuclear Non-Proliferation Policy in theoretical perspectives, *Security Studies* 8, no. 1,London, P-125. <http://www.tandfonline.com/doi/pdf/10.1080/09636419808429367>



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existence to a foreign and thus unreliable protector'.¹² The problematic relationship with the United States during the early cold war period influenced France to move away from United States non-proliferation policy on European Union. Finally, in 1992 France became part of the NPT treaty by which all EU member states became part of the treaty. Further, France was also worried about the implication of Germany's nuclear development to its nuclear program to join the Non-Proliferation regime. Therefore among the other factors "German Problem" heightened to oppose the NPT by France.¹³

In the case of Italy, two factors caused for ratifying the NPT in 1975. Firstly, Italy thought ratifying the treaty would enhance the relationship between the United States and Italy. Secondly, the anti-nuclear movement by a large number of Italian physicists caused the ratification of the treaty. In 1974, the 142 Italian nuclear scientists signed a letter and urged the foreign minister to support the ratification of the treaty without further delay. These factors significantly contributed to Italy's move towards favour of the Non-proliferation regime from the 1969 to 1975 and eventually, it caused to ratification of the NPT treaty in 1975.¹⁴ As an important country in the proliferation of nuclear materials to third world country, Germany was reluctant to accept the safeguards regulation of NPT and contended that it would threaten the nuclear development of nations. Further, Germany opined that the treaty would make a difference among the Western European States by separating them as Nuclear weapon states and Non-Nuclear weapons states.¹⁵ Finally, Germany joined the NPT in 1975.

2.2(2): Changes in the EU and the US Nuclear Relations

In addition to the influence of significant events like the 1973 Oil Crisis and the 1974 nuclear test, the ambivalent non-proliferation policy of the US and the shift in its nuclear relationship with the EU member states led the EU to development of its non-proliferation policy and it also significantly motivated some states to join the non-proliferation regime. The root cause for the shift in the US-EU nuclear relation was the emergence of new nuclear energy suppliers in the international market. Until the emergence of the new nuclear suppliers in the global nuclear market from the EU, 70 percent of nuclear technology and materials were dominated by the US firms in the international market; however, the new supplier countries posed a challenge to US nuclear business.

Therefore, the United States changed its earlier commitment to non-proliferation norms and nuclear relations with EU members by tightening the non-proliferation safeguard regime to preserve its supremacy over the international nuclear market and prevent the proliferation of nuclear material. For instance: The Carter administration sought to renegotiate the 1958 EUROATOM Treaty and the US treaty. According to this, America demands that the reprocessing of American fuel or fuel from plants of American origin be approved in advance by EU states. Therefore, EU member states, particularly France, refused changes to the reprocessing of materials. Under the French leadership, EURATOM as a whole decided not to obey the act of the US.¹⁶ The changes in the US and EU nuclear relationship had necessitated playing a greater role to the EU in the non-proliferation policy.

Following the given developments, France joined NSG and negotiated with another multilateral export regime of non-proliferation policy. Further, France agreed to stop the export of reprocessing technology to Pakistan in 1976 and cleared the IAEA and Euratom safeguard agreement in 1978, which came into force in September 1981. Germany also followed it to reduce the export of nuclear technology to other countries. Moreover, in September 1976, France decided to establish a high level political organ for elaborating and implementing French Non-Proliferation Policy and imposed direct presidential control over nuclear exports.¹⁷ However, France's intention to join the non-proliferation regime was solely the national interest rather than the interest of the EU. Despite this, France's active participation in non-proliferation policy motivated other member states to contribute to a common policy on non-proliferation policy within the Union. For instance: in May 1978 member states supported the enactment of NNPA¹⁸ and from 1977 to 1980, member states took an active part in International Nuclear Fuel Cycle Evaluation (INFCE). To sum up the evolution of the EU's non-proliferation policy from 1974 to 1980 is regarded as a positive development.

¹² Guyomarch, Alain., Machin,Howard., and Ritchie,Ella.(1998), Common Foreign Security Policy. in France in the European Union, Macmillan Press, London, P-112.

¹³ Lellouche, Pierre.,(1980 March). French Nuclear policy: National Program, European Dimensions and Non-Proliferation. in Nuclear policy in Europe, Forschungsinstitut Der Deutschen Gesellschaft, pp-41-42.

¹⁴Luti, Leopoldo. (January 2011). Italy's Nuclear choices. UNISCI Discussion Papers, N. 25, p- 180, revistas.ucm.es/index.php/unis/article/download/unis1111130167a/26876

¹⁵ Ibid, P-182.

