How “common” is European nuclear non-proliferation policy ?

Tom Sauer

Post-Doctoral Research Fellow

Department of Politics

Catholic University of Leuven

Paper presented at the Joint Sessions of Workshops of the European Consortium for Political Research (ECPR), Edinburgh, 28th of March-2d of April 2003.

Feed-back welcome:

tom.sauer@soc.kuleuven.ac.be

tel: +32.16.32.32.56

fax: +32.16.32.30.88

Intro

Since the end of the Cold War, the spread of weapons of mass destruction is regarded as one of the largest threats to international peace and security. The 11/09 attacks pushed it to the top of the list. While the inter-state game of nuclear deterrence was and still is a controversial and sensitive issue in world affairs, it pales with the idea that one day terrorists will acquire nuclear weapons. In contrast to most states, terrorists are not interested in defense, but in offense. In addition, they can by definition not be deterred with nuclear weapons. Although we will always have to second guess the real objectives of those who committed the attacks in the US, it is assumed that the perpetrators were ideologically inspired. That kind of fundamentalism can on its turn only be based on an enormous amount of frustration and hate. Such terrorists project their negative feelings, screwed up by religious leaders at school and at the mosque and supported by colleagues in training camps, into large-scale violence. The more violence, the better. If this analysis is correct, then there is every reason to assume that this kind of terrorists will use every means they have – including weapons of mass destruction - to cause massive havoc. Catastrophic terrorism is not just food for Hollywood movies. The Japanese Aum Shin Rikyo sect used sarin gas in the metro of Tokyo in March 1995. Ten people died and more than 5.000 were wounded. Less known is that the same organization on other occasions unsuccessfully tried to use biological weapons as well. In October 2001 enveloppes filled with antrax caused the death of at least four people in the US. Using the same or similar agents in different circumstances in a more efficient way may cause much more casualties.

However, the sheer magnitude of that kind of destruction will still be a shadow of what will happen if terrorists are able to acquire and use *nuclear* weapons. Nuclear terrorism – the only taboo left – causes nightmares for strategists. The reason why this worst-case scenario has not yet happened, has only to do with the suply-side, i.e. technological difficulties in constructing nuclear weapons[1]. It can be assumed that no terrorist organization – including Al Qhaeda – is able to develop and build nuclear weapons themselves. But nobody can guarantee that they might not get nuclear weapons with the help of states. The latter is the main reason why the Bush administration does not limit the "war on terrorism" to fighting terrorists. President

[1] The main hurdle consists in acquiring the necessary quantity of fissile material, i.e. highly enriched uranium or plutonium.

Bush explicitly warned that the safe havens for the terrorists will be under attack as well, of which the Taliban regime in Afghanistan was the first victim and the Baath regime in Iraq might be the second (based on the situation in the beginning of March '03). In other words, the danger of nuclear terrorism is directly linked to the spread of nuclear weapons to more and more countries. This understanding is nothing new. The 11/09 attacks are only a wake-up call.

Nuclear non-proliferation was regarded as a clear and present danger from the beginning of the atomic age. Anno 2003, out of 192 states, 9 states do possess nuclear weapons. Five of them are called Nuclear Weapon States (NWS) according to the Nuclear Non-Proliferation Treaty (NPT)(1968), the cornerstone of the nuclear non-proliferation regime. The five NWS, that exploded a nuclear device before 1967, are: US (1945), Russia (1949), UK (1952), France (1960) and China (1964). By chance or not by chance, they are also the five permanent members of the UN Security Council. India and Pakistan that never signed the NPT tested nuclear weapons in May 1998. While Israel never tested a nuclear device, never publicly admitted that it possesses nuclear weapons and never signed the NPT either, it is a public secret that Israel already acquired nuclear weapons in the late sixties. It is possible, and some say it is likely, that also North Korea acquired enough fissile material for one or two nuclear weapons in the beginning of the nineties, and possibly even weaponized them. If this is true, North Korea is the first *de facto* NWS that had signed the NPT as Non-Nuclear Weapon State (NNWS), breaching its obligations under the treaty. In January 2003, North Korea withdrew from the NPT, the first country ever to do so[2]. One month later, the IAEA discovered that the Iranian nuclear programme was also much more developed than previously thought. Iran may be able to produce nuclear weapons before 2005[3]. One can wonder whether the current non-proliferation regime – and more in particular the NPT - will survive the possible nuclear outing of North Korea and Iran, two countries that, in contrast to India and Pakistan, had signed up as NNWS to the NPT. There is no doubt that the consequences of the upcoming proliferation gulf will also be felt in Europe.

The objective of this paper is to focus on the European efforts to prevent the spread of nuclear weapons. More in particular, the following questions are asked: a) how common is EU

[2] North Korea announced already in 1993 to withdraw from the NPT, but under pressure from the international community, and especially the US, never actually implemented its threat.
[3] Joby Warrick and Glenn Kessler, 'Iran's nuclear program speeds ahead', in: *Washington Post*, 10th of March 2003.

nuclear non-proliferation policy ? b) what are the driving factors behind this common approach ? c) what are the restraining factors ?

1. European nuclear non-proliferation policy over time

Three periods can be envisaged: a) '45-'74; b) '74-'81; c) '81-now.

1945-1974

Before 1974, one cannot speak of a European approach towards nuclear non-proliferation. It was primarily the US that led the fight against proliferation. After the US had invented the bomb and after the initial efforts of the Acheson-Lilienthal Plan and the Baruch Plan had failed to bring nuclear weapons under international control, the US switched to the goal of preventing the spread of nuclear weapons towards other countries. This policy also applied to the two major European states at that time, France and the UK, countries that had also been involved in the Manhattan Project[4]. The McMahon Act that was enacted by the American Congress in 1946 and that formalized this restrictive policy provided the necessary stimulus for the British government to start its own secret nuclear weapons programme. In 1952, the UK was the first European country that possessed nuclear weapons[5]. Three years earlier and much earlier than expected, the US lost its nuclear monopoly to the USSR, partly as a result of spying activities by Klaus Fuchs, a British citizen.

