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THE EUROPEAN UNION AND
THE NON-PROLIFERATION
OF NUCLEAR WEAPONS

Camille Grand

INSTITUT
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**Institute for Security Studies
Western European Union**

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(Translated from the French; the French version of this paper is also available)

The Institute for Security Studies of Western European Union

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PREFACE

In 1994-1995, one of the first joint actions by the European Union in the framework of the CFSP concerned the non-proliferation of nuclear weapons. And it was successful: during the NPT Review Conference in April-May 1995, the member countries of the Union played an essential role in ensuring the indefinite extension of the Non-Proliferation Treaty.

Five years later, on the eve of the new NPT Review Conference that is to take place in spring 2000, mobilisation of the European Union seems all the more necessary, since all of the issues connected with nuclear arms control and proliferation appear in a completely new light: the Indian and Pakistani nuclear tests of 1998, the nuclear ambitions of Iraq and North Korea, Russia's non-ratification of the START II accord, uncertainties over the ABM Treaty and, more recently, the refusal of the American Senate to ratify the Comprehensive Test Ban Treaty (CTBT) all contribute to bringing nuclear and non-proliferation questions back to the forefront of Western and European strategic concerns.

Following the workshop on non-proliferation held at the Institute in 1999, this *Chaillot Paper* by Camille Grand – a former Institute visiting fellow and lecturer at the Institut d'Etudes politiques, Paris – gives an assessment of European policy on nuclear proliferation and suggests some avenues that the CFSP might follow, a few months before the opening of the five-yearly NPT Conference. It is therefore in particular intended to be a useful contribution to the European Union's discussions and actions to promote the maintenance and if possible the consolidation of the universal nuclear non-proliferation regime.

Nicole Gnesotto

Paris, January 2000

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ABBREVIATIONS

ABM	Anti-Ballistic Missile (Treaty)
BWC	Biological and Toxin Weapons Convention
CD	Conference on Disarmament
CFSP	Common Foreign and Security Policy (EU)
CONOP	Committee on Non-Proliferation (EU)
CONUC	Committee on Nuclear affairs (EU)
COREU	EU telex network
CTBT	Comprehensive Test Ban Treaty
CTBTO	CTBT Organisation
CWC	Chemical Weapons Convention
EPC	European Political Cooperation
EU	European Union
Euratom	European Atomic Energy Community (also EAEC)
FMCT	Fissile Material Cut-off Treaty
IAEA	International Atomic Energy Agency
ICJ	International Court of Justice
INF	Intermediate-range Nuclear Forces
INFCE	International Nuclear Fuel Cycle Evaluation
KEDO	Korean peninsula Energy Development Organization
MLF	Multilateral Force
NATO	North Atlantic Treaty Organisation
NMD	National Missile Defence (US)
NPG	Nuclear Planning Group (NATO)
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NSG	Nuclear Suppliers Group
NWS	Nuclear-Weapons State
Prepcom	Preparatory Committee
START	Strategic Arms Reduction Talks/Treaty
UN	United Nations
WEU	Western European Union
WMD	weapons of mass destruction

SUMMARY

While, during the last few decades, the proliferation of nuclear weapons has become a serious security concern, the European Union has gradually established itself as an important actor in the field of non-proliferation. This European *acquis* is the result of growing interest in this issue whose origins can be traced back to the 1960s but which really materialised in the 1990s, with the *rapprochement* of the positions of all European countries.

Inclusion of non-proliferation among the subjects dealt with by the Common Foreign and Security Policy mechanisms thus happened without difficulty and, in 1994-95, led to what remains the major achievement of European diplomacy: the joint action for the preparation of the Review and Extension Conference on the Non-Proliferation of Nuclear Weapons (NPT). The Union's role in the indefinite extension of the NPT must therefore be emphasised, whatever divergences there may have been among the Europeans during the 1995 Conference.

After this undeniable success, European non-proliferation policy seems to have gone through a period of withdrawal characterised by the absence of any major initiative, inadequate diplomatic contributions that followed the logic of the lowest common denominator and the resurgence of differences among the Fifteen. This weakening of Europe's ability to act may even lead to questioning of the appropriateness of persevering in the development of a European non-proliferation policy.

Whereas, on the eve of the NPT 2000 Review Conference, the agenda for this topic seems particularly full, and important actors such as the United States seem for the moment to be standing back, mobilisation of the Europeans seems essential to the preservation of the non-proliferation regime. In the very short term that means intensive joint preparation of the 2000 Review Conference, in particular resolute action in three areas: safeguarding the Comprehensive Test Ban Treaty (CTBT) following its non-ratification by the United States, launching the 'cut-off' negotiations in Geneva and joint study of the expected results of the New York Conference.

Looking beyond this important event in spring 2000, whose outcome, when all is said and done, it appears will be limited, the European Union must go beyond what has been the slow and sometimes disappointing drawing up of joint statements to a true common policy on non-proliferation, an objective shared by all the European

The European Union and the non-proliferation of nuclear weapons

Camille Grand

INTRODUCTION

A decade of non-proliferation

Identified in January 1992 as ‘a threat to international peace and security’ by the United Nations Security Council, the proliferation of weapons of mass destruction has since the end of the Cold War been a major security issue that has mobilised diplomats and strategists. While the legal and political instruments to combat proliferation have been refined and strengthened during the last decade, the dynamic of nuclear disarmament¹ has for its part acquired a new dimension. It now goes beyond the traditional arms control framework of preceding decades. In the space of ten years, several bilateral US-Russian accords on nuclear disarmament (INF, START I, START II) have been signed. They have been complemented by unilateral initiatives by the United States and Russia of course, but also by France and the United Kingdom. In parallel, a growing number of treaties and accords have in particular endeavoured to reinforce hitherto incomplete non-proliferation regimes.

Thus, since the beginning of the 1990s, the Chemical Weapons Convention (CWC)² has come into force, negotiations to give the Biological and Toxin Weapons Convention (BWC)³ an inspection regime have been in hand since 1992 and, last but not least, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was renewed for an indefinite duration at the 1995 New York Conference. The cornerstone of the non-proliferation regime, the NPT has become almost universal (with 187 States parties), and a new International Atomic Energy Agency (IAEA)

¹In its broadest sense this includes reductions, transparency and confidence-building measures.

²Signed in Paris in 1993 and entering into force in 1997 after ratification by 60 countries, the CWC now includes 126 States parties and has been signed by 170 countries in all.

³Signed in 1972, the BWC today numbers 142 States parties.

inspection regime was added to it on completion of the '93+2' programme.⁴ Also, after nearly forty years of discussion, the Comprehensive Test Ban Treaty (CTBT) was signed in 1996. Lastly, a Fissile Material Cut-off Treaty (FMCT) is in preparation within the Geneva Conference on Disarmament (CD). The distinctive feature of these new treaties and the negotiations under way is that they are multilateral accords that go far beyond the US-Russian bilateral framework or even that of the five nuclear powers.

A time of uncertainties

Nevertheless, after a decade (1987-97) of constant progress in non-proliferation and disarmament, non-proliferation regimes seem to have entered a phase of turbulence and uncertainty, indeed of recession.

The Indian and Pakistani nuclear tests of spring 1998 are of course the most obvious signs of this turnaround.⁵ For the first time since the 1960s, two new states have openly flaunted their nuclear status, upsetting the very logic of the NPT. In addition to the situation in South Asia, there are two other regions where proliferation does not seem about to recede: the Middle East and the Far East. In both cases, countries wishing to acquire weapons of mass destruction and missiles show no signs of any willingness to abandon this ambition, of which the persistence of problems in Iraq and North Korea is a periodical reminder. More generally, nuclear issues have now an Asian dimension that looks likely to modify the international security system profoundly.⁶

These regional nuclear questions would be less weighty if the non-proliferation regimes and disarmament talks had maintained the impetus of the period 1990-96, but neither the bilateral US-Russian negotiations nor the multilateral ones permit such optimism. The START process is being held up by the Russian Duma's failure to

⁴A two-year (1993-95) programme to strengthen the IAEA's inspection system.

⁵See William Walker, 'International Nuclear Relations after the Indian and Pakistani Tests?', *International Affairs*, vol. 74, no. 3, 1998.

⁶See Thérèse Delpech, 'Nuclear Weapons and the "New World Order": Early Warning from Asia?', *Survival*, vol. 40, no. 4, Winter 1998-99.

ratify START II and threatened by the controversy surrounding the Anti-Ballistic Missile (ABM) Treaty and the deployment by the United States of a National Missile Defence (NMD). The US Senate has recently dealt a severe blow to the principal nuclear accord concluded since 1995 by refusing to ratify the CTBT. The Geneva Conference on Disarmament is unable to get the Fissile Material Cut-off Treaty (FMCT) out of the stalemate into which rivalry between the non-aligned countries and nuclear powers has driven it. Even beyond the nuclear field, the other important discussions in progress are also making little headway, as the negotiation of a protocol to the BWC illustrates. One of the determining elements of the progress made in non-proliferation since the 1970s, cooperation between the major powers has for two years also experienced severe setbacks that have been perceptible both in negotiating forums and in the resolution of regional crises.

The withdrawal of the main non-proliferation actors

Inventor of arms control and non-proliferation, the United States no longer seems prepared to play its traditional role of leader, as a result of the growing opposition from the Republican-dominated Congress, which not only condemns the actual logic of multilateral engagements, which it sees as superfluous constraints for the United States, but votes to reject treaties negotiated by the Administration, as happened on 13 October 1999 with the CTBT.⁷ More generally, the United States has an increasingly marked tendency to favour unilateral approaches in the fight against proliferation, as in its decision on anti-missile defence or its handling of the North Korean question. Consequently, non-proliferation is no longer seen as a priority.

China and Russia show little inclination to champion real progress in non-proliferation and nuclear arms control, since the *status quo* is much more favourable for their strategic objectives in the nuclear domain: to pursue an accelerated nuclear modernisation programme in the case of China, and to preserve the vestiges of its superpower status in the case of Russia.

⁷Rejected by 51 votes to 48, whereas a two-thirds majority was required, in a very partisan vote, but at the end of a contradictory debate, largely carried by sceptics of the value and verifiability of the CTBT, against a badly prepared Administration.

The majority of the non-aligned countries, which for long used non-proliferation in order to attain objectives in the field of disarmament, today seem to be engaged in a logic of confrontation with the nuclear powers, particularly Western, on the question of nuclear disarmament. Although justified by the lack of progress made in recent years, such a strategy does, however, amount to weakening the global structure by refuting the idea of a balance of obligations that is at the origin of the NPT, in the name of shorter-term radical political objectives. It is sometimes even a question of deliberately adopting the worst possible strategy in order to achieve their aims. The various negotiating forums thus become the venue for the rhetorical voicing of bitterness accumulated in other domains where the moderate non-aligned countries are by definition the least audible.

In these new conditions, a certain number of countries, including the Europeans in the first instance, are becoming the main and practically sole defenders of the logic of non-proliferation.

The Europeans' specific role

Today, the countries of Western Europe have, in varying degrees, included the struggle against proliferation in their security policies, and have on several occasions shown their willingness to fight this phenomenon energetically.⁸ In addition to important selective actions, the setting up of a common European policy nevertheless seems to have made little headway regarding both legal and political instruments and the study of possible military responses. In these conditions it is of course possible

⁸Among contributions by several of the best European specialists on proliferation, a previous *Chaillot Paper* has already examined the basis of a European approach to questions associated with proliferation in general: Paul Cornish, Peter van Ham and Joachim Krause (eds.), 'Europe and the challenge of proliferation', *Chaillot Papers 24* (Paris: Institute for Security Studies of WEU, May 1996), also available on the WEU website: <http://www.weu.int>. For more general works, see the European Non-Proliferation Programme of the Peace Research Institute Frankfurt, edited by Harald Müller. This research programme has been in existence for fifteen years and has published eight books (see notes below) which is to our knowledge a unique example of one of the CFSP's areas of action over a long period and an essential reference in the study of European non-proliferation policy.

to stick to current practice, whereby each European country asserts its own identity in accordance with its history and its perception of security, and the European Union acts more or less without a common line.

The argument put forward in this *Chaillot Paper* is that, on the contrary, it is both desirable and possible that, on the question of nuclear non-proliferation, a European strategic and diplomatic identity should be asserted more. Broadly in agreement on their analysis of the threats and suitable responses to these new risks, the Europeans have their own strategic interests to defend in discussions on the future on nuclear non-proliferation, and the NPT 2000 Conference could be an opportunity to assert this identity. It will also be emphasised that this identity is quite specific and, without necessarily opposing the US approach, can increasingly clearly be distinguished from it.

There are of course still major differences within the European Union, in particular when it comes to tackling the question of the future of nuclear disarmament, but European countries nevertheless share a number of common concerns, so that it is possible to envisage significant actions in the framework of the Common Foreign and Security Policy (CFSP).

After a reminder of European *acquis* in the field of non-proliferation, this paper first makes a rapid, critical review of European nuclear non-proliferation policy since the last NPT Conference (1995) before describing various specific initiatives that could make a significant contribution to the success of the 2000 Conference and asking what the possible bases for a more active European non-proliferation policy might be.

THE EUROPEAN NON-PROLIFERATION ACQUIS

Up to the middle of the 1980s it would have been difficult to obtain agreement on a true European policy on disarmament and nuclear non-proliferation. On the one hand, nuclear disarmament (INF, START, etc.) was dealt with principally in bilateral negotiations, which left little opportunity for specific European initiatives. On the other, the absence of a unified view among members of the European Community was evident on many subjects. Thus, at the time:

- two countries (France and Spain) were not signatories to the NPT, and even criticised the logic of the Treaty;
- two nuclear states (France and the United Kingdom) were continuing nuclear testing and refused to consider participation in nuclear disarmament negotiations;
- the Europeans were divided, over controls on the export of nuclear technology, between those who favoured 'full scope safeguards'⁹ (Ireland, the Netherlands and the United Kingdom) and supporters of a more flexible approach (Belgium, France and Germany);
- the future of American Intermediate-range Nuclear Forces (INF) stationed in Europe was a question on which public opinion in European countries was divided between those who favoured rapid disarmament and negotiations with the USSR, and those who in particular feared a strategic decoupling of Europe and the United States.