¹⁶ Lellouche, Pierre. n⁴. p- 55.

¹⁷ Ibid, p- 47.

¹⁸ Lellouche, Pierre. n⁴. p- 54.



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2.3: Third Phase- 1980- 1990: Beginning of Common policy

The European Union's conscious action on nuclear non-proliferation policy started in the 1980s only. Before the 1980s, neither nuclear non-proliferation policy had concrete objectives nor a common approach; rather, it was bilateral negotiation of member states within the EU. In 1981, 'European Political Cooperation' (EPC) formed a "Working Group" on non-proliferation policy to curtail the illicit proliferation of nuclear energy. Notably, after the EURATOM treaty, this was the second significant initiative taken by the EU on nuclear non-proliferation policy. Following that, the nuclear non-proliferation policy became a goal for EPC.

In 1983, the working group produced a joint statement at the UN General Assembly on international nuclear safeguards, and member states demonstrated coordination in the non-proliferation policy. In 1984 the Council accepted the Working Group's proposed joint 'Declaration of a common policy on the consequences of the adoption of the London Guidelines by the ten member states of the Community'. It facilitated to set up regulations on nuclear sensitive materials, equipment and technology transfer.¹⁹ This positive development in the EU's non-proliferation led to the joint statement at the United Nations Conference on the Peaceful Uses of Nuclear Energy (PUNE) in April 1987. Further, it facilitated the Netherlands to introduce 'Troika' approach to nuclear non-proliferation policy.²⁰

During the early 1980s, the EU's importance on nuclear non-proliferation policy was heightened firstly, as a response to the escalation of the nuclear arms race by the US and the Soviet Union, Second, the United States had less importance to its allies in the EU and its ambivalent nuclear non-proliferation policy were force took own security policies by the EU.

However, EU member states posed divergent opinions on safeguards issues in the 1985 third NPT review conference. In the conference, Ireland, Netherlands and the United Kingdom supported the "full Scope Safeguard", in contrast, Germany, Belgium, France and Switzerland opposed it.²¹ It demonstrated EU member states divergent opinion on safeguards regulation of the non-proliferation regime.

2.4: Fourth Phase- 1990- 2003

In the early 1990s, two important factors, like the end of the cold war and the soviet dissolution compelled to strengthen the EU's non-proliferation strategy in the post-cold war period. In addition, Kuwait War has strengthened the EU's concern over the illicit proliferation of WMD weapons in the war. Notably, the European countries were more worried about the gulf war because before the war, many EU member states armed forces operated in the different regions under various multilateral missions, such as the United Nations mandated peacekeeping, the enforcement of UN trade sanctions, the enforcement of UN Security Council Resolution during the cold war period. Therefore, the EU feared that if the rogue states obtained nuclear weapons through an illegal route, they would use the nuclear weapons against European member states whoever were involved in peacekeeping missions during the cold war period.

In 1991, EU member states: France, Britain and Belgium emphasised full scope safeguards export policy. As a result, the Nuclear Supplier Group declared a statement on full scope safeguards in the Warsaw meeting in April 1992. In 1992, the EPC made a joint initiative on IAEA safeguards which was submitted to the IAEA governor in June 1992.²²

In addition, European Community introduced a Maastricht Treaty in 1992 to move towards European integration. The treaty formally established CFSP (Common Foreign and Security Policy) as the second pillar of the EU with the aim of dealing with the security and foreign policy of the EU. This CFSP provided the legal basis for the Weapons of mass destruction (WMD) and nuclear non-proliferation in the early 1990s within the Union. The CFSP facilitated the Joint action of the EU members at the NPT review Conference of 1995²³ and asked North Korea to withdraw from the NPT and fully comply with the safeguards regulations of the Non-Proliferation regime.²⁴

¹⁹ Muller, Harald. (1996 May). European Nuclear Non-Proliferation After the NPT Extension: Achievements, Shortcomings and needs, Europe and the Challenge of Proliferation. In Cornish, Paul., van Ham, Peter., & Krause, Joachim., (eds.), *Europe and the challenge of proliferation* (P-40).

²⁰ Ibid, P-41.

²¹ Müller, Harald., Fischer, David., & Kötter, Wolfgang. (1994). From Third to Fourth Review Conference 1985-90. In *Nuclear Non-Proliferation and Global order*. (p- 32). Oxford University Press, New York.

²² Muller, Harald. (May 1996). (Pp.43-44). Paris, WEU Institute for Security Studies Chaillot Papers.