In 1953, the US changed course and loosened its restrictive policy to a certain extent by initiating the Atoms for Peace programme. The reason for doing so was that the US did not perceive its own policy as very effective, as the USSR had succeeded in building the H-bomb. In the same period, the first American nuclear weapons arrived in Europe. Despite the Atoms for Peace programme, the US pushed the UK not to give in to French demands when France asked for help to build a nuclear bomb. Also in 1954, the French Parliament refused to ratify the European Defense Community treaty, partly because it did not allow large-scale production of plutonium. Whether this clause was part of the signed treaty two years earlier because of bureaucratic weaknesses as Goldschmidt implictly claims or because of other

[4] Already during the Manhattan Project, cooperation with British and especially French scientists became gradually more difficult.
[5] Another indication of the strained relations between the US and the UK is the fact that the UK exploded its first nuclear device in the Pacific, despite the fact that the UK had asked to do so in the US.

reasons, is not clear[6]. It is an interesting historical anecdote that Jean Monnet – the founder of the EC - was against a French *force de frappe* because in his view it was incompatible with the fact that Germany was not allowed to have nuclear weapons. Monnet lost the political battle, and Prime Minister Mendès-France started up the French nuclear weapons programme in secret in November 1954[7]. Two years later, France received enriched uranium from the US, which had a monopoly at that time. France itself sold a large research reactor to Israel in secret and without safeguards together with reprocessing technology, partly to compensate for the Israeli help during the Suez crisis. The Dimona reactor was capable to produce enough plutonium for one or two bombs per year. Later on, France would also help South Africa, Iraq and Pakistan. As a result, it contributed to proliferation[8].

In 1957, both the IAEA and Euratom were created. The former was an American initiative that was directly related to the Atoms for Peace programme: the US was willing to loosen its strict policy to a certain extent (also for commercial reasons) on the condition that an international watchdog organisation would be created. The main targets from the American point of view were the European states.

Euratom in contrast aimed at establishing a European free zone for nuclear fuel, i.e. uranium. It would also control the civilian nuclear fuel cycle in the six member states. The treaty contained no explicit non-proliferation goals[9]. In 1959, Ireland - not yet member of the EC – introduced a UN General Assembly resolution that asked for the establishment of a non-proliferation treaty.

France became the second (and last) European nuclear weapon state in 1960. In contrast to the UK, France did neither sign the Partial Test Ban Treaty (PTBT) in 1963 or the NPT in 1968. France was neither involved in the Zangger Committee, the first nuclear export-control regime.

It was in the beginning of the seventies that Mr Khan – the father of the Pakistani nuclear weapons programme - obtained his Ph.D. in civil engineering at the Catholic University of Leuven (Belgium) and worked at the Urenco facility in the Netherlands from which he stole very sensitive information.

---

[6] Bertrand Goldschmidt, 'Proliferation and non-proliferation in Europa', in: Harald Müller (ed), *A European non-proliferation policy*, 1987, 9.
[7] Ibid., 10-11.
[8] Ibid., 19.
[9] Ibid., 18.

To conclude, a European non-proliferation policy did not exist in the beginning of the seventies. In the first half of the Cold War, the US was by far the number one both with regard to nuclear weapons and nuclear energy. The UK and France obtained nuclear weapons, respectively seven and fifteen years after the US. It was only in the beginning of the seventies that European states such as France, the UK, Germany, and Belgium started to catch up with the US with regard to civilian nuclear energy programmes.

Once can argue that a 'European' approach existed in the form of Euratom. However, the enthusiasm in the nuclear establishment to create Euratom was rather limited. The German industry and French bureaucracy saw no reason to create Euratom as it could only undermine their specific interests. Belgium still hoped for a special relationship with the US because of its delivery of uranium from the Belgian Congo during the Second World War. Italy, the Netherlands and Luxemburg had not embarked on a civilian nuclear programme. Euratom was established, according to Goldschmidt, due to the lobbying of politicians who believed in the idea of European unification and/or a European nuclear deterrent[10]. It is therefore no surprise that Euratom's research programme failed: the Germans saw it as a concurrent, the French as complementary, and the Italians as necessary for the survival of its own infant research programme[11]. As the member states preferred to keep their own relations with the supplier's countries of uranium, Euratom never became a nuclear materials supplier's agency either. Lastly, the European Commission that according to the Euratom treaty would own the fissile material, agreed with the obligation to be informed only.

Beside Euratom, the other occasion when the European states (except France) consulted each other was during the NPT negotiations. Europe's main objective was not non-proliferation but to protect its own national industries as much as possible[12].

1974-1981

The Indian 'civilian' nuclear explosion in 1974 was a turning point for the non-proliferation policy of the major international actors, especially the US and France. India was the first country that exploded a nuclear device after the NPT came into force in 1970, be it for so-called civilian purposes. Even as India was not party to the treaty, it was regarded as a serious setback for the non-proliferation regime. The pendulum in the US swung back towards a more

[10] Ibid., 12.
[11] Harald Müller, 'Non-proliferation policy in Western Europe: structural aspects', in: Harald Müller, *A European non-proliferation policy*, 1987, 85-86.
[12] Bertrand Goldschmidt, ibid., 23.

restrictive policy. Already under the Ford administration, the US required “full-scope safeguards”[13]. Under American impulses, the Nuclear Suppliers Group (NSG) was created and provided tougher guidelines for nuclear export-control than the Zangger Committee had done before. In contrast to Zangger, also France (together with the UK, Germany, and later on Belgium, Italy and the Netherlands on the European side) participated. Before the NSG Guidelines were agreed, ‘national access to the entire fuel cycle was implicitly guaranteed to nonnuclear weapon states party to the [NPT] Treaty (as per article IV), while even nonparties could also benefit from this liberal regime to the extent that they accepted limited safeguards when dealing with a supplier nation party to the NPT’, Pierre Lelouche remarks[14]. NSG strengthened this process considerably.