Despite these divergences, the outline of a European non-proliferation policy was gradually sketched out from the end of the 1960s, then through the European Political Cooperation (EPC) mechanism, before taking shape at the beginning of the 1990s. Evident from 1989-90 and concretised on the occasion of the common action of 1994-95, this policy is thus the European *acquis* of about fifteen years of coordination and *rapprochement*.

⁹Request for IAEA control over all the importing country's nuclear cycle.

Europe in the face of the first steps towards non-proliferation

Origins

From 1945 to the 1970s, non-proliferation, whether President Eisenhower's 'Atoms for Peace' plan or the NPT negotiation, was above all a US invention and concern.¹⁰ At least until the explosion of the first Chinese atomic bomb in 1964, these US efforts were in addition mainly directed against the European countries that at the time were almost alone in being capable of acquiring an independent nuclear capability. Negotiations in parallel with those of the NPT, the debate on a multilateral nuclear force (MLF) and nuclear arrangements within NATO,¹¹ for example, had the scarcely concealed aim of creating a non-proliferation mechanism aimed at the Europeans. With the MLF project, the United States favoured a solution in the sphere of hardware (sharing of means) before turning to the creation of the Nuclear Planning Group (NPG), a software type of solution (a common strategy).

Whereas the nuclear status of the United Kingdom was then fully recognised by the United States, France was an emergent nuclear power. The other main European industrial powers (the Federal Republic of Germany, Italy, Sweden and Switzerland) were also among the rare countries that were at the time technically capable of carrying through a military nuclear programme. French criticism of an NPT that France saw as the product of a US-Soviet 'condominium' was illustrative of these doubts over the logic of non-proliferation itself, as was German and Italian hesitation¹² over a NPT whose existence confirmed a nuclear abstinence that was not self-evident. The European countries therefore widely subscribed to the adoption of an NPT on condition that it was limited to a duration of twenty-five years.

¹⁰It should however be noted that NPT negotiation was historically launched by a European country, Ireland, in 1959, in UN Resolution 1380 (XIV), the so-called 'Irish' Resolution, adopted by the General Assembly on 20 November 1959.

¹¹See Frédéric Bozo, *Deux stratégies pour l'Europe, De Gaulle, les Etats-Unis et l'Alliance atlantique, 1958-1969*, (Paris: Plon, 1996), and Burkard Schmitt, *Frankreich und die Nukleardebatte der Atlantischen Allianz (1956-1966)*, (Munich: Oldenbourg, 1998).

¹²These two countries only rejoined the NPT in 1975, after much hesitation.

The non-nuclear countries that were at the time members of the European Community¹³ in the end actively concerned themselves with preserving ‘the European nuclear clause’, obtaining from the United States assurance that the NPT would not be against a European nuclear force once a European federation had been created.¹⁴ They were also to negotiate with Washington amendments to the United States-European Atomic Energy Community (Euratom) accords on account of the entry into force of the NPT. It was, however, less a matter of a concerted European position in the face of the first attempts at non-proliferation than the determination of certain countries to obtain assurances and compensation.

Europe overtaken by increasing proliferation

During the 1970s, the first Indian atomic test (1974) and the increasingly pronounced interest shown by many countries (among them Argentina, Brazil, Iran, Iraq, Pakistan, South Africa and South Korea) in nuclear technology led to a large debate on the transfer of nuclear technology and the creation of control and export regimes to which the Europeans, whether signatories to the NPT or not, were parties.

Three European countries (France, the Federal Republic and the United Kingdom) also participated in the work of the Nuclear Suppliers Group (NSG or ‘London Club’) as founder members, and defined the ‘London directives’ (1975), which were intended to form the basis of a common export control policy for members of the ‘Club’.¹⁵ Originally numbering seven members (Canada, the Federal

¹³From 1957, the creation of the European Atomic Energy Community (Euratom or EAEC) from the start gave the European dimension a central role, although under-utilised, in the management of civilian use of atomic energy. However, the EAEC today still has the mission of control over Member States, and therefore of conformity with states’ declarations on their use of fissile material.

¹⁴On this affair, the so-called ‘European option’ or ‘European nuclear clause’ in the NPT, see Georges Fischer, *La non-prolifération des armes nucléaires* (Paris: LGDJ, 1969), pp. 76-9, and Fernand Dehousse, ‘La non-prolifération des armes nucléaires’, *Chronique de politique étrangère*, November 1967, pp. 621-37.

¹⁵For a discussion of these texts, see Simone Courteix, *Exportations nucléaires et non-prolifération* (Paris: Economica, 1978). The texts have since been frequently reviewed and added to.

Republic, France, Japan, the United Kingdom, the United States and the USSR), the 'London Club' was enlarged in 1976-77 to include countries (Belgium, Czechoslovakia, the German Democratic Republic, Italy, the Netherlands, Poland, Sweden and Switzerland) three of which belonged to the European Community.

From 1977 to 1980, the Europeans also took an active part in the international debate on non-proliferation and the nuclear fuel cycle, the so-called International Nuclear Fuel Cycle Evaluation (INFCE),¹⁶ during which the Belgians, British, French and West Germans found themselves aligned against the Americans. The debate was particularly heated on the fuel cycle and the future of the reprocessing industry, which was considered proliferative by Washington but defended by the Europeans and the Japanese.

In these discussions it became increasingly evident that nuclear non-proliferation was an unavoidable element in European countries' foreign, political and economic relations. Growing awareness of this led, as from 1981, to its inclusion in the European Political Cooperation (EPC) intergovernmental mechanism established in 1970.

Non-proliferation and European Political Cooperation (EPC) 1981-92

For the first time, the member countries of the European Community asserted their wish to cooperate in the field of non-proliferation. This took the form of the creation of a dedicated 'working group'. The first result of harmonisation in the EPC framework was the joint adoption of the London directives on nuclear exports announced on 20 November 1984.¹⁷ This form of strictly intergovernmental dialogue

¹⁶On the INFCE, see Bertrand Goldschmidt, *Le complexe atomique* (Paris: Fayard, 1980), pp. 428-32, and Georges Le Guelte, *Histoire de la menace nucléaire* (Paris: Hachette, 1997), pp. 92-6. See also, Pierre Lellouche, 'International Nuclear Politics', *Foreign Affairs*, Winter 1979-80, and Steven Warnecke, 'Non-Proliferation and INFCE: An Interim Assessment', *Survival*, May-June 1979.

¹⁷On EPC's first steps on non-proliferation, see in particular contributions by Julien Goens, in two works: Harald Müller (ed.), *A European Non-Proliferation Policy* (Oxford: Clarendon Press, 1987), and Harald Müller (ed.), *A Survey of European Nuclear Policy 1985-1987* (London: Macmillan, 1989). See also Harald Müller (ed.), *Blocking the Spread of Nuclear Weapons* (New York: Council on Foreign Relations, 1986), which in particular includes at

was then gradually institutionalised by the Single European Act of 1986 and then the Maastricht Treaty.

As Harald Müller has noted, ‘Between 1985 and 1990, European collaboration on non-proliferation intensified. The Working Group met more frequently – at least twice per presidency. Bilateral consultations became common and the EU’s COREU communications multiplied.’¹⁸ EPC thus led in 1987 to the first common declaration by the Twelve, on the occasion of the United Nations Conference on the peaceful uses of nuclear energy. The Community subsequently presented a common declaration at the 33rd General Conference of the IAEA,¹⁹ in 1989. A sign of this growing harmonisation, EPC finally led to the adoption of a common document on non-proliferation at the Dublin summit in 1990. The declaration opened the way for the joint preparation of the NPT Review Conference the same year, whereas France only participated at the Conference as an observer. However, Paris, not being a party to the Treaty, was to oppose a common European declaration based in large part on the document drawn up by the IAEA.²⁰

This gradual assertion of a European identity did not come by chance: it was during the period 1985-95²¹ that the fight against proliferation became a major security concern, whereas the East-West conflict was declining in importance. In this respect, the Gulf War of 1991 without doubt marked the real turning point and pushed non-proliferation to the forefront of all Western countries’ concerns.

Annexe E the complete text of the 1984 Declaration (pp. 127-9).

¹⁸Harald Müller, ‘European nuclear non-proliferation after the NPT extension: achievements, shortcomings and needs’ in Cornish, van Ham and Krause (eds.), op. cit. in note 8, p. 41; and on this period, Harald Müller (ed.), *Western Europe and the Future of the Nuclear Non-Proliferation Treaty* (Brussels: CEPS, 1989).

¹⁹Common Declaration of the Twelve presented by France: ‘L’énergie nucléaire, partie intégrante de la construction européenne’, reproduced in *CEA, Note d’information*, no. 4, 1989, pp. 5-6.

²⁰On Europe and the 1990 fourth NPT Review Conference, see David Fischer and Harald Müller, ‘A Treaty in Trouble: Europe and the NPT after the Fourth Review Conference’, *PRIF Reports*, no. 17, January 1991, and Harald Müller (ed.), *European Non-Proliferation Policy 1988-1992* (Brussels: European Interuniversity Press, 1993).

²¹On European concerns, see also the proceedings of the seminar of the *Programme for Promoting Nuclear Non-Proliferation*: Darryl Howlett (ed.), ‘The New Europe and Nuclear Non-Proliferation’, Eleventh PPNN Core Group Meeting, Weilrod-Neuweilnau (Germany), 22-24 May 1992.

Previously a US concern above all, non-proliferation became a subject of anxiety and of major interest to foreign ministries in all industrialised countries.

Announced on 3 June 1991 and becoming effective in August 1992, the late adhesion of France to the NPT²² removed the last political obstacle to the establishment of a more active European policy. From 1991 the Europeans increased the number of common initiatives and identified non-proliferation as a topic of major importance for the emerging CFSP. In the period 1991-92 they therefore drew up principles that gave birth to a programme to strengthen the IAEA's control system over two years (from 1993 to 1995). Beyond the strictly nuclear area, the Europeans were also the originators of the UN Security Council's common declaration of 31 January 1992 that described the proliferation of weapons of mass destruction as 'a threat to international peace and security'.

It was thus logical that the European Council in Lisbon, in defining the areas of foreign and security policy 'which may be as from the entry into force of the [Maastricht] treaty object of joint actions' in the CFSP, from the start mentions 'nuclear non-proliferation issues'.²³

The last major advance, which was practically concomitant with the joint actions on the NPT, was the simultaneous adoption by the European Council, on 19 December 1994, of a community regulation and a joint action regarding the export of dual-use goods. At the end of difficult negotiations, this double decision complemented the harmonisation of European controls on the export of sensitive technologies, particularly nuclear.²⁴

²²On this subject, see Camille Grand, 'La politique française de non-prolifération', *Défense nationale*, August-September 1994.

²³European Council, Lisbon, 26-27 June 1992 (Presidency Conclusions, Report to the European Council in Lisbon on the likely development of the Common Foreign and Security Policy (CFSP) with a view to identifying areas open to joint action *vis-à-vis* particular countries or groups of countries, Doc. SN 3321/2/92, § 35), document available on the EU website: <http://www.ue.eu.int/cfsp>.

²⁴Geoffrey van Orden, 'European arms export controls', in Cornish, van Ham and Krause (eds.), *op. cit.* in note 8, pp. 64-71. See also Harald Müller (ed.), *Nuclear Export Controls in Europe* (Brussels: European Interuniversity Press, 1995).

The indefinite extension of the NPT in 1995: a mixed outcome for the CFSP

The preparation of the 1995 Review Conference was the subject of joint action (as defined in the Maastricht Treaty) by the Fifteen.²⁵ Aimed essentially at the indefinite extension of the NPT, this joint action was crowned with success thanks to close collaboration among Europeans (and with the Americans) and a large-scale diplomatic campaign. The Fifteen managed to remain united in their aim under German and then French presidencies, from summer 1994 to the New York Conference. Whatever other divergences there may have been between nuclear and non-nuclear countries or between members of the Atlantic Alliance and ‘neutrals’, the European Union was able to maintain this aim and even speak on behalf of states of Central and Eastern Europe associated with this joint action, which eventually brought together twenty-one countries.²⁶

The Europeans’ joint action on the occasion of the 1995 Conference naturally benefited from the fifteen years of European dialogue in the field of non-proliferation and what is referred to as ‘European acquis’ in this domain. It made an important contribution to the indefinite extension of the NPT.

The choice of a European ‘joint action’ for the preparation of the NPT Review and Extension Conference

The idea of a joint action was put forward in 1993 by the CFSP committee dealing with security issues. Taken up again by Germany, this suggestion met some resistance before being finalised during Greece’s presidency of the EU in the first half

²⁵Decision 94/509/CFSP, published in the *Official Journal of the European Communities*, 8 August 1994.