²³ Hassan, Oz (2013). Securitizing proliferation, failing security governance: The European Union's role in India and Pakistan's nuclear rivalry. *Asia Europe Journal*, Vol. 11 Issue 2, p-95.

²⁴ Muller, Harald. (May 1996 (P-45).



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Further, the nuclear non-proliferation policy of the EU developed as active participation by France in the early 1990s and its desire to provide nuclear security to the EU member states. It is to be noted that, the motivation behind France's active participation was the dissolution of the Soviet Union and unfreezing of the East-West conflict. These factors posed the challenge of redefining the security policy of France. In nuclear policy, it has caused France to move towards a multilateral non-proliferation regime by joining the NPT treaty in 1992. In addition, on July 04 1993, France stated to join in the CTBT negotiation, which marked a significant decision in its nuclear non-proliferation commitment.

The France's accession to NPT significantly influenced the coordination of EU states in 1995 NPT review conference²⁵ and encouraged the EU to seek to sign the NPT Treaty whoever remains outside the treaty. Shortly afterword's France accession to the NPT, the EC asked the all member states to join the NPT.²⁶

Moreover, the aftermath of the Soviet Union's dissolution to combat the proliferation of weapons EU has been involved in Russia through the Co-operative Threat Reduction (CTR) program to control the spread of mass destruction of weapons. Then, EU from 1991 to 2001, 1489 billion were allocated to Russia under the TACIS (Technical Assistance to the Commonwealth of Independent States) program, of which 800 million were allotted to nuclear safety.²⁷ Further, the EU played an active role in the non-proliferation policy of the Korean Peninsula Energy Development Organisation (KEDO) in 1997 and granted 122 U.S. million dollars to the organisation. Besides this, the EU participated in the CTBT negotiation, and on 23 April 1998, the EU adopted a common position relating to preparation for the second preparatory committee for the 2000 NPT review conference.²⁸ Apart from the above positive developments, the EU's response to the nuclear test of India and Pakistan was mild as member states maintained divergent opinions on India's nuclear test.

2.5: Fifth Phase- 2003 to 2022

In the early 21st century, the EU gave greater importance to the nuclear non-proliferation policy by adopting "Strategy against the Proliferation of Weapons of Mass Destruction" and the "European Security Strategy" in 2003. It is to be noted that the EU's significance started from the three major factors. First, it started as a result of transformation in the Bush administration's global non-proliferation policy. According to the new strategy, the Bush administration has used forces, economic sanction, diplomatic isolation instead of traditional non-proliferation policy and arms control treaties. Further, the Bush administration gave greater importance to military instruments to fight against proliferation.²⁹

Second, the 11 September 2001 terrorist attack or 9/11 event in the US has significantly intensified the EU's concern over possess of nuclear technology by the terrorist group. Because aftermath of the 9/11 event, many observers suspect the possession of nuclear weapons by terrorist groups. Third, In the middle of 2000, concerns were raised in EU on the proliferation of WMD by Iran. Therefore, the United States apathy on traditional non-proliferation policy, the 9/11 incident and WMD proliferation have led the EU to strengthen its non-proliferation strategy with special concern to combating WMD proliferation.

In this regard, the heads of 15 EU member states adopted a draft 'European Security Strategy' at the European Council Summit in Thessaloniki, Greece in June 2003. In this summit, Council adopted a declaration on the proliferation of WMD and set the basic principles against the proliferation of WMD.³⁰ In addition, the Thessaloniki summit addressed four non-proliferation objectives: such as "action against proliferators, stable international and regional environments, cooperation with key partners and development of intra-EU structures".³¹ After six months of the Thessaloniki summit declaration, European Council at the Brussels summit in

²⁵ Dee, Megan. (2012). Explaining European Union Performance in the Nuclear Non-Proliferation Treaty Review Conference: Limited Ambitions but Pragmatic Positioning. UNISCI Discussion Papers, N° 30, P-23 URL: <http://revistas.ucm.es/index.php/UNIS/article/view/40708/39028>

²⁶ Muller, Harald. (May 1996). European Nuclear Non-Proliferation After the NPT Extension: Achievements, Shortcomings and needs, Europe and the Challenge of Proliferation.

²⁷ Portela, Clara. ⁿ², P.12.