President Carter further changed US policy. The US announced that it would halt all reprocessing activities. Under US initiative, the NSG Guidelines were finalized in 1977, the International Fuel Cycle Evaluation (INFCE) negotiations were set up and the Congress enacted the Nuclear Non-Proliferation Act one year later. The latter went even further than the NSG London Guidelines, as it required the approval of the US for reprocessing fuel that had been exported by the US.

To all these far-reaching decisions by the US, the European countries strongly reacted because they felt that the US restricted European nuclear energy policies, exactly at a time that their industries equaled – and areas like breeding reactors even surpassed – the US. France obtained an enrichment installation and reprocessing facility, respectively in 1967 and 1976. The Serena Agreement that was signed by France, Germany, Belgium, Italy and the Netherlands in 1978 formalized the decision to build breeding reactors. In 1980, the European Council of Ministers decided to further develop reprocessing technology as well as breeding reactors.

As a result, Europe opposed the American view inside the INFCE negotiations, as the European states liked to keep open the option of reprocessing, and breeding reactors. The US was not able to convince the Europeans. The European states did neither agree with full-scope safeguards, even as the US had unilaterally decided to do so and therefore put itself in a comparatively disadvantageous position on the world market. With regard to the American

[13] Which means that the entire nuclear cycle of the country that imported American nuclear facilities would be under control of the IAEA, and not just the delivered facility

[14] Pierre Lelouche, ‘Breaking the rules without quite stopping the bomb: European views’, in: *International Organization*, 35, 1, Winter 1981, 45.

Nuclear Non-Proliferation Act, the European countries succeeded to oblige the American president to use his presidential waiver each year with regard to the American-European trade.

Nevertheless, it would be grotesque to regard these “successes” of the European member states vis-à-vis the US as an example of a common European approach with respect to non-proliferation. Five remarks should be made in this regard. First, the drivers behind these “successes” were the individual member states trying to preserve their *national* nuclear industries. As Pierre Lelouche stated: ‘in reacting to US policy, France and Germany have tended to defend their own national interests rather than “European” interests’…’this has led to a great deal of tension rather than a united policy against the US antiplutonium stand’[15]. Second, although there existed a European framework – the European Political Cooperation – since 1970, there was no structural consultation, let alone cooperation, in the field of nuclear non-proliferation until 1981. Third, the approach of the European states was very re-active instead of pro-active. They basically reacted to the radical policy change in the US. The same European behavior can be detected in other foreign policy domains since the beginning of the seventies, i.e. monetary, energy, and environmental policy. Fourth, EC member states were not very much concerned about non-proliferation. On the contrary, France and Germany (and others) continued to export sensitive facilities. In the seventies, nuclear business took place between France on the one hand and Iraq and Pakistan on the other, between Belgium and Libya and between Germany on the one hand and states like Brazil, Argentina and Iran on the other. Fifthly, despite the anti-American rethoric, the European member states had to change their policy in the end as well, at least to a certain extent. Harald Müller concludes: ‘By the mid-1970s an important West European goal was achieved: the establishment of European countries – France and the FRG – as reliable and strong exporters on the international nuclear market. Ironically, this achievement, which has often been described as a serious blow to US non-proliferation policy, may have opened the way for a more concerned and self-confident non-proliferation policy by the West Europeans’[16]. Lellouche agrees: ‘the Europeans also had to learn, often reluctantly, to live with the political responsibilities that came with that new role’[17].

---

[15] Pierre Lelouche, ibid., 53.
[16] Harald Müller, ‘Non-proliferation policy in Western Europe: structural aspects’, in: Harald Müller, *A European non-proliferation policy*, 1987, 87. See also Lellouche, ibid., 44.
[17] Pierre Lelouche, ibid., 42.

France took the lead in this regard. After it had joined the start of the NSG Guidelines negotiations in 1974, France agreed with IAEA safeguards on imported products one year later. In 1976, it agreed to halt the export of reprocessing technology, which was followed by Germany one year later. Pakistan would be the first victim of this policy change in France. In 1977, France agreed with IAEA safeguards on all new exports in the framework of the NSG London Guidelines. In the meantime, France also adapted its bureaucratic structure by establishing the French Council on Foreign Nuclear Policy. Beside these French efforts, it should be noticed that Germany, the Benelux countries and Italy finally ratified the NPT in 1975, although the Indian nuclear test was only a minor factor in this regard. The main reason why it took so long to ratify the NPT treaty was their demand that the Euratom safeguards would apply in the EC instead of those of the IAEA. Thanks to the Euratom-IAEA agreement of 1973, a large part of the European demands were accepted.

1981-2003

In 1981, as a result of a British-Dutch initiative, a working-group on nuclear non-proliferation was created inside the framework of the European Political Cooperation (EPC). It can be regarded as the start of a common European approach with regard to non-proliferation. In a reply to a written question by the European Parliament, the role of the working-group at that time was considered as follows: 'Anxious to ensure that the civil use of nuclear energy does not contribute to the proliferation of nuclear arms and explosives, the Ten sought it necessary to have discussions, consultations and exchanges of information on questions involving aspects of non-proliferation which could be discussed in political co-operation'[18].

It led to the following results in the eighties: an EC joint statement in the IAEA Secretary-General's Annual Report (1983); a common statement about the implementation of the NSG London Guidelines (1984); the first joint declaration at an international conference in this field, more in particular at the UN Conference on peaceful use of nuclear energy (1987); the first joint declaration at the IAEA, repeated at the UN General Assembly (1989); the establishment of an EU working-group during the 1990 NPT Review Conference. The most interesting aspect of those declarations is that positive references were made about the NPT, while France had still not signed up to the treaty.

[18] Official Journal of the EC, no.C84 (26th of March 1984), p.18. Quoted by Julien Goens, 'The opportunities and limits of European co-operation in the area of non-proliferation', in: Harald Müller (ed), *A European non-proliferation policy*, 1987, 44.

Nevertheless, there was still a huge gap between the American and European approaches. As a group of European non-proliferation experts stated in 1985: 'the European approach to the international problem of nuclear proliferation has become one of co-option and cooperation rather than deprival and punishment, attempting to engage potential nuclear weapon states in the management of a non-prolifeation regime'[19]. From Washington however this European policy was regarded as weak and inefficient.

