

Peter van Ham
Clingendael Institute – The Hague (NL)

Speaking notes

Introduction

It is clear to any observer that the EU is still bogged down by the lack of a strategic culture. To think strategically is difficult at the best of times. It requires a clear sense of purpose and agreement and commitment – dedication, even – to pursue one’s national interests, making smart use of available instruments, resources and relationships. Obviously, the EU is working on its strategic culture. But this is a work in progress, and, to be brutally honest: it is mainly work – and still rather little progress.

Perhaps one could compare the EU’s Weapons of Mass-destruction (WMD) strategy to the famous “dancing dog” put forward by the 18th century English man of letter Dr. Samuel Johnson. Dr. Johnson remarked that a dancing dog is such a rare thing to see, that when the dog *is* finally dancing, one shouldn’t make negative comments on the lack of rhythm, style and quality – one should just be happy it is dancing at all! But, of course, as an academic commentator it is not my job either to be just happy or even merely content. It is my job is to arrive at a critical analysis and – in the end – to offer suggestions for improvement.

The reasons for the EU’s difficulties to perform well in the WMD proliferation area, are well-known and therefore also a bit banal. In our case it has to do mainly with the fact that the EU is comprised of nuclear weapon states, neutral and firmly non-nuclear weapon states; and NATO members and non-NATO members. There are states that do not shy away from the use of force, and those who will remain painstakingly multilateral, even at gunpoint. As a result, the EU finds it hard to be “a player” on high-profile issues such as WMD proliferation. One should also mention that the EU lacks leadership and (hence) visibility – both within Europe and the wider world. By dealing with WMD proliferation, the EU engages in the high politics of international security, an area where the EU’s track record is patchy and where it has gathered few scalps and no street credibility.

I'm not going to offer a comprehensive overview of the EU's efforts to carve out a role for itself in this policy area. I guess the main landmarks are well-known. Instead, I will sketch out the key components of the EU's WMD proliferation strategy and offer my own assessment of both the wisdom and the efficacy of these policies.

EU WMD Strategy

The EU's strategy takes a four-pronged approach.

First, it is of a practical nature. The EU finances the IAEA and other International Organizations (IO's) and third parties in an effort to assist them in setting up both control and verification mechanisms that can hamper proliferation. For example, the EU provides assistance to Russia to help it realize its obligations under the Chemical Weapons Convention (CWC), as well as secure nuclear sites.

Second, the EU supports existing international efforts to strengthen the WMD proliferation regime, and aspires to the universalization and reinforcement of multilateral agreements in the WMD proliferation area. In the past 10 years, the European Council has adopted 20 Joint Actions to strengthen the role of the Biological Weapons Convention (BWC), to reinforce the International Atomic Energy Agency (IAEA), the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), the Organisation for the Prohibition of Chemical Weapons (OPCW) as well as implement United Nations Security Council (UNSC) resolution 1540. The EU also supports the Proliferation Security Initiative (PSI).

Third, it uses trade and other agreements as a lever to encourage third parties (usually states) to comply with their commitments in the WMD proliferation area. Since 2003, the EU aims to include a clause in all agreements with these third parties calling upon them to take "steps to sign, ratify, or accede to, as appropriate, and fully implement all other relevant instruments" in the area of WMD proliferation, as well as to set up an effective national export control system.

Fourth, the EU is a (modest) player in handling existing and emerging WMD proliferation crises, most notably Iran, North-Korea and the threat of chemical, biological, radiological and nuclear (CBRN) terrorism.

Although one should acknowledge that it is hard to develop a real “strategy” on combating WMD proliferation (the US faces difficulties here as well), this EU approach seems mainly technocratic, and lacks “bite”. Since 2003, we have seen a plethora of common positions, regulations, joint actions, Council decisions as well as action plans in a combined effort to implement this strategy. Perhaps most importantly, the EU foreign policy chief, Baroness Ashton, has been on record as considering WMD non-proliferation a “top priority of the EU.” Still, her comments tend to be rather vague and process-oriented, rather than setting either the tone or the direction of a consolidated European course on this matter. Her stand on Iran is usually moderate, often referring to the UNSC as the main driving force of action. The EU’s policy *vis-à-vis* North-Korea is so low-profile, that it is invisible. The Nuclear Non-Proliferation Treaty (NPT) is obviously considered a cornerstone of the global non-proliferation system, but the NPT Review Conference 2010 proved once again that EU Member States have different interests and different ideas on the role of nuclear weapons. Member States broke away from the EU and formed coalitions with other, more like-minded partners. Even in 2004, some Member States (Greece, Sweden and Finland) argued that as long as the nuclear weapons states within the EU did not disarm, a tough stance *vis-à-vis* Iran would lack credibility.