²⁶A detailed assessment of European actions can be found in Harald Müller (ed.), *European Non-Proliferation Policy 1993-1995* (Brussels: European Interuniversity Press, 1996); see also David Fischer and Harald Müller, ‘United Divided. The European[s] and the NPT Extension Conference’, *PRIF Reports*, no. 40, November 1995.

of 1994.²⁷ The decision on a joint action was adopted at the Corfu summit (24-25 June 1994), which agreed that ‘a joint action shall be adopted concerning the preparation of the 1995 Conference of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)’.²⁸ The bases and objectives of the joint action are given in the conclusions of the Corfu European Council, which states that the joint action should be prepared along the following lines:

- ‘the basis for the joint action is consensus among partners that the NPT should be extended indefinitely and unconditionally;
- joint efforts have to be made in order to promote this goal among States parties to the Treaty which might not share this conviction;
- the aim of universality of the NPT requires joint efforts in order to convince States which are not yet parties to the NPT to accede, if possible before 1995, and to assist the States ready to accede in accelerating their accession.’²⁹

From the moment it was defined, therefore, the joint action was ambitious, since it was dedicated to ‘the aim of indefinite and unconditional extension of the NPT’, an aim that then seemed distant and uncertain to say the least. Moreover, for several member states the choice of indefinite and unconditional extension was not necessarily an obvious one, for widely varying reasons: it reopened the intellectual debate on the logic of the NPT in France and Germany; it had in particular for long appeared to be in contradiction with the more ambitious nuclear disarmament aims of countries such as Ireland and Sweden.³⁰

The joint action did, however, concentrate on this sole objective of indefinite extension, and attached little importance to the parallel Review Conference,

²⁷Alain Michel and Harald Müller, ‘The European Union’, in Harald Müller (ed.), *op. cit.* in note 26, pp. 38-46.

²⁸European Council, Corfu, 24-25 June 1994 (Presidency Conclusions, Doc. SN 150/1/94), available on the EU website: <http://www.ue.eu.int/cfsp>.

²⁹*Ibid.*, point L.

³⁰Like Austria and Finland, Sweden only joined the European Union on 1 January 1995, but all three were already associated with the joint action. The Swedish foreign ministry had for long tended to favour some form of conditionality to extend the NPT. See Lars van Dassen, ‘Sweden’, in Müller (ed.), *op. cit.* in note 26, p. 276.

preparation for which is nowhere mentioned. During the Council of Ministers of 18 and 19 July 1994 it was formally decided to restate the objectives and arrangements of the joint action mentioned in Corfu in the first three articles.³¹ The European Union's action was to take the form of démarches by the Presidency regarding both states that were not parties to the NPT and those that were opposed to its indefinite extension. From then on the Europeans were to increase their efforts to achieve this aim, displaying significant diplomatic activism which was the fruit of a genuine combined effort.

A significant contribution to the indefinite extension of the NPT

As from summer 1994, in European foreign ministries there was a noticeable increase in démarches by troikas (Greece/Germany/France and then in the first half of 1995 Germany/France/Spain) in order to strengthen participation in the third preparatory committee (Prepcom). Nearly a hundred countries thus presented a jointly agreed statement. During the third Prepcom, the United Kingdom also presented, on behalf of the Fifteen, a legal argument refuting the possibility of a two-phase extension. At every major diplomatic encounter (Prepcoms, UN General Assembly, meetings of the Disarmament Conference and other meetings of regional forums) there was also a declaration by the Presidency on behalf of the Fifteen in favour of indefinite extension. Diplomatic activity intensified again after the third Prepcom, with particular efforts aimed at the most determined opponents of indefinite extension (particularly in the Middle East) and states that were not then signatories to the NPT (Algeria, Argentina, Chile and Ukraine). In the final months before the Conference, in addition to the troika's démarches, European countries directed their efforts towards countries to which they were close (particularly former

³¹See decision 94/509/CFSP of 25 July 1994, published in the *Official Journal of the European Communities*, 8 August 1994, 'concerning the joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union regarding preparation for the 1995 Conference of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons', reproduced *in extenso* at Annexe B.

colonies). At the beginning of the Conference itself, they also gave practical assistance to help all countries to be effectively represented.

The French Foreign Minister, Alain Juppé, gave an opening speech to the Conference on behalf of the Fifteen that had been drafted jointly and took into account the particularities of each of the member or associated states. This text reveals the overall tone of European interventions during the preceding months: 'Europe includes . . . countries that the Cold War for a long time painfully divided, countries whose level of economic development still differs widely, countries that have a sizeable civil nuclear industry and others that have chosen other sources of energy, countries that have nuclear weapons and others that have renounced them . . . What today unites them is that they have all made the same choice in favour of the indefinite extension of the Non-Proliferation Treaty. Our differences forcefully underline the significance of this choice, since they are obliterated by our determination to ensure the continuity of a common benefit: the Treaty on the Non-Proliferation of Nuclear Weapons. The European Union has, through a joint action, unequivocally committed itself to the indefinite and unconditional extension of the NPT. This commitment should not surprise anyone . . . since we are convinced that, as the Security Council, meeting at the level of heads of state and government on 31 January 1992, declared, the proliferation of nuclear weapons constitutes a threat to international peace and security. And lastly because, faced with this threat, our countries know that the NPT corresponds to a fundamental need of the international community . . . Let us consider our common objectives rather than our differences . . . The indefinite extension of the Non-Proliferation Treaty constitutes the only solution that is compatible with those objectives.'³²

The European countries were to keep to this objective stated at the opening of the debate throughout the Conference. The determination of those in favour of indefinite extension (North Americans, Europeans, Japanese, Russians, etc.) and the winning over of the majority of non-aligned countries were to prevail over those who had reservations and argued for other solutions. This allowed the adoption of indefinite

³²Speech by the Minister of Foreign Affairs, M. Alain Juppé on behalf of the European Union and the Countries of Central and Eastern Europe associated with the Union at the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons', New York, 18 April 1995, available in French on the French Ministry of Foreign Affairs website: <http://www.diplomatie.gouv.fr>.

extension by consensus, without a vote, at the end of negotiations, including in particular the adoption of Decision 2, entitled ‘Principles and Objectives for Nuclear Non-Proliferation and Disarmament’.³³ Germany also played a part by contributing in a decisive way to the preparation of Decision 1 concerning ‘Strengthening the Review Process’. It was the combination of indefinite extension, these two decisions and the resolution on the Middle East that allowed a consensus to be reached.

The sum total of European démarches and declarations certainly contributed in a significant way to increasing participation at the Conference and achieving a consensus in favour of indefinite extension. If it is by definition difficult, indeed impossible, to discern the contribution that each country made to the success of the Conference, it seems clear that, without this involvement of the Fifteen (and of several other countries and regional organisations), the unconditional and indefinite extension would have appeared to be an exclusively American objective that would have been less likely to obtain the support of all the States parties. In developing a case in favour of extension that was without doubt more nuanced, the European approach was a useful complement to American démarches.

Thus, and thanks to a joint action, the European Union and its member states ‘did better than during any NPT Review Conference in the past. Yet they could have done more, as deep divergences prevented a focused contribution to solving the many substantive issues before the Conference.’³⁴

The divergences among Europeans during the Conference

Although indefinite extension was achieved, divisions existed within the European Union during the Conference. These divisions were promoted by the organisation of the debate itself, with two parallel negotiating frameworks:

³³For a general analysis of the results of the Conference, see for example the assessment by Rebecca Johnson, ‘Indefinite Extension of the Non-Proliferation Treaty: Risks and Reckonings’, *Acronym Report*, no. 7, September 1995, and Christophe Carle (ed.), ‘Dissuasion et non-prolifération après la reconduction du TNP’, *Politique étrangère*, Autumn 1995, in particular the article by Thérèse Delpech, ‘Une victoire éclatante et fragile’. See also Camille Grand, ‘La reconduction illimitée du Traité de non-prolifération nucléaire’, *Relations internationales et stratégiques*, no. 19, Autumn 1995.

³⁴Fischer and Müller, op. cit. in note 26, p. 42.

- the debate on indefinite extension, essentially negotiated in an informal way and centred on the chairman ('presidential consultations');
- the standard five-year review conference, which was somewhat neglected by the participants.

The twice-weekly meeting of a European 'caucus' at the level of heads of delegation, and the even more frequent contacts between members of delegations, certainly helped to erase certain differences and maintain a degree of unity among Europeans but participation at the Conference happened in an uncoordinated way. Together with the three other nuclear powers recognised by the NPT, France and the United Kingdom often sought to protect their own interests. Six other countries of the Union (Austria, Denmark, Finland, Ireland, the Netherlands and Sweden) renewed a tradition dating back to the 1980 Conference and joined five countries outside the EU within the G-11 ('White Angels').³⁵ Added to this were the wider groupings such as the Western group (presided over by the United Kingdom).

'The EU – as a whole – remained without influence on the most important activity, the presidential consultations.'³⁶ Five countries of the Union (France, Germany, the Netherlands, Sweden and the United Kingdom) did participate in the consultations led by the President of the Conference (the Ambassador of Sri Lanka, Jayantha Dhanapala) and negotiated the terms of the 1995 consensus. They did this, however, more in a national capacity (because of their role in the discussions on non-proliferation) than as representatives of the Union (even in the case of the French Presidency). Although they reported on the content of the discussions to the other members of the Union and to associate countries, the five countries concerned appear hardly to have demonstrated any particular spirit of European coordination, either among themselves or towards the 'excluded' countries. Although the reports included references to Franco-German or Franco-British contributions to the presidential consultations, these were not strictly speaking 'European'. One cannot

³⁵An informal group of states dedicated to the promotion of nuclear non-proliferation and disarmament constituted at the second NPT Conference (1980), also referred to as the White Angels, or G-10 because of the later membership of Hungary. In addition to the EU countries already mentioned, the G-11 includes Australia, Canada, Hungary, New Zealand and Norway.

³⁶Fischer and Müller, *op. cit.* in note 26, p. 44.

therefore assert that the European Union had a specific impact on the debate that forged the final consensus at the Conference, in particular not the declaration on ‘Principles and Objectives for Nuclear Non-Proliferation and Disarmament’.³⁷ In summary, ‘Individually, participating European governments, France, the UK, Germany and the Netherlands played constructive and useful roles at critical junctures of these difficult negotiations. However, collectively, there was no concerted *European* position.’³⁸

The Fifteen also showed a lack of solidarity during discussions at the five-yearly Review Conference proper, missing an occasion to make a decisive contribution to this exercise. The Union revealed its lack of preparation and its divisions in the work of the three principal Review Conference Committees.³⁹ Only one joint document, concerning Article IV of the NPT (technology transfers),⁴⁰ had been prepared before the Conference for Committee III (peaceful uses of atomic energy), and another joint contribution, on Articles I and II (concerning non-proliferation),⁴¹ was drawn up and

³⁷Reproduced *in extenso* at Annexe A.

³⁸Harald Müller, ‘European nuclear non-proliferation after the NPT extension: achievements, shortcomings and needs’ in Cornish, van Ham and Krause (eds.), *op. cit.* in note 8, p. 52.

³⁹Main Committee I examined matters related to ‘nuclear disarmament’ and ‘non-proliferation’ (Articles I, II and VI of the NPT), Main Committee II the question of ‘safeguards’ (Article III of the NPT, IAEA, nuclear-weapon-free zones) and Main Committee III ‘peaceful uses of nuclear energy’ (Article IV of the NPT). The complete text of the NPT is given at Annexe A.

⁴⁰Article IV: ‘Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty.

All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.’

⁴¹Article I: ‘Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.’

Article II: ‘Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the

presented during the Conference to Committee I (nuclear disarmament and non-proliferation). Despite the presidency's efforts to arrive at joint positions, the EU's contribution was limited to that poor result.

It is not really surprising that the attempt to unite all the countries of the Union in a contribution to the debate on Article VI (nuclear disarmament)⁴² for Committee I brought together only nine countries (Austria, Ireland and Sweden each made their own contributions). On the other hand, it is difficult to understand or accept that the EU did not have a common position in Committees II (IAEA guarantees) and III concerning Articles III (safeguards)⁴³ and IV (peaceful uses of nuclear energy). On both of these topics, the Union nevertheless had a tradition of joint positions in the IAEA and the Nuclear Suppliers Group.

The European Union's joint action did contribute actively to the indefinite extension of the NPT, which was its declared aim, but the Europeans too often appeared divided during the discussions. Extra-European solidarity (between nuclear powers, between members of NATO or the G-11) often overrode internal European Union coordination. That was confirmed notably in the traditional positions taken on disarmament, for example on the sensitive question of the halting of nuclear tests. Moreover, for lack of preparation, which had been neglected in the preceding months in favour of NPT extension alone, the other discussions at the Review Conference did not produce examples of European unity, whereas there was broad agreement on the subjects dealt with. The

transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.'

⁴²Article VI: 'Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control.'

⁴³Article III: 'Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices.'

European Union could therefore have put forward effective compromises in the discussions in the committees of the Review Conference. From the point of view of the CFSP, the joint action thus seems to be only a partial success, all the more so as this joint effort is broadly short-lived.

EUROPEAN NON-PROLIFERATION POLICY TODAY

After the extension of the NPT, the European Union did not choose to pursue the effort made in the period 1994-95. Indeed, the last five years have been noticeable for the absence of any major European initiative. Divergences have in the main prevailed over the tendency towards a relative convergence that was seen during the first part of the decade. European leaders have given nuclear non-proliferation a lower priority among their concerns and have not endeavoured to continue the joint action of 1994-95. In the absence of any important event, non-proliferation has once again been relegated to what is still too often the confines of the CFSP: a policy that is essentially declaratory but rarely audible.

A lack of major initiatives

If one reviews the European Union's actions and declarations on non-proliferation since 1995, in reality one finds, in order of importance, two 'joint actions' that are more technical than political, a few 'common positions' and a series of 'Statements by the presidency on behalf of the European Union'.

The joint action that was decided on during the Madrid European Council of 15-16 December 1995 'concerning the participation of the European Union in the Korean peninsula Energy Development Organization (KEDO)'⁴⁴ was the subject of heated debate, several European countries even doubting the pertinence of involvement in the Far East.⁴⁵ In practice, European participation, which was managed by Euratom, was limited to a financial contribution that allowed it to take part in the administrative council of KEDO but with little influence on the running of

⁴⁴Formally launched on 5 March 1996, the 'Joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union on participation of the European Union in the Korean Peninsula Energy Development Organization (KEDO)' is available on the EU website: <http://ue.eu.int/cfsp> and in the *Official Journal of the European Communities*, no. L 63, 13 March 1996.