The secret Iraqi nuclear weapons programme that little by little was discovered in the second half of the eighties and especially after the Gulf War revealed that many European, and especially German, firms were involved in providing Iraq with sensitive nuclear technology. This time, Germany took the lead in strengthening non-proliferation policy, both on the national, European and international level. After it had declared itself in favor of full-scope safeguards in 1989, it pushed through a common document at the level of the European heads of state in Dublin one year later, asking for "safeguards on as universal a basis as possible". It was also Germany that took the initiative for the declaration by the Special UN Security Council in January 1992 – also at the level of heads of state – proclaiming that the proliferation of weapons of mass destruction can be regarded as a threat to international peace and security and therefore could invoke Chapter 7 of the UN Charter that allows the use of force. In the same year, the NSG accepted full-scope safeguards. The EU also proposed to strengthen the IAEA safeguards (the so-called 93+2 programme). It was therefore not surprising that non-proliferation was one of the few specific items of the newly established 'Common Foreign and Security Policy' that were agreed upon at the EU Lisbon Summit. Last but not least, France finally became member of the NPT in 1992. This common European approach reached an even higher level when the 12 EU member states (as well as the three newcomers) agreed in 1994 in the form of a joint action – one of the new policy instruments created by Maastricht – to support the indefinite extension of the NPT at the NPT Conference in 1995. The EU member states even lobbied other states to vote in favor of the indefinite extension, something that helped to reach that outcome one year later. In 1994, a joint action was also agreed about dual-use goods. At the NPT Review and Extension Conference in April 1995, Alain Juppé delivered the opening speech on behalf of 21 states, both EU and Eastern European states, something that had not happened before. However, despite these preparations and despite the fact that the heads of the EU delegations met twice a week during

[19] Johan Holst (and others), 'New approaches to non-proliferation: a European approach', Report of the NANPEA Steering Committee, in: *CEPS papers*, no.19/20, 1985, 10.

the conference, the divisions among the EU member states were – apart from the decision to extend the NPT indefinitely - unbridgeable on many issues (see further).
In general, however, it be argued that in the eighties and the beginning of the nineties the European and American approaches more and more converged, at least with regard to the non-proliferation policy *sensu stricto*.

In the meantime, however, the American stand with respect to non-proliferation had hardened too. After the end of the Cold War, the spread of weapons of mass destruction became the biggest threat to the US. Secreatry of State Warren Christopher for instance said in January 1995 that the proliferation of weapons of mass destruction became 'the principal threat to the survival of the US and our key allies'[20]. Clinton's first CIA Director stated it very prosaic: 'We have slain the [Soviet] dragon. But we now live in a jungle filled with a bewildering variety of poisonous snakes'[21]. The US fought a preventive war against Iraq in 1991, threatened with war against North Korea in 1994, destroyed a so-called chemical weapons plant in Sudan with cruise missiles in the Summer of 1998, and bombed Iraq again at the end of 1998. Already in 1993, a new concept was launched by the Defense Department: counterproliferation. The latter emphasized military instruments to fight proliferation, including missile defense. This made that the gap between the American and European approaches towards proliferation again broadened.

In addition, the EU non-proliferation efforts slowed down in the second half of the nineties: 'The lack of any search for a European policy and a dynamic consensus that produces new initiatives is particularly striking'[22]. Apart from a joint action on KEDO in 1996[23], a joint action on transparency with respect to nuclear export control in 1997, a common position to prepare the second Prepcom in 1998, a common position on the Comprehensive Test Ban Treaty (CTBT) in 1999[24], not much happened. Apart from a couple of low-key common positions on the Indian and Pakistani nuclear tests in May 1998, Europe was not involved in the South Asian nuclear crisis.

---

[20] United States Information Service (USIS), speech Secretary of State Warren Christopher, 23 January 1995, 5.
[21] Quoted in Janne Nolan, *An elusive consensus*, 1999, 2.
[22] Camille Grand, 'The European Union and the non-proliferation of nuclear weapons', in: *Chaillot Paper*, no.37, January 2000, 29.
[23] KEDO is the consortium of states that is supposed to implement the 1994 agreement with North Korea.
[24] Jacques Chirac, Tony Blair and Gerhard Schröder asked the US Senate to ratify the CTBT, soemthing they already had done before. 'A treaty we all need', in: *New York Times*, 8th of October 1999.

At the 2000 NPT Review Conference, the EU - introducing three joint working papers - was better prepared than at earlier conferences. The EU delegations met almost daily during the conference. According to John Simpson, the EU was even effective: 'The language contained in their common position formed the basis for significant elements of the text of the Final Document. Despite its low profile on the conference floor, the influence of the EU on both the text of the Final Document and the outcome of the conference should therefore not be underestimated'[25]. In the first quarter of 2001, the Swedish presidency promoted the concept of conflict prevention that included non-proliferation.

The terrorist attacks in September 2001 were another threshold, especially but not only for the US. It was not difficult to imagine what the implications would have been if the terrorists had used weapons of mass destruction. It is therefore not by chance that the objective of nuclear non-proliferation was mentioned in the document approved by the EU Council on the 21st of September. In 2002, the EU agreed for the first time to spend a lot of money on containing the Russian NBC legacy. The so-called 10 + 10 programme approved at the G-8 Summit in Canada aims at providing Russia with in total 20 bn $, financed by the US on the one hand and the rest of the world on the other, spread over a period of 10 years.

The terrorist attacks further strengthened the influence of the hardliners inside the American defense establishment. Three months after the attacks, the US unilaterally withdrew from the ABM Treaty. A "Bush doctrine" was developed that included the notion of pre-emptive strikes against states with weapons of mass destruction. Iraq would be the first testcase. All this was a bridge too far for most Europeans. Even conservatives like European Commissioner for External Relations Chris Patten reacted strongly against, for instance, the concept of "axis of evil" used by Bush in his State of the Union in January 2002. With regard to Iraq, the EU was (and still is) split as never before. A couple of days after a common position was agreed upon in January 2003, five EU countries – the UK, Portugal, Denmark, Spain and Italy - (and three newcomers) signed a letter in which they supported the US. France, Germany and Belgium reacted on their turn by refusing to approve the start of military planning inside NATO to defend Turkey. France, Germany and Russia later on made abundantly clear that they would not support a second resolution in the UN allowing the use of force against Iraq.