²⁸ 2000/297/CSFP: Council common position of 13 April 2000 relating to the NPT review conference of the parties to the treaty on Non-proliferation of Nuclear Weapons. URL: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32000E0297>

²⁹ Cottey, Andrew. (2014). The EU's Non-proliferation Strategy Ten Years On. European Foreign Affairs Review 19, no. 1, p- 50. URL: <http://www.kluwerlawonline.com/document.php?id=EERR2014003>

³⁰ Council of the European Union, Brussels, 10 December 2003, Fight against the proliferation of weapons of mass destruction-EU strategy against proliferation of Weapons of Mass Destruction, <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2015708%202003%20INIT>

³¹ Pacheco, Roman . Pardo. (January 2012). Normal Power Europe: Non-Proliferation and the Normalization of EU's Foreign Policy. Journal of European integration. Vol. 34, No. 1, p. 11.<http://www.tandfonline.com/doi/pdf/10.1080/07036337.2011.566334>.



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December 2003 adopted the “Strategy against the Proliferation of WMD” Parallel with the European Security Strategy (ESS).³² At the ESS summit, the EU agreed to enhance the programme of action to strengthen the International Atomic Energy Agency, measures to tighten export controls and deal with illegal shipment and illicit procurement. Further, the ESS strategy committed to increasing political and economic pressures for proliferation and dealing with the underlying political reasons behind the proliferation.³³ Both Thessaloniki and Brussels summit heightened the concern of the EU’s non-proliferation strategy from 2003 onwards. By which EU committed to achieving universal adherence to multilateral treaty regimes, as well as to strengthening the treaties and their verification provisions.

The EU strengthened its non-proliferation policy EU signed first contribution agreement with IAEA in 2005. Following this, both signed several agreements: such as, “Technical Assistance to the Commonwealth of Independent States programme (TACIS), the Instrument for Pre-Accession Assistance (IPA), the Instrument for Nuclear safety Cooperation (INSC) and Instrument for stability (IfS)”. The purpose of the agreement to support the implementation of regional and interregional projects to address Member States development needs in the field of nuclear safety.³⁴

EU council on 20 March 2006 and 28 June 2007 adopted the joint action on support for activities of the preparatory commission of the Comprehensive Nuclear Test Ban Treaty Organisation (CTBTO) in the area of training and capacity building.³⁵

In December 2008, five years after the EU Strategy against Proliferation of Weapons of Mass Destruction, the Council adopted ‘New Lines for action’ for combating the WMD and their delivery systems. The objectives of the action plan are included- Intensifying efforts to counter-proliferation flows and proliferation financing; sanctions on acts of proliferation; developing measures to prevent intangible transfer of knowledge and know-how; raising awareness in undertaking, scientific and academic circles, and financial institutions; continuing cooperation with an international organisation and third countries to help them to improve non-proliferation policies and export controls.³⁶ It has further strengthened the non-proliferation strategy and amounted to incremental steps in EU non-proliferation policy.

3: Critical evaluation of EU’s nuclear non-proliferation policy

EU’s non-proliferation policy intends to strengthen the prevailing non-proliferation regime through universalizing multilateral agreements and reinforcing the strict implementation of the treaty. Indeed multilateral approach or multilateralism is basic objective of the EU’s non-proliferation strategy to achieve non-proliferation goals. It has addressed in the functioning of the 2003 non-proliferation strategy that “effective multilateralism” was the cornerstone of the EU effort in combating proliferation. Regarding the EU outlined that our conviction to a multilateral approach to security, disarmament and non-proliferation provides the best way to maintain international order and hence our commitment to uphold, implement and strengthen the multilateral disarmament and non-proliferation treaties and agreements. Hence, the EU has argued that the multilateral approach would provide a legal and normative basis for all international non-proliferation regimes and it is necessary to fight against illicit proliferation.³⁷

Further, the EU’s non-proliferation policy emphasised on universalization and adherence the norm of treaties. In the case of NPT, the EU has considered that the NPT is base of all non-proliferation policy and it called the non-signatories countries to join the treaty as non-nuclear states and to adhere to its terms. Along with the NPT, the EU has emphasised on entry into force and universalisation of CTBT.³⁸

Further, developing and developed countries are competing for greater freedom to implement their principles and approaches to nuclear energy. For instance: Indo-US Civil nuclear agreement-2008 has waived several restrictions of the Indian nuclear program.

³² Council of the European Unionⁿ³².