⁴⁵On the Europeans and the KEDO, see remarks by Marie-Hélène Labbé in 'Y-a-t-il une politique européenne de non-prolifération nucléaire?', *Politique étrangère*, no. 3/97, Autumn 1997.

its affairs, which were dominated by the bilateral dialogue between Pyongyang and Washington. Although it may show the Union's wish to be involved in the global debate on proliferation (a desire expressed notably by France), participation in KEDO does not in any way alter the fact that, since 1993-94, the North Korean question has been dealt with almost exclusively by the United States.

The second joint action, concerning transparency in export controls,⁴⁶ on the other hand, is of real importance for the future of the non-proliferation regime. Greater transparency is a condition for the legitimacy and durability of export control regimes, which are in turn essential for the maintenance of an international nuclear non-proliferation system. Despite its technical nature and its relatively limited resources (for financing the Nuclear Suppliers Group's meetings that are intended to inform importing countries), this joint action is in fact likely to contribute to the success of the NPT 2000 Review Conference by reinforcing confidence among countries buying and selling nuclear technology. The European countries, which include some of the leading exporters of goods linked directly or indirectly to the nuclear industry, have an important role to play in this respect.

The European Council has also announced various 'common positions' on non-proliferation in recent years. There are two types. The most usual has concerned regional questions to do with the presence of weapons of mass destruction (in Ukraine in 1994, the Korean peninsula in 1997 and South Asia in 1998). More rarely, they have been to do with forthcoming negotiations and major diplomatic conferences, such as the fourth conference of Parties to the Biological and Toxin Weapons Convention (1996) or preparation for the NPT 2000 Review Conference (1998, see below).

Descending one 'rung' in the scale of European actions, the presidency of the Council regularly issues 'European Union Statements' that are frequently linked to other countries. These have concerned regional problems linked to the proliferation of weapons of mass destruction (or have an aspect connected with proliferation, like statements on Iran). More rarely, statements have been to do with treaties being

⁴⁶The 'Joint action of 29 April 1997 adopted by the Council on the basis of Article J.3 of the Treaty on European Union on the European Union's contribution to the promotion of transparency in nuclear-related export controls' is available on the European Union website: <http://ue.eu.int/cfsp>.

negotiated, such as those on the Comprehensive Test Ban Treaty in 1996. If, therefore, the European Union has kept up a certain level of activity in the fight against the proliferation of weapons of mass destruction, it has none the less not taken any major initiative since the 1995 NPT Conference – either to start other negotiations (on a nuclear test ban, or a halt to the production of fissile material) or to organise preparatory committees.

A disappointing contribution to the three meetings of the Preparatory Committee

The NPT 2000 Review Conference has been preceded, in 1997, 1998 and 1999, by meetings of the Preparatory Committee (Prepcom). These were devoted to preparing practical aspects of the conferences (procedures, agenda, appointment of a chairman and chairmen of the various committees). In accordance with ‘Decision 1’ of 1995 on the ‘Strengthened Review Process’, Prepcom meetings⁴⁷ have also dealt with basic questions, giving a good idea of the discussions to come at the Review Conference.

The first Prepcom meeting (in New York, from 7 to 19 April 1997) was considered by all parties to be satisfactory, having laid down the foundation for the strengthened review defined in 1995. The second meeting (in Geneva, from 27 April to 8 May 1998), on the other hand, was an almost total failure because of the opposition between the United States and the Arab countries on the Middle East question (more specifically, the attitude that the parties to the NPT should adopt towards Israel). The third (in New York, from 10 to 21 May 1999) ended on a more positive note, as it organised the work of the Review Conference in a spirit of compromise. The lessons to be drawn from these three meetings include in particular the importance of regional questions (especially the Middle East) and the increasingly marked opposition between the five nuclear countries on the one hand (with

⁴⁷For further details on the Prepcom discussions, see for example the detailed reports by Rebecca Johnson in *Disarmament Diplomacy* (nos. 14, 25 and 35), and in *Acronym Report* (nos. 11, 12 and 13), all of which are available on the *Acronym Institute* website: <http://www.acronym.org.uk>, or again the summaries by Ben Sanders of the *Programme for Promoting Nuclear Non-Proliferation* published by *PPNN Newsbrief* (nos. 38, 42 and 46).

occasionally a few allies and the special case of China) and the non-nuclear countries on the other, even if the latter are of a variety of inclinations, ranging from the more moderate to the very radical. These divisions make the traditional three regional groupings inherited from the Cold War (West, East and non-aligned) increasingly obsolete.

If one looks at European participation in the strict sense, the overall result is, on the other hand, not very encouraging. At each of the Prepcom meetings the Union presented a joint statement.⁴⁸ Certainly, these all declared unwavering support for non-proliferation and the NPT. Through these joint contributions, the Union has shown itself to be particularly resolute in its support for the IAEA's new safeguard agreements or the FMCT.⁴⁹ The EU has also proved more flexible than the United States on the thorny issue of the Middle East and Israel's nuclear capability. On 23 April 1998 the Union finally adopted a 'Common Position' designed to 'strengthen the international non-proliferation regime by promoting the successful outcome of the Non-proliferation Treaty (NPT) Review Conference'. The common position provides in particular that 'the European Union shall . . . pursue efforts to convince States which are not yet parties to the NPT . . . to accede to it . . . encourage participation in the remaining Preparatory Committee sessions of the NPT 2000 Review Conference and in the Conference itself . . . help build consensus in the Preparatory Committee sessions and in the NPT 2000 Review Conference . . . in order to facilitate a structured and balanced review of the operation of the NPT.'⁵⁰

None the less, and despite these declared aims, when all is said and done the overall results seem very slim. Detailed examination of the last few years reveals a European Union that is not breaking much new ground, sometimes divided in

⁴⁸Respectively, speeches by the Ambassador of the Netherlands, Jaap Ramaker, on 8 April 1997, at the first meeting, by the British Ambassador, Ian Soutar, on 27 April 1998, at the second, and the German Ambassador, Günther Seibert, on 10 May 1999, at the third meeting of the Prepcom (all of which are available *in extenso* on the BASIC website: <http://www.basicint.org>).

⁴⁹See, for example, the German declaration on behalf of the EU on the TIPMF, on 13 May 1999, at the third meeting of the Prepcom.

⁵⁰Press Communiqué issued following the 2084th session of the Council, Luxembourg, 23 April 1998. The full text of the common position (Decision 98/289/CFSP) is given at Annexe B and was published in the *Official Journal of the European Communities* no. L 129, 30 April 1998.

discussions and assemblies only to issue declarations that are predictable and have no real impact.

Unambitious regional non-proliferation policies

There is a final disappointing aspect of recent years: although several regional crises (India-Pakistan, Iraq and North Korea), have involved weapons of mass destruction and put at risk the nuclear non-proliferation regime, when faced with crises the Europeans have at best not gone beyond the stage of issuing a declaration, and have not developed a truly joint approach. It is of course true, as Christophe Carle notes, that 'to the argument that the CFSP is doomed to produce only declarations, one can object that the importance of declarations is far from negligible in the field of anti-proliferation'.⁵¹ It does however appear that, while the Europeans are in principle united in their opposition to the proliferation of weapons of mass destruction, they seldom seem capable of agreeing to use their political and economic, even strategic weight in order to put pressure on countries that are known to produce or are potentially capable of producing such weapons. In this field Washington maintains sole, uncontested leadership, as the various regional crises involving weapons of mass destruction in recent years have clearly demonstrated.

The Korean peninsula

In North Korea, firstly, the concerns raised since 1993 by Pyongyang's nuclear and ballistic missile programme have been dealt with almost exclusively by Washington. As we have already seen, the KEDO negotiations and mechanism are an American edifice. In fact, European participation (although organised through a joint action) is confined to a financial contribution comparable to those of South Korea or Japan, and a series of stands condemning North Korean nuclear and ballistic ambitions. Unilateral US handling of repeated crises with the Pyongyang regime gives rise to a

⁵¹Christophe Carle, *L'Europe et la non-prolifération nucléaire* (Paris: Institut français des relations internationales (IFRI), November 1994), p. 3.

certain unease among Europeans, who see the IAEA excluded too much and ‘a country that has cheated rewarded’;⁵² nevertheless, neither the European Union nor any European (or Asian) government has to this day put forward a credible alternative. Financial participation in KEDO and the accompanying right to vote are no substitute for a policy, even if they do indicate a European desire to ‘help find an overall solution to the problem of nuclear proliferation in the Korean peninsula’, in the actual terms of the joint action launched in 1996.

The Middle East

In the Middle East, the majority of Europeans likewise take different positions from the Americans on three subjects that are of great importance for the future of the non-proliferation regime, yet without taking any spectacular initiatives.

In the face of Iraq’s continuing ambitions in the field of weapons of mass destruction, European governments are divided. The British, who are in favour of a firm stand against the Baghdad regime, participate in the low-intensity air campaign conducted by the United States since December 1998 as part of Operation DESERT FOX. At the same time, France favours a diplomatic approach and is looking for ways and means to put an end to the embargo that is compatible with a continuing form of long-term control over Iraq’s plans. The other Europeans, who have had little to say on the subject, fall into two camps. These divisions prevent the Europeans from jointly proposing a solution that conforms both to the aim of fighting proliferation and to the need to end the present situation in which for a year there have been sporadic air strikes and an absence of nuclear, biological, chemical and ballistic missile inspections. The way out of the crisis currently being proposed is, once again, not the result of a joint European effort, despite the role played by the Netherlands, France and the United Kingdom.

In the case of Iran, Europe, for once more or less united, does not share the United States’s pessimistic analysis of Tehran’s programme of acquisition of weapons of mass destruction. While remaining vigilant, the European Union more or less sticks to the logic of ‘constructive dialogue’, despite pressure from Washington.

⁵²Labbé, *op. cit.* in note 45.

What can be seen is a *de facto* involuntary sharing of tasks between the United States, which waves its 'stick', and European countries, which are more engaged in Iran.

A last point also connected with the Middle East is Israel's refusal to sign the NPT, which not only prevents the Treaty from becoming truly universal,⁵³ but above all permanently mortgages the future of the regime, since the Muslim countries of the region (beginning with Egypt and Iran) cannot accept that Israel should be regarded as a special case by the nuclear powers in the NPT. US benevolence towards Israel's supposed nuclear capability (an attitude which, for example, was the cause of the failure of the third Prepcom meeting in 1998) is not shared by the Europeans, who always stress the NPT's necessary universality. For example, Ambassador Ramaker, speaking on behalf of the EU at the first meeting of the Prepcom in 1997, pointed out that the absence of 'a few nuclear capable states' was 'a major problem'.⁵⁴ In 1998, the Union, represented by Ian Soutar, in a specific declaration reaffirmed its support in principle for 'nuclear-weapon-free zones in the Middle East', and called on all states that were not yet party to the Treaty to start early negotiations, in particular states with nuclear installations not placed under IAEA safeguards;⁵⁵ this invitation was addressed directly at Israel without naming that country. In 1999 Ambassador Seibert noted that the European Union still set great store by the Middle East resolution of 1995 that called upon all countries of the region to sign the NPT (Israel by then being the only country concerned).⁵⁶ In this question, which has poisoned NPT discussions for years, the EU seems to have adopted a position midway between the maximalist demands of the Arab countries and Washington's prudence; the EU thus does not hesitate to recognise the problem that Israel's abstention poses, but declines to stigmatise it specifically by accepting

⁵³The NPT at present has 187 Member States, and only four have not signed: Cuba, Israel, India and Pakistan.

⁵⁴Speech by the Ambassador of the Netherlands, Jaap Ramaker, on 8 April 1997, at the first meeting of the Prepcom

⁵⁵Statement on resolutions concerning the Middle East nuclear-weapon-free zone by the Ambassador of the United Kingdom, Ian Soutar, on 4 May 1998, at the second meeting of the Prepcom.

⁵⁶Speech by the German Ambassador, Günther Seibert, on 10 May 1999, at the third meeting of the Prepcom

that the question of a Middle East that is free from nuclear weapons (or from weapons of mass destruction) and progress in the peace process are linked.

India and Pakistan

Faced with the crisis caused by Indian and Pakistani nuclear testing in May 1998, the Europeans once again appeared divided. During that month, two declarations by the presidency followed the tests, the EU declaring that it was ‘dismayed and disappointed’⁵⁷ and calling upon the two countries to sign the CTBT and contribute to the opening of FMCT negotiations. Arrived at tardily, in October 1998, a common position intended to ‘contribute to nuclear and ballistic missile non-proliferation in South Asia and to confidence-building’⁵⁸ also had an essentially declaratory dimension, the European countries appearing divided on the appropriateness of severe sanctions against these two southern Asian countries and preferring dialogue. Once again, however, American diplomacy played an essential role, the Europeans, individually and jointly, seeming above all to be used by India and Pakistan in their discussions with Washington. A few national initiatives may have contributed marginally to the development of confidence-building measures in the region and to the relative restraint of the two countries, but in general on this subject, which is recognised by all experts as essential to the future of the non-proliferation regime and international security, the Europeans’ absence was glaring. It is of course extremely complex to draw up a satisfying and effective response to India and Pakistan’s nuclear ambitions, but European timidity on this question shows the weaknesses of the CFSP and the difficulty the Europeans have in turning general joint concepts into significant diplomatic action.

⁵⁷‘Declaration by the Presidency on behalf of the European Union on Pakistan nuclear tests’, 29 May 1998.

⁵⁸Article I of the ‘Common position defined by the Council on the basis of Article J.2 of the Treaty on European Union on the European Union’s contribution to the promotion of non-proliferation and confidence-building in the South Asian region’, 26 October 1998.