[25] John Simpson, 'The 2000 NPT Review Conference', in: *SIPRI Yearbook*, 2001, 500-501.

To conclude, the effect of the American non-proliferation policy at the end of the seventies had not missed its effect on Europe, whatever the anti-American rethoric at that time. The establishment of an EC working-group for non-proliferation in 1981, meeting four times a year in the second half of the eighties, was the necessary bureaucratic trigger to build a common European non-proliferation policy. The only country that seemed to escape this more restrictive policy was Iraq. Germany however closed the illegal door at the end of the eighties. The above-mentioned results seem to suggest that a lot has been realised. This assessment is correct comparing with what happened before. However, the results are meagre if one compares with the US (which admittedly may not be useful standard) or if one looks how divided Europe is at for instance the five-yearly NPT Review Conferences (which is a more useful criterium). To set out nice but vague principles about non-proliferation is one thing. To agree on concrete issues like full-scope safeguards, international plutonium storage, CTBT, or a detailed nuclear disarmament agenda is another. It is even more difficult to agree on a policy vis-à-vis specific *countries* that are supposedly in a situation of non-compliance with the NPT. The current division inside the EU with regard to the crisis in Iraq is an excellent example. The EU is also more or less absent with regard to the recent North Korean nuclear weapons crisis that started in October 2002. Worse, EU "appeasement" policy towards Iran seemed to have completely failed, as its nuclear weapons programme – that is supported by both conservatives and liberals - is nowadays much more elaborated than was known before. Below, we try to clarify the reasons why the EU succeeded in agreeing on what it did and why it failed to do so in all other cases.

2. Driving forces behind European nuclear non-proliferation policy

Four factors can be detected in stimulating a common European approach: common, long-term interests; reacting against US policy; reacting against external events; institutional changes.

The most logical factor to explain why the EU member states are gradually building up a common non-proliferation policy is that proliferation is regarded as a common threat. Since the European member states acquired extensive civilian nuclear capabilities themselves in the seventies, there is a growing feeling of responsibility not to export sensitive materials anymore. This attitude has also been strengthened recently due to the radical steps that have been taken in the domain of CFSP and especially ESDP. The idea that if Europe wants to be

taken seriously on a global level, it has to build a real CFSP and to behave responsibly with regard to the export of sensitive nuclear material, is something the Europeans have learned over the years. Nevertheless, there is still a huge gap between this knowledge and actual behavior. As Europe is constantly reminded, there is no such thing as a "common" European foreign policy, at least in the sense of a strong, unified position based on a democratic decision-making system (see restraining factors).

A much more relevant factor to explain the progress in EU non-proliferation policy is US policy, or better Europe's negative reactions vis-à-vis the latter. The first signals in this regard were the positions of the European non-nuclear weapons states with regard to the signing and ratifiying of the NPT, of which the US was the major supporter, both before and after 1968. Germany, Italy and the Benelux countries did not like to be treated in a different category as France (and the UK), something that was not the case in Euratom. The best example of Europe's reactive behavior against the US is what happened during the Carter administration (see before). What is occuring now with regard to Iraq can be put in the same category. Such re-active behavior vis-à-vis the US is one of the main drivers behind CFSP in general, be it for reasons of interests, ideology or prestige. To give just one example in a domain that is related to non-proliferation: when the US and the former USSR decided to eliminate the intermediate range ballistic missiles at the Reyclavik summit without consulting the Europeans, the latter were embittered. One of the immediate results was the creation of a Franco-German brigade, which later became the Eurocorps. The latter is on its turn a major part of the Rapid Reaction Force that was agreed upon at the Helsinki Summit in December 1999.

External events are a third explanation[26]. The Indian "civilian" nuclear test not only caused a major policy in the US, but also in France and one can argue in the rest of Europe as well. Germany reacted similarly after the disclosure of the Iraqi programme at the end of the eighties and the beginning of the nineties. The Al Qhaeda terrorist acts are another major external event leading to a more integrated non-proliferation policy.

[26] This is closely related with the first factor. The reason that these two factors are treated separatedly is that external events can be seen as short-term, common interests, even common threats, while such events are in principle not needed to imagine these threats and to acknowledge longer-term, common interests.

Lastly, there is no doubt that institutions matter. The establishment of the EPC Working Group on Non-Proliferation that on its turn can be related to one or more of the explanations above, made a considerable difference (see before).

3. Restraining forces of European nuclear non-proliferation policy

At least four factors can be distinguished to explain why it is apparently so hard to create a common European non-proliferation policy: internal divisions; a lack of strategic thinking; institutional deficiencies; a lack of capabilities.

By far the most important hurdle to have a common non-proliferation policy are the divisions among the member states, as well as bureaucatic infighting between the Commission and the Council. European states can basically be divided along two axes: a) NWS versus NNWS; and b) civilian nuclear energy consumers and producers versus countries with no or few nuclear power installations. With regard to the first division, which is probably the thorniest one, there is a rather huge imbalance. Only two European countries possess nuclear weapons: the UK and France. Both are recognized as formal NWS in the NPT. All the other current and, as far as we can see, future member states are formal NNWS parties under the NPT. Public opinion in some of these countries is very much against nuclear weapons. This division leads to serious clashes of interests and ideas. They become for instance visible at the five-yearly NPT Review Conferences. It is useful to recount in this regard that the NPT is both a nonproliferation *and* disarmament treaty. The deal behind the NPT was that the NNWS gave up the right to acquire nuclear weapons on the condition that the NWS would get rid of them. There is a general feeling of frustration on behalf of the NNWS because they believe that the NWS do not fulfil their obligations to disarm. While most EU NNWS are not as active in complaining in this regard as for instance Mexico or Egypt, the intra-European tensions cannot be denied either. The most pronounced voices in this regard are neutral states such as Ireland, Sweden and Austria.
Before the CTBT was signed in 1996, testing was a very controversial topic at the Review Conferences, also among the EU member states. The preambule of the NPT already called for a CTBT. At the 1985 NPT Review Conference for instance, when France was even not an observer, the UK was criticized by Ireland, Belgium, the Netherlands, Denmark and especially Greece. There was ‘no organized coordination among participating EC member