³³ A Secure Europe in a Better world, European Security Strategy Brussels, 12 December 2003. P.6-7. URL: <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>

³⁴ International Atomic Energy Agency, Technical cooperation URL: <https://www.iaea.org/technicalcooperation/Partnerships/EU.html>

³⁵ Official Journal of the European Union, URL: <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:176:0031:0038:EN:PDF>

³⁶ The Fight Against Proliferation of WMD, http://eeas.europa.eu/non-proliferation-and-disarmament/wmd/index_en.htm

³⁷ Council of the European Union, Brussels, 10 December 2003, Fight against the proliferation of weapons of mass destruction-EU strategy against proliferation of Weapons of Mass Destruction, p.5, URL: <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2015708%202003%20INIT>

³⁸ Nuclear issues. In official European Union External Action. URL: http://eeas.europa.eu/non-proliferation-and-disarmament/wmd/nuclear_weapons/index_en.htm



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In addition, China, Russia, and the US have been forefront of modifying the existing nuclear non-proliferation norms over the last decade.

As a result, the EU's firm position on the non-proliferation regime and norms attributed to weakening and made the EU to feel alone in sustaining nuclear non-proliferation and arms control regime.³⁹ Regarding Federica Mogherini, Former High Representative for Foreign Affairs and Security Policy opined that, "International law and multilateral agreements are increasingly perceived as an obstacle for the powerful rather than a guarantee for all".⁴⁰

In addition, the EU's non-proliferation policy has challenged by its member countries. In the EU, many countries have divergent views on nuclear nonproliferation policy, particularly on nuclear deterrence and disarmament between NWS and NNWS. For instance: According to France, maintaining credible nuclear deterrence is essential and an intrinsic part of the view of national defence strategy.⁴¹ This position was partially supported by the countries such as Belgium, Italy, Germany and the Netherlands, as these countries host US tactical nuclear weapons as part of NATO's extended deterrence mission. On the other hand, though Germany and Netherlands are part of the Non-Proliferation and Disarmament Initiative not supported for defense purposes. However, both countries supported strengthening the nuclear disarmament efforts, safeguards governing nuclear activities and the NPT regime.⁴² However, the EU member states like Ireland, Austria and Sweden openly rejected maintaining nuclear deterrence. Instead, these countries supported extensive arms reductions and widespread nuclear disarmament.⁴³

It is to be noted that traditional military countries of the EU are in favor of nuclear disarmament. However nuclear weapon countries are reluctant to nuclear disarmament policy. The divergent perspective on nuclear disarmament regime within the EU member states has prevented reaching substantive conclusions on the non-proliferation issues.

4. Conclusion

Today, the European Union considered is key advocator of international nuclear non-proliferation policy as all member states are members of nuclear non-proliferation treaties such as NPT, CTBT and nuclear material and technology exporting groups like IAEA, NSG, Wassenaar group and MTCR. This indicates the stringent support for multilateralism or a multilateral approach by the EU members to manage the issues of global nuclear nonproliferation policy. In addition, the EU has several institutional setups: the Euratom Treaty, the Common Foreign and Security Policy (CFSP) and the European Security and Defence Policy (ESDP) to curb the illicit proliferation of nuclear materials.

However, this does not mean that the EU and its nuclear non-proliferation strategies have been without shortcomings. For instance: The soft power approach and divergent views between member states regarding the ratification of major non-proliferation agreements has raised the question of whether the EU needs a new approach to non-proliferation policy. Further, the quest for a new approach in the EU's non-proliferation policy has strengthened as the nuclear powers are questioning the multilateral non-proliferation regimes.

Notwithstanding the various issues, an effective multilateral approach has been considered effective in the EU's nonproliferation policy. The effective multilateralism is a combination of global diplomatic pressure and coercive measures, for instance sanctions and carrots that offers free nuclear technology for peaceful purposes and security guarantees. The EU needs to apply diplomatic measures at first and following that sanction should apply to curb nonproliferation. However, a major hurdle to implementing multilateral approaches is a divergent opinion within the EU member states in the EU's non-proliferation policies. Therefore, EU member states should work collectively under the EU regulations rather than deal independently with other nations. In addition, to strengthen the nuclear nonproliferation regime, it should strictly follow the 'sticks and carrots' model with a clear conditionality framework on nuclear nonproliferation regulations and the EU should also try to have a balanced approach to engage with Western countries and non-western countries.

³⁹ Manuel Herrera, 'Contestation to the European Union on nuclear non-proliferation', Global Affairs, Vol. 06, NOS:4-5, p-331.

⁴⁰ Contestation of the European Union on nuclear Policy-331.

⁴¹ Manuel Herrera, ⁿ⁴¹, p-335.

⁴² Ibid, p-335.

⁴³ Ibid, p-335.



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