Russia and the former USSR

The last regional question, this time one that has no direct connection with the NPT, Russia and the former USSR have received a more satisfactory and more European treatment. The EU is a founder member of the International Science and Technology Centre, Moscow, whose task is to finance the conversion of Russian military research. It is also permanently involved with Moscow and Kyiv in programmes to promote non-proliferation and disarmament which, without being on the same scale as US efforts, play a significant role. In this regard, the Franco-German AIDA-MOX programme makes an important contribution to the resolution of the sensitive question of the reprocessing of plutonium from Soviet weapons. Moreover, by associating Italy with the programme it is becoming more European.

Since 1995, the results from regional non-proliferation policies have therefore been just as modest as in the matter of participation in multilateral negotiations. Not only have they been restricted, with one or two exceptions, to a declaratory policy (although this, it should be remembered, is nevertheless perfectly acceptable and often appropriate in the fight against proliferation), but, worse still, the EU has put forward hardly any innovative approaches in the handling of problems and crises.

Lessons of Europe's withdrawal

Following the spectacular *rapprochement* of European policies from 1981 to 1995, which reached a peak between 1992 and 1995, the period 1995-2000 has on the contrary been characterised by a falling off in concerted European activity, rather as if it had suddenly 'gone into neutral'. Paradoxically, the Union seems to have gone back to an earlier stage that was dominated by specific joint declarations based on the lowest common denominator. The lack of any search for a European policy and a dynamic consensus that produces new initiatives is particularly striking. Even more serious, instead of building on the joint action of 1994-95, in European diplomatic

circles there seems to have been a withdrawal to former reasoning and alliances, most frequently outside the European Union. There are several possible explanations for this phenomenon.

The primacy of national policies

During the last five years, the renationalisation of disarmament and non-proliferation policies has been illustrated by the numerous episodes showing divisions in Europe: the renewal of French nuclear testing in 1995-96, arguments over the International Court of Justice's advisory opinion on the legality of the use or threat of use of nuclear weapons in 1995-96, the initiatives taken by the 'New Agenda Coalition' in 1998-99,⁵⁹ disagreements over the future of nuclear energy in 1998-99 and discussions at the Geneva Conference on Disarmament or the General Assembly of the United Nations. Among these events, two seem particularly significant: the renewal of French nuclear testing and the ICJ's advisory role.

The announcement, very shortly after the 1995 Conference, of the renewal of a last series of French nuclear tests⁶⁰ caused a major rupture among the Europeans. Decided on a purely national basis, it was badly received by most countries of the Union, who made known their opposition, notably at a vote in the UN General Assembly. Revealing the split between nuclear and non-nuclear Europeans, only the United Kingdom showed its solidarity and refrained from any negative comment (however, Germany and Spain kept to a particularly moderate line in their

⁵⁹In addition to Ireland and Sweden, the 'New Agenda Coalition' includes five other countries (Brazil, Egypt, Mexico, New Zealand and South Africa; initially a member of the group, Slovenia has withdrawn). It was launched on 9 June 1998 with a joint declaration by the countries concerned, who: '[called upon] the governments of each of the nuclear-weapon states and the three nuclear-weapons-capable states to commit themselves unequivocally to the elimination of their respective nuclear weapons and nuclear weapons capability and to agree to start work immediately on the practical steps and negotiations required for its achievement'. The document proposing the negotiation of a 'convention banning nuclear weapons' presented by this 'coalition' was supported by 32 states at the third Prepcom session in 1999. This 'coalition' has since intervened regularly in international debates (NPT, CD, United Nations General Assembly).

⁶⁰On the general context of this decision, see Camille Grand, 'La diplomatie nucléaire du Président Chirac', *Relations internationales et stratégiques*, no. 25, Spring 1997.

declarations). This episode also generated much hostility among the public in Europe. The fact that the French government seized this opportunity to relaunch the proposal of 'concerted deterrence' put forward by Alain Juppé a few months earlier scarcely had any corrective effects, being interpreted as a diplomatic move on France's part. With hindsight, it can even be supposed that concerted deterrence suffered from this confused situation. While the final series of tests allowed a major change in French disarmament policy to occur,⁶¹ it undoubtedly contributed to a loss of the impetus built up in 1994-95, for example by making common initiatives in nuclear matters temporarily impossible, as the majority of countries in the Union feared that they would be seen as siding with the French.

The parallel debate on the advisory role of the ICJ on the legality of the use or threat of use of nuclear weapons also gave rise to deep divisions within the European Union. Thus, during the oral phase of the ICJ procedure only four EU countries (France, Germany, Italy and the United Kingdom) supported the theory of legal use, while Sweden declared its opposition.⁶²

Although it is not possible to attribute this return to the primacy of national considerations to a single cause or a particular group of countries (such as the egotism of the nuclear powers, the anti-nuclear activism of the 'neutrals' or the disinterest, indeed veiled hostility, of the non-nuclear countries), in these conditions it would have been difficult to imagine the Union taking any major initiative in any of the recent international negotiations in the nuclear field (CTBT, FMCT or the NPT Conference). In the Union's defence it must be recognised that in the case of the NPT the aim of a possible joint action for the 2000 Conference seems less clear than it did in 1995: as no indefinite extension need be obtained, can one build a joint action on the 'success' (something, incidentally, that is very difficult to define) of an international conference? Other subjects (CTBT, FMCT, BWC Protocol) certainly lend themselves more to it, but they have not given rise to collective effort of this sort either.

⁶¹See Thérèse Delpech, 'France's Last Tests: A Catalyst for New Policies', *The Non-Proliferation Review*, vol. 3, no. 1, Autumn 1995.

⁶²On these discussions, see, in addition to the advisory note of 1996, Marc Perrin de Brichambaut, 'La question de la licéité des armes nucléaires, une dimension nouvelle du débat sur la dissuasion', *Relations internationales et stratégiques*, no. 21, Spring 1996.

While points of view may have converged somewhat in the last twenty-five years, the European countries have still not developed a truly joint approach to nuclear questions that enables them to speak with one voice in non-proliferation matters. An observation made by Christophe Carle in 1994 still seems pertinent today: ‘the harmonisation of the respective attitudes of the Twelve on non-proliferation questions seems more accidental than deliberate, and will have been the result of events and international changes outside the Union rather than of specific efforts to work out a joint approach.’⁶³

One can even question the joint action of 1994-95. Was this a one-off experience linked to a specific objective and in a particular context? The little effort made by the Europeans to work together since 1995 seems to justify such an interpretation. The last few years have seen the policies of the different member states fall back into the traditional habit of favouring solidarity with countries outside Europe. Thus, France and the United Kingdom have often preferred research and the preparation of positions among nuclear powers in the so-called ‘P-5’ format (the five permanent members of the UN Security Council that are also official nuclear powers) or on occasion the ‘P-3’ (Western nuclear powers). The countries with an anti-nuclear tradition, like Ireland and Sweden, have, through their participation in the ‘New Agenda Coalition’ alongside non-aligned countries, indicated that they can express their views on nuclear disarmament better in a different framework.

Even the European countries that are members of NATO prefer actions outside the EU context, such as the initiative on nuclear disarmament taken in Geneva in February 1999 by Belgium and four other European countries (Germany, Italy, the Netherlands and Norway)⁶⁴ to re-launch the Conference on Disarmament. This initiative, which was aimed at getting the FMCT negotiations out of deadlock through the creation of an *ad hoc* working group on nuclear disarmament in Geneva, offered a shrewd and moderate response to the blocking of the CD and could have been dealt with by the Fifteen.

Consequently, and as has been seen, the Union restricts itself to a common line, sometimes fiercely negotiated in advance, erasing differences that are too visible and

⁶³Carle, *op. cit.* in note 51, p. 9.

⁶⁴Intervention by André Mernier, Belgian Ambassador, at the Geneva Conference on Disarmament, 2 February 1999 (CD/PV.812 ; CD/1565).

respecting peculiarities, but this cannot constitute a ‘common policy’ in the true sense. It seems that one real reason for this lack of interest in European actions is that the usual conditioned reflexes are more comfortable. It really is easier to fall back on the defence of national interests and traditional postures, pandering to public opinion, than to seek a dynamic consensus that relies on solidarity that is more difficult to create.

The tyranny of the lowest common denominator

It is even more comfortable to reproduce joint declarations setting out grand principles agreed by all than to work out together a new initiative that clashes with national reflexes and texts defined long ago.

A remark made at the end of the last meeting of the Prepcom by an analyst who has followed the debate on the NPT for a long time, Rebecca Johnson, raises real questions: ‘The EU practice of negotiating among themselves and presenting a collective statement has two counterproductive consequences: firstly, most of the initial EU presentation (especially on disarmament issues) is at the lowest common denominator since the interests of nuclear weapon and non-weapon States, and States within and outside the NATO nuclear umbrella, are significantly different; secondly, this process deprives the early stage of a meeting of the more creative and constructive ideas from European countries. Since these early debates, when ideas and assessments are aired, may be a principal source for a Chair’s interpretations of the tenor and priorities of States parties, European input is effectively diminished.’ Next noting the EU’s systematic efforts to prevent one of its members from breaking ranks, as France (among others) did at the 1999 meeting of the Prepcom by submitting a national proposal, the author remarks: ‘In fact it is not France which deserves criticism, but the practice of tying the diversity of EU opinion into unified EU statements in inappropriate situations, such as the NPT.’⁶⁵

Without necessarily sharing the severity of the judgement that makes no comment on the merits, at least from the point of view of building the CFSP, of European solidarity even on subjects on which there is not always consensus, one nevertheless

⁶⁵Rebecca Johnson, ‘The Third NPT Prepcom: What Happened and How?’, *Disarmament Diplomacy*, no. 35, May 1999, p. 15.

has to acknowledge the argument that a semblance of unity that is built around mere generalities is not the best guarantor of influence in international forums.

The question of nuclear disarmament

Nuclear disarmament remains the most troublesome question, as is shown by all the negotiations directly or indirectly connected with it. Today, the positions of the various European actors on this topic still seem irreconcilable. The Union includes traditionally militant countries that are in favour of nuclear disarmament and nuclear countries that show little inclination to accept rapid disarmament.

Now, the 'Article VI disagreement demonstrates a deep-seated problem for EU policy in nonproliferation and disarmament issues. For the more disarmament-minded member states, showing a national profile might be of such high value that they may insist on positions that are hardly capable of commanding consensus and show little realism.'⁶⁶ In the same way, the nuclear countries have no intention of letting their policy be dictated to them by the demands of activists in the name of European solidarity. 'In the last instance, this divergence reflects the lack of a common understanding of the role of nuclear weapons in the post-Cold War world and of whether complete nuclear disarmament is or is not a valuable goal.'⁶⁷

Why persevere?

In these circumstances it may seem pointless to persevere in the attempt to construct a European policy. Without clearly laid out objectives, very flexible coordination or even uncoordinated action could better serve the national interests of EU countries,

⁶⁶Fischer et Müller, *op. cit.* in note 26, p. 32

⁶⁷*Ibid.*, p. 44.

even if the CFSP is not developed. Here, we are, on the contrary, going to endeavour to specify the reasons for pursuing the joint effort that has been begun.

One bad reason: mutual control

An undisclosed motive for continuing in the CFSP framework is the organisation of the control of partner countries. The nuclear powers see in it the means to keep the fervour of the anti-nuclear and the temptations of the non-nuclear countries in check, whereas the target countries on the contrary see it as a means to put pressure on the nuclear powers to ensure that they do slacken in their disarmament efforts. Such an essentially negative approach cannot, however, take the place of a joint policy.

On the one hand it is ineffective overall. As recent years have amply demonstrated, the 'anti-nuclears' are finding other frameworks in which to voice their claims and the 'nuclears' are only very slightly sensitive to pressure from their partners. On the other hand, its real effect is to limit the scope of European initiatives, which appear to be merely compromises discussed by their own authors.

A few good reasons: the effective defence of common objectives

Part of the Europeans' divergences lie more in conflicting perceptions than in real disagreements. The countries that are traditionally more in favour of disarmament often give little credit to the efforts that the nuclear powers make in this area. The nuclear powers, on the other hand, still view the militant countries as unrealistic and irreparably hostile towards their arsenals. These conflicting perceptions of course contain an element of truth, but they should not make it impossible to work together on non-proliferation and disarmament, even nuclear, for example on intermediate objectives such as the CTBT or the FMCT.

Lastly, one must above all not overlook the fact that the Europeans have a common general objective: to safeguard non-proliferation regimes, and in the first instance the NPT. Despite their divergences, the Europeans are all attached to the

Treaty's existence and the logic of non-proliferation, which is all the more important today since this logic is questioned, even challenged, by many major actors (see below). In this context, the Europeans' influence lies not merely in the combined weight of each of the member countries of the EU, but also in the actual diversity of European positions, which, paradoxically, is an influence multiplier. The unity of view on non-proliferation thus exhibited by countries that have a nuclear 'culture' that is sometimes radically different is for the EU a strong card in safeguarding the NPT.

Practical lessons

Five practical lessons can be drawn from twenty years of working together.

- The instruments necessary for cooperation among Europeans are now in place. EPC, and subsequently the CFSP, have set up several committees (for example CONUC and CONOP) that meet several times a year at the appropriate level to work out European positions. The COREU⁶⁸ system works well and facilitates the preparation of joint declarations. The instruments offered by the European treaties, in particular the articles dealing with the CFSP in the Maastricht Treaty, are thus not in question.
- The Europeans appear much more effective when they are united in a common cause. Giving up the logic of the lowest common denominator happens through the defining of precise, realistic short-term objectives. These objectives can only be attained by preparation that is not confined to the working out of general declarations whose purpose is uncertain, but on the contrary sets out common positions on predictable stumbling blocks in a negotiation or international conference. In these conditions, the maintenance of European solidarity will not be a constraint but will go without saying in the pursuit of previously defined objectives.
- The most effective actions are those spread over a period of time, that is to say over several presidencies. Although it makes such long-winded efforts possible, there seems to have been too little resort to 'joint actions'.