states', according to Harald Müller[27]. The 1990 NPT Review Conference even failed to work out a final document *because* of the nuclear testing issue. The decision inside the EU to support the indefinite extension in 1995 was first criticized by countries such as Sweden (that was involved in the EU preparations as it was becoming a member on the 1st of January 1995), Ireland, Italy and Belgium. Finally, they gave in as the big three – France, the UK and Germany – were in favor of the indefinite extension. But in the framework of the Review Conference, the divisions between the NWS and the NNWS surfaced again. The fact that Austria, Sweden, Ireland, Finland, the Netherlands and Denmark sometimes joined the G-11 group[28] was 'a breach of the Maastricht Treaty', as they took positions contrary to what was agreed before[29]. A couple of weeks after the closure of the Conference, President Chirac announced the resumption of the French nuclear tests. The latter created massive uproar in the other EU member states and showed again how divided European public opinion is on these issues. In this regard, it is also interesting to note the cool reception in the rest of Europe of the French idea for a "dissuasion concertée", partly made to dampen protest against the French nuclear tests, although some German conservative politicians did not dislike the idea[30]. One can argue that France twice miscalculated the reaction of the rest of Europe. In the UN General Assembly in December 1995, all EU members - except the UK (that voted against) and Germany and Spain (that abstained) - condemned the French tests. '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', Grand remarks[31].

One year later, the same sensitivities were touched with the judgment of the International Court of Justice on the (il)legality of nuclear weapons. In a vote in the UN General Assembly First Committee about the advice later on that year, only Sweden and Ireland voted in favor (together with 92 other states), Austria, Finland, Denmark (and 26 other states) abstained, the

---

[27] Harald Müller, 'European nuclear non-proliferation after the NPT extension: achievements, shortcomings and needs', in: Yves Boyer (and others), 'Europe and the challenge of proliferation', in: *Chaillot Paper*, no.24, 1996, 41. His remark does not only apply to the disarmament issue.

[28] These are the so-called White Angels, which had its origins in former review conferences.

[29] Ibid., 51.

[30] Tom Sauer, *Nuclear arms control. Nuclear deterrence in the post-Cold War period.* Macmillan/St Martin's Press, 1998, especially Epilogue. For a positive attitude towards a Eurobomb, see: Roberto Zadra, 'L'intégration Européenne et la dissuasion nucléaire après la Guerre Froide', in: *Cahiers de Chaillot*, no. 5, November 1992; Bruno Tertrais, 'Nuclear policies in Europe', in: *Adelphi Paper*, no. 327, 1999; André Dumoulin, 'La dissuasion nucléaire Européenne: quel avenir ? In: *GRIP Dossier,* no. 211-212, 1996; Philippe Séguin, 'Frans kernwapen kan Europa goed van pas komen', in: *NRC Handelsblad*, 7th of September 1995; Valéry Giscard d'Estaing, 'Comment passer à la phase de simulation', in: *Le Figaro*, 13th of October 1995; Armand De Decker, 'La France, l'Europe et la dissuasion nucléaire', in: *Le Soir*, 22d of August 1995, Karl Lamers, 'Facing the IGC in 1996', in: *Studia Diplomatica*, no.1, 1996, p.82.

[31] Camille Grand, ibid., 31.

UK, France and the other EU member states voted against. In a remarkable move as a result of the nuclear tests in South Asia in May 1998, the foreign ministers of eight states in the world including Sweden and Ireland (and originally also Slovenia) made a joint declaration in June asking for 'a clear commitment to the speedy, final and total elimination [of nuclear weapons]'. A resolution in the UN General Assembly on behalf of this New Agenda Coalition led to the first split vote among NATO members. In the First Committee, 97 states including Sweden, Ireland and Austria voted in favor, 32 abstained including all NATO NNWS (except Turkey), and 19 states (including France and the UK) voted against. Also at the end of 1998, Germany tried to push NATO's nuclear weapons policy in the direction of a no first use, but failed. Still another group was created in 1999: Germany, Belgium, the Netherlands, Italy and Norway – the so-called NATO-5 – tried to establish an ad hoc working group to study disarmament to bring new life in the UN Conference on Disarmament (CD) in Geneva. These efforts failed as well.

The 2000 NPT Review Conference on the other hand, as already mentioned, was a step forward. The EU was able to put forward more common texts, including about disarmament. However, there was a 'furious disagreement' between France on the one hand and the others about disarmament in the early stage of the conference[32]. Something similar had taken place at the third prepcom one year earlier. Rebecca Johnson recounts: 'France exerted its opposition to two documents within the EU meetings to prevent such a recommendation being put forward either by Germany on behalf of the group, or by its various members individually; having effectively gagged its colleagues, France then went ahead with its own individual proposal, to the fury of some others in the EU'[33].

Based on the "Distance Index" of Paul Luif[34], the average distance index I calculated shows how the individual member states voted on average along the lines that most of the EU member states (at least one more than half of the countries) did in the field of security and disarmament for the period 1979-2000, or, negatively framed, to what extent they voted differently than the rest of the EU member states. If a country always voted with the EU "consensus", it gets a value of "0".

---

[32] Rebecca Johnson, NPT 2000 briefing no.4, 28 april 2000.

[33] Rebecca Johnson, 'The NPT Third prepcom: what happened and how', in: *Disarmament Diplomacy*, no.37, May 1999, 15.

[34] Paul Luif, 'The voting behavior of the EU member states in the GA of the UN. An indicator for the development of the CFSP'. Paper presented at the ECPR 1st Pan European Conference on EU Politics, Bordeaux, 26-28th of September.

Ranking	Country	Average distance index
1	Belgium	0.29
	Luxemburg	0.29
3	Italy	0.59
4	Germany	1.18
	Netherlands	1.18
6	Portugal	1.77
7	Finland	2.17
8	Spain	3.07
9	Austria	5.00
10	Sweden	6.33
11	Denmark	8.59
12	Greece	14.80
13	*UK*	*14.82*
14	*France*	*16.00*
15	Ireland	18.65

Table 1: Average distance index for EU member states for UN General Assembly resolutions about security and disamament (1979-2000)

Ireland votes more than the other EU member states for disarmament and security resolutions, while France and the UK vote more than the other member states against such resolutions. The neutral states Sweden, Austria and Finland vote more differently than the average European state in comparison with for instance the Benelux countries, Italy and Germany. These results are not surprising and correspond to the narrative analysis sketched out above.

A second major division among EU member states is the one between countries possessing civilian nuclear energy facilities and others. France, Belgium, Germany, the UK, Spain, Sweden, Finland, and to a much lesser extent the Netherlands produce electricity from nuclear energy. Denmark, Ireland, Italy, Greece, Luxemburg, Austria, and Portugal do not have any nuclear power reactors at all.

Ranking	Country	Nuclear energy (%)
1	France	76.8
2	Belgium	57.4
3	Sweden	39.3
4	Finland	32.1
5	Germany	29.7
6	Spain	27.6
7	UK	22.7
8	The Netherlands	4.4
9	Denmark	0
	Greece	0
	Ireland	0
	Italy	0
	Luxemburg	0
	Austria	0
	Portugal	0

Table 2: Percentage of electricity generated by nuclear energy in 2000[35]

At the 1985 and 1990 NPT Review Conferences, the EC member states quarrelled more specifically about full-scope safeguards and about the idea of international plutonium storage. On both issues, Ireland, Denmark and the Netherlands were in favor; Belgium was against. Germany was also against in 1985, but made a "U-turn" on full-scope safeguards before the 1990 NPT Review Conference in the context of the disclosure of the Iraqi nuclear weapons programme, as outlined above.

Competition also exists between the European Commission and the European Council, i.e. the member states. The Commission tried for instance to enhance its powers inside Euratom in 1982, but the three big states did not agree. A similar battle took place with regard to KEDO. In this regard, the Council gave the competence for conducting negotations to the Commission only late in the process. The compromise with respect to KEDO was that the

[35] The numbers are calculated on the basis of information on the EU, European Commission, DG Energy website. http://europa.eu.int/comm/energy_transport/etif/energy_electricity/generation.html.

European Commission would represent the EU for Euratom issues and the European Council for non-proliferation issues[36].

A second factor that restrains the further integration in the field of non-proliferation is the lack of strategic thinking and the deficiencies of CFSP in general. Ideally, a common vision about the role of the EU in the world would be a major driving force, also for a common non-proliferation policy (see above). *De facto*, such a vision does not exist. Harald Müller's conclusion more than twenty-five years ago unfortunately still applies: '[the nuclear issue] combines two aspects which impinge most heavily on the image of sovereignty of the modern state: security and advanced technology. In both areas, the political instinct of national leaders is to preserve at least a margin of freedom of action. To relinquish it to a supranational authority is a painful decision, and one difficult to defend against vocal parts of the attentive national public'[37]… 'EPCs progress in non-proliferation policy has been so far concerned with general principles, not specifics. There is still a long way to go before it can arrive at the kind of co-ordinated diplomacy needed for the threshold countries'[38]. This seems particulary true for the so-called rogue states Iraq, Iran and North Korea. To criticize the US is one thing. To provide an alternative – except for Iraq (and only by some of the EU states) - is apparently a bridge too far. Or as Camille Grand remarked: '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'…'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'[39].

The institutional make-up that is not tailored for promoting integration is a third restraining factor. Different elements should be distinguished. First, six months rotating presidencies are not an ideal instrument for taking into account long-term issues. In addition, presidencies prefer to tackle easy issues. Non-proliferation does not belong to one of those categorisations.

---

[36] Stephan Keukeleire, *Het Gemeenschappelijk Buitenlands en Veiligheidsbeleid (GBVB),* PhD thesis, Katholieke Universiteit Leuven, 1998, 185.
[37] Harald Müller, 'Non-proliferation policy in Western Europe: structural aspects', in: Harald Müller (ed), A European non-proliferation policy, 1987, 76.
[38] Harald Müller, 'The challenge for West European diplomacy', in: ibid., 103.
[39] Camille Grand, ibid., 25, 32.

Second, there is a lack of preparation in the EU for most NPT Review Conferences. Müller concludes with regard to the 1995 NPT Review and Extension Conference: 'the focus on the extension issue and the great toll the diplomatic campaign took on the limited time and resources of the handful of diplomats in each capital charged with this area of policy, prevented any concise preparation on substance, even under two fairly potent presidencies. As a consequence, the Fifteen entered the Conference with their national positions only'[40].
Others claim that once the member states succeed in preparing a common position, a new problem arises, namely the fact that the member states feel constrained to take new initiatives *during* the conference, even if the circumstances change. As Rebecca Johnson mentions about the third prepcom before the 2000 NPT Review Conference: '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 weapons 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'[41]. Fourth, there are ambiguities with regard to financing joint actions. Ian Anthony explains: 'In the implementation of joint actions, there are sensitivities about moving resources from one account to another in the fulfilment of overal objectives. For example, technical assistance projects and science and technology cooperation with Russia and Ukraine are financed and managed through processes outside the framework of the non-proliferation programme within the common strategy. The money made available through joint actions cannot always be spent because the EU lacks the capacity to identify and evaluate specific projects that can meet stated objectives. The coming together of useful projects and the financial resources to implement them appears somewhat haphazard'[42].