⁶⁸European telex network.

- The sometimes thankless task of preparing positions on technical issues is essential. Work done in advance on the working out of common European positions or declarations of specific scope, for example for one of the three traditional committees of the NPT conferences, has too often been neglected. In this way the Europeans have in more precise negotiations lost the evidently beneficial effects of a general declaration by the Fifteen.
- The involvement of the highest political authorities (head of the executive or minister) is increasingly essential in order to mobilise European foreign ministries and reach a dynamic consensus. Politics as a driving force, in this area as in others, is essential.

WHAT INITIATIVES SHOULD EUROPE TAKE?

Paradoxically, the deterioration in the international non-proliferation environment is reinforcing the importance and possibility of greater European involvement. After the decade 1987-97, the fight against proliferation has in effect entered a phase of turbulence, indeed of withdrawal.⁶⁹ As we have already noted, for many countries non-proliferation and arms control seem to have lost their attraction.

The United States now seems to be giving priority to unilateral solutions, whether diplomatic (as in the handling of the North Korean affair) or strategic (resorting to anti-missile defence and counter-proliferation strategies). In these conditions, non-proliferation and nuclear arms control are now taking a back seat or even disappearing from the agenda. The fate reserved for the CTBT by the Republican-dominated Senate and unilateral declarations on national missile defence (NMD) may be the first public indications of a much stronger tendency of the United States to give up restrictive multilateral involvement. The ABM Treaty, the negotiation of the Protocol to the Biological and Toxin Weapons Convention⁷⁰ or the FMCT could tomorrow be the next targets for this growing hostility towards bilateral or multilateral arms control. Of course, even if it goes well beyond conservative circles in Congress, it remains to be seen if this tendency is confirmed; it could turn out to be merely a demonstration to the outside world of exacerbated opposition of Congress to the Clinton administration in the run-up to important elections. However, even if this optimistic interpretation is correct, the United States finds itself, at least for the moment, paralysed and incapable of playing its traditional role of promoter of non-proliferation.

Neither China nor Russia seems tempted to take over this role, despite Chinese rhetoric and possible Russian budgetary motivation. Both seem in effect to be very much at ease with the freeze created by the US situation, which has conveniently justified their own reluctance to make a move.

The non-aligned countries seem torn between the temptation of an extremist position and that of withdrawal, both strategies paradoxically having the same effects.

⁶⁹See more detailed remarks on this new context given in the introduction.

⁷⁰Begun in 1992, these negotiations are to lead to the adoption of a restrictive biological verification regime.

In the first case, the formulation of demands that are unacceptable to the nuclear countries leads inevitably to the freezing of negotiations, as at Geneva. In the second case, motivated by the preservation of strategic interests, refusal to become more involved in negotiations in hand or to support existing treaties also leads to paralysis, for example because all progress in verification regimes becomes impossible.

In this context of great uncertainty, the (EU and non-EU) Europeans and a few other countries⁷¹ seem to be the only ones wanting to safeguard the non-proliferation regime and its logic, notably by mobilising for the NPT 2000 Conference. The countries of the European Union in particular have a leading role to play in this field.

What contribution could Europe make to the success of the NPT 2000 Conference?

The five-yearly NPT Review Conference is to be held in New York from 24 April to 19 May 2000. Five years after the indefinite extension of the Treaty, this will be the occasion to take stock, in front of the media, of progress made in the nuclear non-proliferation regime and the weaknesses that have appeared since 1995. It will also be the occasion to examine whether the principles announced and the political undertakings formulated in the 'Declaration on the Principles and Objectives for Nuclear Non-Proliferation and Disarmament' have been respected, and whether the 'Strengthened Review Process' has become a reality.

It might be thought that the failure of the Conference would be both inevitable because of the many tensions that undermine the non-proliferation regime and, in fact, would not endanger the Treaty since three review conferences out of five have already ended in failure – in 1980, 1990 and 1995. Going even further, it is even possible to maintain that such failure could meet the objectives of many countries:

- non-aligned or European disarmament militants who can, for domestic consumption, denounce at their leisure the nuclear countries' bad faith;

⁷¹Canada, Japan and states of the southern Pacific, and a few moderate non-aligned countries.

- the nuclear powers, who for their part can put off for a few years new concessions on disarmament.

Many issues are likely to be discussed at the 2000 Conference. One finds them, for example, listed in the decision regarding the 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament' adopted in 1995.⁷² Several deserve study and in-depth preparation, to which the Europeans have on occasion made their contribution: the future of cooperation on the peaceful uses of nuclear energy, the strengthening of security guarantees, an increase in the number of denuclearised zones and progress in tactical or strategic nuclear weapons disarmament.

Rather than give a detailed catalogue of foreseeable debates and possible initiatives in spring 2000, it appears to be more pertinent to concentrate on three themes that seem both especially important for the future of the nuclear non-proliferation regime and capable of achieving consensus on a combined European effort: a nuclear test ban, an end to the production of fissile material and the expected results of the 2000 Conference.

Preservation of the Comprehensive Test Ban Treaty

The 'Principles and Objectives' adopted in 1995 called for 'The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty no later than 1996. Pending the entry into force of a Comprehensive Test-Ban Treaty, the nuclear-weapon States should exercise utmost restraint.' Available for signature in September 1996, the CTBT was signed by 154 countries but has been ratified by only 51. The two European nuclear powers (France and the United Kingdom) have already ratified it and the other EU countries were also among the first to ratify. Although a Conference of States parties and signatories was held in Vienna from 6 to 8 October 1999, 3 of the 44 essential signatories⁷³ (India, North Korea and

⁷²Reproduced *in extenso* at Annexe A.

⁷³The text of the Treaty demands the membership of the 44 countries that have civilian nuclear installations, including the five nuclear powers and three non-recognised nuclear

Pakistan) were still lacking. Of the 44, ratification by 18 is still to come, including three of the five nuclear powers (China, Russia and the United States), and that of Israel.

This situation will inevitably influence the NPT Conference, whereas the CTBT is an old claim of the non-nuclear countries, and its entry into force appeared possible. At the time of the Vienna Conference, the Clinton administration, hoping to profit from a favourable climate, launched the ratification procedure in the Senate. This tactic in the end rebounded on the Administration, the Senate rejecting ratification in a very partisan vote by 51 votes to 48, whereas a two-thirds majority in favour was required. This was indicative of the way in which the debate in the United States on arms control has developed. The opponents of ratification put forward sound technical arguments, which are shared by a non-negligible proportion of the American strategic community, denouncing the unverifiability of the CTBT in a certain number of extreme cases, or pointing out the constraints of such an undertaking for a power like the United States, which has very wide-ranging international engagements. The majority of senators who, in this context, chose to vote against ratification, wished in particular to put legitimate national security interests first by choosing deliberately to neglect or play down the negative effects of such a decision on the non-proliferation and arms control regime as a whole.

In the first place, non-ratification by the United States gives China, India and Russia a good pretext not to ratify the CTBT, indeed possibly to restart nuclear testing. It also marks a major turning point in the history of nuclear arms control, the inventor of arms control sending a very unfavourable message to the other countries.

In the second place, the postponement *sine die* of the entry into force of the CTBT raises the question of the effective functioning of the Comprehensive Test Ban Treaty Organisation (CTBTO), which is responsible for verification of the ban on nuclear experimentation. The United States provides a quarter of the Organisation's finances and plays a central role in the smooth running of the international surveillance system.

The Europeans find themselves in the lead on this issue, firstly because they are exemplary *vis-à-vis* the CTBT and also because only they are capable of making up for the default of the United States. It is therefore up to them to defend the

powers.

importance and continuity of the Treaty. This position suggests that two simultaneous actions are required in preparation for the NPT Conference.

The first priority is to keep up the diplomatic pressure for the signature and ratification of the Treaty globally. In this regard, the public intervention of Messrs Blair, Chirac and Schröder⁷⁴ in the US debate on ratification of the CTBT marked the first joint engagement by the major European countries in this direction. The diplomatic effort must not be aimed solely at the United States, but also target the other nuclear countries that have not signed or ratified. The Europeans are in effect now the only ones that can legitimately ask for the signatures and ratification promised by China, India, Israel, Pakistan or Russia. Obtaining these would strengthen the case for extracting a favourable vote from the US Senate in the future.

As a second line of action for the Europeans, the effective functioning of the CTBTO will depend on them until the United States has ratified the Treaty, which is unlikely in the short term. The intermediate phase, in which the CTBTO and the verification system will be developed pending the entry into force of the Treaty (at the moment postponed *sine die*), is likely to last some time. European involvement must be both technical (to ensure optimal effectiveness of the international verification system) and financial (to safeguard the CTBTO budget, even in the event of a US withdrawal).

By engaging themselves diplomatically and financially to ensure the continuity of the CTBT, the Europeans are sending a clear message to the international community and thus signalling that, whatever the hazards, the multilateral nuclear accords will be safeguarded. A joint action whose objective was the entry into force of the CTBT could be timely and could mobilise support. By maintaining the aim of the entry into force of the CTBT at an early date on the occasion of the NPT Conference, the Europeans would help ensure that the undertakings made in 1995 do not remain a dead letter.

Negotiation of a Fissile Material Cut-off Treaty

⁷⁴*New York Times*, 12 October 1999.

The FMCT is also an engagement made by all the States parties to the NPT at the New York Conference as part of the 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament'. An *ad hoc* committee was set up within the Disarmament Conference in 1998 following difficult negotiations, due to the long-standing opposition of the *de facto* nuclear countries, but effective negotiations have not yet begun. A treaty that deals with both disarmament and non-proliferation, essentially it puts obligations on the nuclear countries, the others already being required by the NPT not to acquire weapons-grade fissile material.

Nevertheless, and whereas the project was unanimously supported in 1995, the cut-off is today hostage to internal considerations at the Geneva Conference on Disarmament. The non-aligned countries want formally to include it in a nuclear disarmament process, and the nuclear powers refuse to do this. Everyone seems to be forgetting the many virtues of the FMCT:

- it symbolically marks the end of the nuclear arms race;
- it formalises the four nuclear powers' renunciation of the production of fissile material, on which they have observed a moratorium for several years;⁷⁵
- it commits China and the three other nuclear-capable countries⁷⁶ to following this example;
- it combats nuclear proliferation;
- it establishes an international inspection regime to check compliance by the Parties.

In this framework, the Europeans' diversity could prove to be an advantage in getting the negotiation out of the impasse in which the demands of a few countries that practice linkage has locked it. A proposal previously mentioned by five NATO countries (Belgium, Germany, Italy, the Netherlands and Norway) is aimed at doing this. The creation of an 'Ad Hoc Working Group'⁷⁷ offers a compromise solution between the non-aligned countries' views and the refusal of the nuclear countries to

⁷⁵France, Russia, the United Kingdom and the United States. France has also begun to dismantle its installations producing highly enriched uranium and plutonium for explosive use.

⁷⁶India, Israel and Pakistan.

⁷⁷Statement by the Belgian Ambassador, André Mernier, 2 February 1999 (CD/PV.812.CD/1565). See also Rebecca Johnson, 'Geneva Update No. 45', *Disarmament Diplomacy*, no. 35, March 1999.

let nuclear disarmament matters be dealt with by the CD, by creating a consultative group but not a multilateral negotiating forum.

All the European countries are involved in this matter and could, in Geneva and other forums, stress how much the FMCT is an essential aim that has many virtues. Going beyond existing common declarations, resolute action of this type would be particularly pertinent and could help to get the negotiations out of its impasse. The Europeans could thus concentrate on the key states in these negotiations, such as the *de facto* nuclear countries.

In view of the forthcoming NPT Conference, if the FMCT negotiations got off the ground this would confirm that things were making headway, and that the vast majority of the States parties could agree on common objectives.

A joint study of the expected results of the Conference

In the latest Prepcom meetings a debate has begun on the ‘product’ expected from the Conference: should one try and obtain consensus on a final report as happened during preceding review conferences, should one follow the practice adopted in the 1995 declarations to prepare new documents of the same type, and in that case what place should be given to the ‘Principles and Objectives’ of 1995? What should happen to the ‘strengthened review process’?

These questions may seem pointless or technical, but they are none the less fundamental in that they will help to determine the future of the NPT. The 1995 consensus was built around two decisions complementing the indefinite extension of the Treaty: the ‘Strengthened Review Process’ on the one hand and the ‘Principles and Objectives for Nuclear Non-Proliferation and Disarmament’ on the other.

At the last meeting of the Prepcom, the Europeans appeared divided on these points, France for example expressing doubts on the opportuneness of reformulating the ‘Principles and Objectives’. Careful preparation, using the CONOP mechanism, should endeavour to establish common objectives in this respect. It is in fact a matter of arriving at the Conference with an agreed policy on this question. Several options are currently being discussed among Europeans: whether it is a matter of preparing two documents, one presenting an assessment of the results of the past few years and the other, more forward-looking, suggesting a short-term agenda, or more

simply keeping the 'Principles and Objectives' of 1995, although updating may be necessary.

As an updating of the 'Principles and Objectives' in one form or another seems likely, given that some of the wording is outdated, it would be highly desirable for discussions among Europeans to take place in advance of the Conference itself. In the same spirit, if the Europeans wish to make a significant contribution to the preparation of these coming events, the joint drafting of working documents and 'talking points' that could be presented to the other States parties to the NPT seems essential.

The minimal programme that we have outlined above seems compatible with the Europeans' shared principles and capable of mobilising diplomatic action among the Fifteen on clear and relatively modest objectives. Such a programme also appears capable of making a real contribution to the success of the Conference and of achieving more than simply the preparation of a joint declaration.