[40] Harald Müller, 'European nuclear non-proliferation after the NPT extension: achievements, shortcomings and needs', in: Yves Boyer (and others), Europe and the challenge of proliferation', in: *Chaillot Paper*, no.24, 1996, 49
[41] Rebecca Johnson, ibid., 15.
[42] Ian Anthony, 'European Union approaches to arms control, non-proliferation and disarmament', in: SIPRI Yearbook, 2001, 614.

A last factor that constrains the further development of a common non-proliferation policy is the lack of capabilities, such as satellites[43].

Back to the future

Both the processes of European integration and nuclear proliferation stand at a threshold. Predictions with regard to nuclear proliferation do not look very rosy. North Korea may already have nuclear weapons. Iran may acquire them before 2005. Nuclear terrorism is in the air.

The answer that Europe will provide to these threats depends on two processes, which are related with each other: the deepening of the EU[44] on the one hand and the role of nuclear weapons inside the EU on the other. Both are related in the sense that one can expect that the impact of the EU on non-proliferation will remain marginal if deepening fails; in contrast, if the process of European integration goes further (at least for a Kern-Europa), an extremely difficult choice will have to be made with regard to the fate of the French (and possibly British) nuclear weapons at a certain moment. The fact that the concept of collective defense is not a taboo anymore – I refer to declarations by Prodi in February 2000[45], the letter of the Belgian Prime Minister Verhofstadt to President Chirac and Prime Minister Blair at the end of July 2002, and the debate inside the Defense Committee of the European Convention - may signify that the moment for this choice may be closer than most expect. While the possibility for a European nuclear deterrent may be legally possible (as the NPT leaves this option arguably open), strategically attractive and politically feasible (at least in a Kern-Europa), it will not do away with the danger of nuclear proliferation. On the contrary, it will send a powerful message to other potential nuclear weapon states such as Syria, Libya, Algeria, Saudi-Arabia[46], Egypt, Brazil, Argentina, and Japan that nuclear weapons are useful and legitimate military instruments. One can wonder whether such a message compensates for the furher progress Europe makes in the field of non-proliferation *sensu stricto*. The creation of a Euro-bomb may therefore *stimulate* proliferation. Or will Europe – shaping its own identity in the world – show that there are alternatives ?

---

[43] Harald Müller, ibid., 1996, 54.

[44] Deepening will restrain some of the restraining factors (divisions; lack of capabilities) and help some of the driving factors (common vision, better institutions).

[45] Geert-Jan Bogaerts, 'Prodi ziet EU tot soort NAVO evolueren', in: *De Volkskrant*, 12th of February 2000.

[46] Richard Russell, 'A Saudi nuclear option', in: *Survival*, vol.43, no.2, Summer 2001.

Bibliography

Bogaerts, Geert-Jan, 'Prodi ziet EU tot soort NAVO evolueren', in: *De Volkskrant*, 12th of February 2000.

Boyer, Yves (and others), 'Europe and the challenge of proliferation', in: *Chaillot Paper*, no.24, 1996.

Chirac, Jacques, Tony Blair and Gerhard Schröder, 'A treaty we all need', in: *New York Times*, 8th of October 1999.

De Decker, Armand, 'La France, l'Europe et la dissuasion nucléaire', in: *Le Soir*, 22d of August 1995.

Dembinski, Matthias, and Kinka Gerke (eds), *Cooperation or conflict ?*, St Martin's Press, 1998.

Dumoulin, André, 'La dissuasion nucléaire Européenne: quel avenir ? In: *GRIP Dossier,* no 211-212, 1996.

Giscard d'Estaing, Valéry, 'Comment passer à la phase de simulation', in: *Le Figaro*, 13th of October 1995.

Grand, Camille, 'The European Union and the non-proliferation of nuclear weapons', in: *Chaillot Paper*, no.37, January 2000.

Holst, Johan (and others), 'New approaches to non-proliferation: a European approach', Report of the NANPEA Steering Committee, in: *CEPS papers*, no.19/20, 1985.

Johnson, Rebecca, 'The NPT Third prepcom: what happened and how', in: *Disarmament Diplomacy*, no.37, May 1999.

Johnson, Rebecca, NPT 2000 briefing no.4, 28 april 2000.

Keukeleire, Stephan, *Het Gemeenschappelijk Buitenlands en Veiligheidsbeleid (GBVB),* PhD thesis, Katholieke Universiteit Leuven, 1998.

Labbé, Marie-Hélène, Y a-t-il une politique européenne de non-prolifération nucléaire ? In: *Politique Etrangère*, 62, no.3, Autumn 1997.

Lamers, Karl, 'Facing the IGC in 1996', in: *Studia Diplomatica*, no.1, 1996.

Lelouche, Pierre, 'Breaking the rules without quite stopping the bomb: European views', in: *International Organization*, 35, 1, Winter 1981.

Luif, Paul, 'The voting behavior of the EU member states in the GA of the UN. An indicator for the development of the CFSP'. Paper presented at the ECPR 1st Pan European Conference on EU Politics, Bordeaux, 26-28th of September.

Müller, Harald (ed), *A European non-proliferation policy*, Oxford University Press, 1987.

Nolan, Janne, *An elusive consensus*, Brookings Institute, 1999.

Russell, Richard, 'A Saudi nuclear option', in: *Survival*, vol.43, no.2, Summer 2001.

Sauer, Tom, *Nuclear arms control. Nuclear deterrence in the post-Cold War period.* Macmillan/St Martin's Press, 1998.

Séguin, Philippe, 'Frans kernwapen kan Europa goed van pas komen', in: *NRC Handelsblad*, 7th of September 1995.

SIPRI Yearbook, Oxford University Press, 2001.

Tertrais, Bruno, 'Nuclear policies in Europe', in: *Adelphi Paper*, no. 327, 1999.

Warrick, Joby and Glenn Kessler, 'Iran's nuclear program speeds ahead', in: *Washington Post*, 10th of March 2003.

Zadra, Roberto, 'L'intégration Européenne et la dissuasion nucléaire après la Guerre Froide', in: *Cahiers de Chaillot*, nr 5, November 1992.