All of these objectives should be stated as soon as possible in an exemplary, ambitious 'joint position' before the NPT Conference that could later be followed by more specific joint actions (for example, on the CTBT or FMCT).

From common rhetoric to a common non-proliferation culture

In addition to the action now necessary in preparation for the 2000 Conference, the reassertion of common values is essential. The regime has entered a turbulent period in which its very existence is threatened in the medium term, whatever the outcome of the 2000 Conference.

Certain countries that are resistant to the NPT, like India, question the logic of non-proliferation itself, which it considers discriminatory. However, written into the text of the Treaty, this 'logic of inequality'⁷⁸ is for the time being the only one that safeguards the non-proliferation edifice. Again, the legitimacy of the fight against proliferation is based on the principle of a recognised legal nuclear proliferation control mechanism. Some might hold that, should the NPT disappear, there are other

⁷⁸Joseph Nye, 'NPT: The Logic of Inequality', *Foreign Policy*, Summer 1980.

options, such as the resort to bilateral pressure or military intervention. These options, however, are singularly lacking in legitimacy.

Unlike the recognised or potential proliferating countries, who see the NPT as a constraint, but also unlike the United States, for which non-proliferation regimes seem to be merely one option among others for meeting the challenge of proliferation of weapons of mass destruction, the Europeans still consider the existence of solid, legal regimes as the basis of the fight against proliferation to be of great importance. The other possibilities (counter-proliferation, active and passive defences) appear to them merely complementary and useful in the event of failure but incapable of substituting for non-proliferation. Europe intends to keep a clear order of priorities and options, with non-proliferation in first place.

In these conditions, the Europeans have a vocation to assert themselves as the most committed defenders of the NPT against those who question its legitimacy and those who doubt its effectiveness. In this respect it is useful to recall the regime's numerous successes in the fight against the spread of atomic weapons. In the 1960s, the pessimists feared that the world would include twenty to thirty nuclear powers by the end of the century. Having limited that number to eight is far from the least of the NPT's successes.⁷⁹ It is thus up to the Europeans continually to remind the sceptics of the extent to which the NPT and the IAEA guarantees together constitute a fundamental part of international security on which the countries that are fighting proliferation matters can rely.

Maintaining the balance of obligations

All the Europeans share the same concept of an NPT based on obligations fairly distributed between nuclear and non-nuclear countries. This is a difficult balance to strike, since the nuclear countries are by definition more prudent than the non-nuclear regarding nuclear disarmament.

In the logic of the 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament' adopted in 1995, it is evident that the NPT is based on the

⁷⁹These, it will be recalled, are France, China, Russia, the United Kingdom and the United States (officially recognised as nuclear States), India and Pakistan (who have also carried out tests) and, unofficially but in the general opinion, Israel.

maintenance of this balance of obligations. It is up to the nuclear countries to demonstrate their determination to go forward as rapidly as the preservation of their security interests permits along the path of disarmament. The best encouragement that the non-nuclear countries can offer them is naturally the absence of proliferation. The NPT is not basically a disarmament treaty in that it accepts the existence of five Nuclear Weapons States (NWS). The NPT none the less specifies obligations for the NWS, set out in Article VI and repeated in the principles and objectives. While it is legitimate to recall these obligations, this should not lead to a change in the fundamental aim of the NPT, which is still to stop the spread of nuclear weapons.

Since the Europeans count both nuclear and non-nuclear countries among their number, they are well placed together to define the point of balance of the NPT at any given moment in its history.

Responding to regional challenges to non-proliferation

One of the main questions for the future of nuclear non-proliferation is the challenge posed in three regions: the Middle East, South Asia and the Far East. These raise on the one hand the issue of the universality of the NPT, with the absence of India, Israel and Pakistan, and on the other hand that of its effectiveness regarding countries suspected of violating either the letter or the spirit of the Treaty.

These questions are of great importance for the future of the Treaty, since they are likely to cause diplomatic blockages, indeed even the withdrawal of key states such as Egypt. In this, European action could be taken at two levels. In general, Europe must use the means at its disposal to encourage countries to sign the Treaty that are resisting. This prospect does, however, seem to be a very distant one, so that it is a matter of encouraging them to become more involved in the other international conventions and negotiations related to disarmament and non-proliferation (CTBT and FMCT). At the same time, it is up to Europe to promote the adoption of confidence and security-building measures that could reduce the nuclear risks in the regions concerned.

In the approach to the Conference and afterwards, the European Union doubtless has a role to play in bringing together the positions of the Arab countries and the United States on the Middle East issue. The adoption of a compromise formula on this question seems to be one of the conditions for the success of the 2000

Conference. *De facto*, in advance of the very hypothetical event of Israel joining the NPT, European initiatives could partly respond to the Arabs' anxieties: the Europeans could urge Israel to ratify the CTBT, to become more involved in the future FMCT, to show greater transparency or to shut down and dismantle the Dimona nuclear site. Such initiatives by Israel would not fundamentally endanger the country's security.

The 'Common Strategy of the European Union on Russia' formally adopted on 4 June 1999 also includes, under the heading 'Preventive diplomacy', one of its 'Areas of action', an important section devoted to 'curbing the proliferation of WMD, and supporting nuclear disarmament and CW destruction.'⁸⁰ By involving Europe in a long-term regional policy, it provides an important and potentially effective non-proliferation instrument. This strategy could therefore be used to good effect in the case of tactical nuclear disarmament in Russia, which is of direct concern to the Europeans.

In these various, difficult regional contexts, it is up to Europe to use its economic weight and to know, when necessary, how to distinguish itself effectively from American positions, on occasion to take over from the United States, sometimes to compensate for its absence. It is not a question of multiplying economic sanctions, which is always a strategy of last resort, but rather of practising positive linkage in which the leading trading power and provider of economic aid in the world (the EU) uses this position to grant greater aid to 'virtuous' countries and those that return to the path of non-proliferation.

The European Union, a 'laboratory of consensus'

As David Fischer and Harald Müller note, 'we should not forget that the Union presents a good nonproliferation microcosm with nuclear and non-nuclear weapon states, allied and neutral countries, nuclear exporters and non-exporters, nuclear energy producers and antinuclearists. If this group of countries can agree on points of substance, this may well serve as a basis of consensus in the Conference at large.

⁸⁰Point 3 (c) (Cooperation to strengthen stability and security in Europe and beyond) of the second part of the Common Strategy of the European Union on Russia adopted by the European Council on 4 June 1999.

In this sense, efforts at shaping common positions can have a salutary effect on the regime as a whole.⁸¹

According to this logic, the Europeans' diversity itself, while not facilitating the task of diplomats, can be an asset. If the Europeans, who represent a large cross-section of sensibilities, manage to agree a position, then it will carry much greater weight and will by definition be easier to generalise. The many compromises and reciprocal concessions that attaining such a position requires can serve as an example to the non-European States parties to the Treaty. The experience of recent years shows, however, that for lack of a permanent effort the European laboratory has not yet produced this miracle consensus.

Non-proliferation, disarmament and European deterrence

The preceding proposals seek to set out the bases for a common European non-proliferation culture. It does, however, seem that this aim must remain a distant one, despite a few isolated attempts, of which the best example to date is the 1994-95 joint action. By refusing to tackle head-on the persistent sticking points, the Europeans seem to be restricting themselves to the least ambitious aspects of this programme.

Given the determining influence that disarmament and, more generally, differences over the future of nuclear weapons has, it appears essential to begin a no-holds barred European debate on these subjects. The practice of 'avoiding irritating, vexed questions' seems in effect to have reached its limit. The intention of such a dialogue would of course not be to achieve consensus straight away but on the contrary to segregate the vast area of possible accords and jointly to construct minimal agreement on the most difficult subjects.

Given the sensitivity of European public opinion and the separation between initial positions, the most suitable method seems to be the gradual widening of the current dialogue between the two West European nuclear powers. This widening could be of two types: thematic and geographic.

⁸¹Fischer et Müller, *op. cit.* in note 26, p. 46.

The first stage would be to open up the Franco-British framework to non-nuclear states, in the first place Germany. The geographical limits of this nuclear consultation should not be fixed in advance, even if it seems reasonable to suppose that, at least initially, it would be limited to countries accepting the logic of deterrence, that is to say essentially the WEU members. The second stage, widening the debate on the future of nuclear weapons to non-nuclear states, should not be confined to this geographic enlargement but also be applied to the themes covered. European nuclear dialogue should therefore concern not only deterrence but also disarmament or non-proliferation. This is a condition for its acceptability to non-nuclear states, who must have a legitimate hope of influencing the nuclear powers' choices in these areas. The latter would in return benefit from the legitimacy that would come from associating non-nuclear states with their policy.

The institutional framework for such a dialogue still of course remains very much to be decided, but proposals exist.⁸² It is however necessary to lay down a few governing principles. Informing and associating the public is thus essential if it is to have legitimacy. The ability of governments to go beyond domestic political prejudices and constraints will be an essential condition for success.

⁸²On the subject of nuclear dialogue beyond the framework of deterrence, see for example: Burkard Schmitt, 'L'Europe et la dissuasion nucléaire', *Occasional Papers* 3 (Paris: Institute for Security Studies of WEU, October 1997); Roberto Zadra, 'European integration and nuclear deterrence after the Cold War', *Chaillot Papers* 5 (Paris: Institute for Security Studies of WEU, November 1992); André Dumoulin, 'La dissuasion nucléaire européenne, quel avenir ?', *Dossier du GRIP*, no. 211-212, 3-4, 1996; and WEU Assembly Document 1420, 'The role and future of nuclear weapons', Report submitted on behalf of the Defence Committee by Mr De Decker, 19 May 1994. For a more committed approach proposing a European nuclear disarmament agenda, see, for example, Martin Butcher, Otfried Nassauer and Stephen Young 'Nuclear Futures: Western European Options for Nuclear Risks Reduction', *BASIC Research Report 98.5*, December 1998.

CONCLUSIONS

The results of what will soon be twenty years of European dialogue on nuclear non-proliferation may seem limited. A brief look back over that period has however enabled us to show that the European *acquis* in this sphere has not been negligible, and that the instruments offered by the CFSP have been sufficient. It is nevertheless not possible to be satisfied with the results.

As a contribution, this *Chaillot Paper* concludes with a list of more general recommendations to complete the ideas formulated in the text and put forward a few new proposals that could help the progress of the Europeans' fight against the proliferation of weapons of mass destruction.

A critical look at the past

As an essential precondition to progress in European policy, it is necessary to continue, permanently, a critical assessment of policies followed by the Union in this area, in both the academic framework and more official contexts. The successes and failures of European initiatives must be analysed without complacency if one wishes to make progress in this domain. Such a process must allow the questioning, if necessary, of positions of principle or the traditional 'talking points' that sometimes deserve to be revised or abandoned.

More exhaustive preparation for the major international events

As we have seen, the fact that preparation for international conferences is too often limited to the laborious drawing up of a common declaration hinders Europe's capacity to influence these negotiations. More intensive preparation that does not try simply to define a minimal consensus but also attempts to tackle the most difficult questions is essential. It is usually possible to identify the sticking points in these big conferences in advance. Inadequate preparation on these subjects leads not only to European disunity during the conference but also prevents the EU from playing its role of 'laboratory of consensus'.

Precise, limited objectives in a general framework

While it is doubtless necessary to redefine the framework for European action, which should be the preservation of the logic and balance of non-proliferation, European action should for its part concern precise, practical objectives such as, yesterday, the indefinite extension of the NPT or, tomorrow, the entry into force of the CTBT or FMCT. In the same way, regional non-proliferation policies must define Europe's precise aims in a given region rather than general principles. The NPT 2000 Conference presents an opportunity to resume this ambitious approach.

An independent study of the future of nuclear weapons

Europe's prospects in the fight against proliferation will remain limited as long as European divergences on the future of nuclear weapons are so flagrant. At present it is illusory to hope for total convergence among the Fifteen. It would on the other hand be appropriate to draw European concepts sufficiently close together to permit joint work to be carried out in the medium and long term. With that aim in mind, a group of European experts responsible for drawing up a European non-proliferation and disarmament agenda should be considered. Its work would be done outside the CFSP's constrained intergovernmental framework and would not initially commit states, although they would be free to use such a panel's output.

Various recent experience have shown that such groups can manage to make pertinent proposals. In 1996, the Canberra Commission⁸³ made a number of proposals advocating nuclear disarmament that were realistic. More recently, the Tokyo Forum⁸⁴ submitted a report, a large section of which was devoted to security

⁸³Brought together at the initiative of the Australian government, the Commission submitted a report entitled *Report of the Canberra Commission on the Elimination of Nuclear Weapons*, Canberra, 1996.

⁸⁴Following an initiative by the Japanese government in 1998-99, the Forum's conclusions were published as *Facing Nuclear Dangers: An Action Plan for the 21st Century*, Tokyo, 25 July 1999.

questions, that took a distinctive non-rhetorical approach to non-proliferation and nuclear disarmament issues.

In Europe it would be difficult for such an initiative to come from a nuclear state without it being suspected of ulterior motives. Equally, if it were launched by a country with an anti-nuclear tradition, it would meet hostility from the nuclear powers. The European Commission is not empowered to initiate such a debate. There therefore remain two possibilities. An initiative by the 'High Representative for the CFSP' seems to be a serious option that could assert his role in the field of non-proliferation. However, as that role does not yet seem to have been clearly defined, our preference is a bilateral proposal, for example Franco-German. Whoever the initiator of such an independent commission is, its report should include an analysis of the security and role of nuclear weapons in Europe today, recommendations on the strengthening of non-proliferation regimes and proposals regarding disarmament. Lastly, it should include specific recommendations on European actions. Such a document would of course not be destined for adoption *en bloc* by European governments, but it could nevertheless serve as a basis for new CFSP initiatives.

Broader thinking on other weapons of mass destruction and security issues in general

Given the proximity of the NPT 2000 Conference, this *Chaillot Paper* has in the first place considered nuclear questions. It is nevertheless essential to take a more general approach to the problem of the proliferation of weapons of mass destruction, whether it is a question of the preservation of all the non-proliferation regimes or of reflection on the threat, which is not only nuclear but biological, chemical and ballistic. Europe should therefore look at all aspects of the question.

Finally, it seems impossible to limit the field of study on proliferation simply to non-proliferation regimes; it is essential to include all European policy in this field within a broader study of the security of the Continent in the face of the new threats. At a moment when the construction of a European defence is gradually leaving the area of assertion of its identity and turning to a consideration of its capabilities, the question of proliferation is without doubt one of the challenges that Europe must face.

ANNEXE A

MAIN TEXTS CONCERNING NUCLEAR NON-PROLIFERATION

**Treaty on the Non-Proliferation of Nuclear Weapons,
signed at Washington, London, and Moscow, July 1, 1968.**

Entered into force March 5, 1970

The States concluding this Treaty, hereinafter referred to as the “Parties to the Treaty”,

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to cooperate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties of the Treaty, whether nuclear-weapon or non-nuclear weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the cooperation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the worlds human and economic resources,

Have agreed as follows:

Article I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

Article II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

Article III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this article shall be followed with respect to source or special fissionable

material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this article shall be applied to all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article.

3. The safeguards required by this article shall be implemented in a manner designed to comply with article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this article and the principle of safeguarding set forth in the Preamble of the Treaty.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

Article IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty.

2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

Article V

Each party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a nondiscriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-

weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

Article VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control.

Article VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

Article VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

Article IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to article 102 of the Charter of the United Nations.

Article X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

Article XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

**Decision on ‘Principles and Objectives
for Nuclear Non-Proliferation and Disarmament’
adopted in New York on 11 April 1995**

The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming the preamble and articles of the Treaty on the Non-Proliferation of Nuclear Weapons,

Welcoming the end of the cold war, the ensuing easing of international tension and the strengthening of trust between States,

Desiring a set of principles and objectives in accordance with which nuclear non-proliferation, nuclear disarmament and international cooperation in the peaceful uses of nuclear energy should be vigorously pursued and progress, achievements and shortcomings evaluated periodically within the review process provided for in article VIII, paragraph 3, of the Treaty, the enhancement and strengthening of which is welcomed,

Reiterating the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

The Conference affirms the need to continue to move with determination towards the full realization and effective implementation of the provisions of the Treaty, and accordingly adopts the following principles and objectives:

Universality

1. Universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons is an urgent priority. All States not yet party to the Treaty are called upon to accede to the Treaty at the earliest date, particularly those States that operate unsafeguarded nuclear facilities. Every effort should be made by all States parties to achieve this objective.

Non-proliferation

2. The proliferation of nuclear weapons would seriously increase the danger of nuclear war. The Treaty on the Non-Proliferation of Nuclear Weapons has a vital role to play in preventing the proliferation of nuclear weapons. Every effort should be made to implement the Treaty in all its aspects to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by States parties to the Treaty.

Nuclear disarmament

3. Nuclear disarmament is substantially facilitated by the easing of international tension and the strengthening of trust between States which have prevailed following the end of the cold war. The undertakings with regard to nuclear disarmament as set out in the Treaty on the Non-Proliferation of Nuclear Weapons should thus be fulfilled with determination. In this regard, the

nuclear-weapon States reaffirm their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament.

4. The achievement of the following measures is important in the full realization and effective implementation of article VI, including the programme of action as reflected below:

(a) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty no later than 1996. Pending the entry into force of a Comprehensive Test-Ban Treaty, the nuclear-weapon States should exercise utmost restraint;

(b) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein;

(c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control.

Nuclear-weapon-free zones

5. The conviction that the establishment of internationally recognized nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region concerned, enhances global and regional peace and security is reaffirmed.

6. The development of nuclear-weapon-free zones, especially in regions of tension, such as in the Middle East, as well as the establishment of zones free of all weapons of mass destruction, should be encouraged as a matter of priority, taking into account the specific characteristics of each region. The establishment of additional nuclear-weapon-free zones by the time of the Review Conference in the year 2000 would be welcome.

7. The cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is necessary for the maximum effectiveness of such nuclear-weapon-free zones and the relevant protocols.

Security assurances

8. Noting United Nations Security Council resolution 984 (1995), which was adopted unanimously on 11 April 1995, as well as the declarations of the nuclear-weapon States concerning both negative and positive security assurances, further steps should be considered to assure non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument.

Safeguards

9. The International Atomic Energy Agency is the competent authority responsible to verify and assure, in accordance with the statute of the Agency and the Agency's safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty, with a view to preventing diversion of

nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Nothing should be done to undermine the authority of the International Atomic Energy Agency in this regard. States parties that have concerns regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the Agency to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate.

10. All States parties required by article III of the Treaty to sign and bring into force comprehensive safeguards agreements and which have not yet done so should do so without delay.

11. International Atomic Energy Agency safeguards should be regularly assessed and evaluated. Decisions adopted by its Board of Governors aimed at further strengthening the effectiveness of Agency safeguards should be supported and implemented and the Agency's capability to detect undeclared nuclear activities should be increased. Also, States not party to the Treaty on the Non-Proliferation of Nuclear Weapons should be urged to enter into comprehensive safeguards agreements with the Agency.

12. New supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to non-nuclear-weapon States should require, as a necessary precondition, acceptance of the Agency's full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

13. Nuclear fissile material transferred from military use to peaceful nuclear activities should, as soon as practicable, be placed under Agency safeguards in the framework of the voluntary safeguards agreements in place with the nuclear-weapon States. Safeguards should be universally applied once the complete elimination of nuclear weapons has been achieved.

Peaceful uses of nuclear energy

14. Particular importance should be attached to ensuring the exercise of the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II as well as III of the Treaty.

15. Undertakings to facilitate participation in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy should be fully implemented.

16. In all activities designed to promote the peaceful uses of nuclear energy, preferential treatment should be given to the non-nuclear-weapon States party to the Treaty, taking the needs of developing countries particularly into account.

17. Transparency in nuclear-related export controls should be promoted within the framework of dialogue and cooperation among all interested States party to the Treaty.

18. All States should, through rigorous national measures and international cooperation, maintain the highest practicable levels of nuclear safety, including in waste management, and observe standards and guidelines in nuclear materials accounting, physical protection and transport of nuclear materials.

19. Every effort should be made to ensure that the International Atomic Energy Agency has the financial and human resources necessary to meet effectively its responsibilities in the areas of technical cooperation, safeguards and nuclear safety. The Agency should also be encouraged to intensify its efforts aimed at finding ways and means for funding technical assistance through predictable and assured resources.

20. Attacks or threats of attack on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety and raise serious concerns regarding the application of international law on the use of force in such cases, which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations.

The Conference requests that the President of the Conference bring the present decision, the decision on strengthening the review process for the Treaty and the decision on the extension of the Treaty on the Non-Proliferation of Nuclear Weapons, to the attention of the heads of State or Government of all States and seek their full cooperation on these documents and in the furtherance of the goals of the Treaty.

ANNEXE B**MAIN EUROPEAN DECISIONS ON NUCLEAR NON-PROLIFERATION****Council decision of 25 July 1994 concerning the joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union regarding preparation for the 1995 Conference of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (94/509/CFSP)**

THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty on European Union, and in particular Articles J.3 and J.11 thereof,
Having regard to the general guidelines laid down by the European Council on 24 and 25 June 1994,
HAS DECIDED AS FOLLOWS:

Article 1

The objective of this joint action which is the subject of this Decision shall be to strengthen the international nuclear non-proliferation system by promoting the universality of the Treaty on the Non-Proliferation of Nuclear Weapons and by extending it indefinitely and unconditionally.

Article 2

For the purposes of the objective laid down in Article 1, the European Union shall:

- make efforts to convince States which are not yet parties to the Non-Proliferation Treaty to accede, if possible before 1995, and to assist States ready to accede in accelerating their accession;
- encourage participation in the remaining two Preparatory Committee sessions of the 1995 Conference of the States parties to the said Treaty in Geneva and New York respectively and in the Conference itself;
- help build consensus on the aim of indefinite and unconditional extension of the said Treaty.

Article 3

Action by the European Union as referred to in Article 2 shall comprise:

- demarches by the Presidency, under the conditions laid down in Article J.5(3) of the Treaty on European Union, with regard to non-member States which are not yet parties to the Non-Proliferation Treaty;
- demarches by the Presidency, under the conditions laid down in Article J.5(3) of the Treaty on European Union, with regard to non-member States which might not share the Union's belief that the Non-Proliferation Treaty should be extended indefinitely and unconditionally;
- the possibility of assistance by the European Union for non-member States which so wish with a view to their accession to the Non-Proliferation Treaty and the establishment of the procedures necessary for compliance with obligations under it.

Article 4

This Decision shall not give rise to operational expenditure.

Article 5

This Declaration shall enter into force on the day of its adoption. It shall cover the period up to the end of the Conference of the States parties to the Non-Proliferation Treaty scheduled for 12 May 1995.

Article 6

This Decision shall be published in the Official Journal.

Done at Brussels, 25 July 1994.

For the Council

The President

F.-Ch. ZEITLER

Common Position of 23 April 1998 defined by the Council on the basis of Article J.2 of the Treaty on European Union, relating to preparation for the second Preparatory Committee for the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (98/289/CFSP)

THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty on European Union, and in particular Article J. thereof,
 Having regard to the importance attached by the European Union to the Treaty on the non-proliferation of nuclear weapons as the cornerstone of the nuclear non-proliferation regime,
 Whereas on 25 July 1994 the Council adopted Decision 94/509/CFSP concerning the joint action regarding preparation for the 1995 Conference of the States Parties to the Treaty on the non-proliferation of nuclear weapons;¹

Whereas the 1995 Review and Extension Conference of the Parties to the Treaty on the non-proliferation of nuclear weapons adopted decisions on the indefinite extension of the Treaty on the non-proliferation of nuclear weapons, on principles and objectives for nuclear non-proliferation and disarmament, on the strengthening of the review process for the Treaty, and on a resolution on the Middle East;

Whereas at the first session of the Preparatory Committee for the 2000 Review Conference of the Parties to the Treaty on the non-proliferation of nuclear weapons, held in New York on 7 to 18 April 1997, it was agreed provisionally to hold a second session on 27 April to 8 May 1998 in Geneva and a third session on 12 to 23 April 1999 in New York;

Whereas on 29 April 1997 the Council adopted Joint Action 97/288/CFSP concerning the European Union's contribution to the promotion of transparency in nuclear-related export controls;²

Whereas, on the basis of negotiating Directives adopted by the Council on 1 December 1997, negotiations on an additional Protocol to the Verification Agreement between the non-nuclear weapon States of the European Atomic Energy Community (Euratom), Euratom and the International Atomic Energy Agency (IAEA), on an additional Protocol to the Safeguards Agreement between France, Euratom and the IAEA, and on an additional Protocol to the Safeguards Agreement between the United Kingdom, Euratom and the IAEA have been concluded;

Whereas, in the light of the outcome of the 1995 Review and Extension Conference and of the first session of the Preparatory Committee, it is appropriate to update and develop further the objectives set out in Joint Action 94/509/CFSP, and the initiatives carried out under its terms,
 HAS DEFINED THIS COMMON POSITION:

Article 1

The objective of the European Union shall be to strengthen the international nuclear non-proliferation regime by promoting the successful outcome of the Non-Proliferation Treaty (NPT)

¹*Official Journal of the European Communities* L 205, 8 August 1994, p. 1.

²*Official Journal of the European Communities* L 120, 12 May 1997, p. 1.

2000 Review Conference.

Article 2

For the purposes of the objective laid down in Article 1, the European Union shall:

- where appropriate, pursue efforts to convince States which are not yet parties to the NPT, in particular those States which operate unsafeguarded facilities, to accede to it, where possible before 2000,
- encourage participation in the remaining Preparatory Committee sessions of the NPT 2000 Review Conference and in the Conference itself,
- help build consensus in the Preparatory Committee sessions and in the NPT 2000 Review Conference on substantive issues in order to facilitate a structured and balanced review of the operation of the NPT and expand the agreed elements contained in the Chairman's Working Paper of the first session of the Preparatory Committee, bearing in mind the importance of the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference and using this document as a starting point.

Article 3

Action taken by the European Union for the purposes of Article 2 shall comprise:

- where appropriate, demarches by the Presidency, under the conditions laid down in Article J.5(3) of the Treaty on European Union, with a view to promoting the universality of the NPT,
- demarches by the Presidency, under the conditions laid down in Article J.5(3) of the Treaty on European Union, with a view to encouraging participation in the NPT 2000 Review Conference,
- demarches by the Presidency, under the conditions laid down in Article J.5(3) of the Treaty on European Union, with regard to States Parties, in order to urge their support for the objectives set out in Article 2,
- the pursuit of agreement by Member States on draft proposals on substantive issues for submission on behalf of the European Union during the strengthened review process for consideration by States Parties to the NPT which may ultimately form the basis for recommendations to the NPT 2000 Review Conference.

Article 4

This common position shall take effect on the date of its adoption.

Article 5

This common position shall be published in the Official Journal.

Done at Luxembourg, 23 April 1998.

For the Council
The President
N. GRIFFITHS

countries, whether nuclear, non-nuclear or anti-nuclear. Doing this will require a real effort but would also permit Europe to play its role fully as a 'laboratory of consensus'. Such a commitment in the fight against proliferation presupposes, however, that an unprejudiced European study be made of the future of nuclear weapons.