State of Affairs and achievements

The EU has achieved moderate success in the first and second policy approach. The EU and Member States have, for example, made some practical progress in capacity-building efforts in third countries and contributed to the construction of the Shchuchye chemical weapons destruction facility in Russia as well as the implementation of UNSC resolution 1540. Setting up Centres of Excellence in Southeast Asia, the Middle East, Black Sea region, Central Asia and Africa is, in principle, useful to increase the institutional capacity of these countries to help them fight CBRN risks. The EU has further assisted the CTBTO to set up and develop its monitoring facilities. The EU has been one of the main (financial) supporters of the IAEA (€33 million to the IAEA’s Nuclear Security Fund; €0 million to the IAEA’s activities on nuclear security and verification), also aimed at promoting the conclusion of the important Additional Protocols and the relevant adaptations to national legislation and regulatory frameworks. The European Commission’s Instrument for Stability has allocated €51.5 million

since 2007 to projects combating WMD proliferation, including fighting illicit trafficking, bio-safety and bio-security. This is part of the EU's New Lines for Action.

The EU's Non-proliferation clause, part of the third approach, has only been moderately – one could even say: marginally – effective. The main goal of mainstreaming non-proliferation policies in the EU's external affairs is to capitalize on Europe's economic clout. This has proven to be highly optimistic. The WMD clause has indeed been inserted in several agreements, but this has been met with resistance from most third countries during negotiations. Although India is a country of some proliferation concern (it has not ratified the CTBT), the EU-India trade agreement will lack this WMD clause. Clearly, the EU has abandoned its security principles in the interests of trade with one of the world's rising powers. Just as problematic is the fact that the Council has only offered one WMD proliferation-related essential element in agreements with third parties: the fulfillments of these states' *existing* commitments. This offers little incentive to third states to further develop their national non-proliferation policies.

The EU's track record in dealing with WMD crises and countries/areas of great concern is predictably paltry. Iran is obviously one of the main proliferation risks, especially since a nuclear Iran may destabilize the wider Middle East and unravel the existing WMD non-proliferation regime. Javier Solana has made Iran the top security priority during his tenure as EU High Representative. Since Baroness Ashton has taken over, Iran has become a much less urgent agenda item, despite the many common positions that have been agreed upon, calling for tougher sanctions. Clashing economic interests and threat perceptions between Member States offer the best explanation for why the EU's policy *vis-à-vis* Iran's nuclear ambitions has faltered. The EU's security culture, based on normative/soft power, further undermines any credible strategy. Most Europeans seem to believe in the power of international law, rather than the international law of power. This has undermined the EU's credibility as well as consistency in dealing (and/or negotiating) with Iran. The lack of a military capabilities and the strategic vision to incorporate the military option in an overall strategy, further undermines the EU's influence. The introduction of an EU WMD Strategy and further efforts to consolidate Member States views and policies, have proven unsatisfactory, at least if Iran is considered a litmus test.

Conclusion and recommendation

Surely, the EU's greatest strength lies in the multilateral arena, where it can have a momentum-increasing and capacity-building role. This, however, can only be achieved if all the Member States are moving in the same direction, preferably with the same commitment. Still, the EU's role in the WMD non-proliferation area has proven to be rather limited, and certainly less ambitious than the 2003 WMD Strategy envisaged. Although it has had plenty of time for reflection, the EU still has no idea what type of actor it is and what role it should play on the international stage. The notion of mainstreaming all aspects of EU affairs – from trade and aid, to diplomacy and defense – has proven difficult, and has failed until now. It is not even arranged well in the EU's own External Action Service, where relationships between geographical and thematic issues (and hence “desks”) remain unclear and undecided.

Until now, the EU's approach has been: Talk softly *and* carry a big carrot. The financial and practical contributions of the EU to bolster existing multilateral non-proliferation frameworks and instruments may well have been the most important contribution Europe has made. For example, EU Joint Actions in support of the World Health Organization (WHO) to support bio-safety and bio-security measures are hands-on, non-controversial and practical. The same applies to the EU's efforts to strengthen export controls (e.g. by a Dual Use e-system offering officials real-time information), based on an effective legal system and technical efficiency and effectiveness. This also applies to the EU's contacts with relevant agencies and for dealing with maritime and air safety. Here the EU has comparative advantages that it uses, and could use even more effectively. The EU has financial and legislative power, which are both important – perhaps even crucial – to make changes “on the ground”, both in EU Member States and around the globe. The EU's image as a soft power is based on its preference for multilateral approaches, which has its limits but also its advantages. The EU may in some cases achieve results where the US and other Great Powers may fail (e.g. in implementing UNSC resolution 1540 around the globe).

At times I wish it were as easy as this: The EU carries out the technical, financial and practical side of putting a working and workable WMD non-proliferation system in place, funding and guiding existing regimes that have a niche in this area. And the US, apart from helping the EU out, does the heavy lifting, dealing with terrorists, killing Osama bin Laden, and scaring off North-Korea and Iran. It seems to me that the EU is institutionally incapable of thinking and acting strategically and using all instruments in the tool box, including the military sledge-hammer. This is a well-known criticism, and I find myself in good company. I'm sure that if Dr Johnson were alive today, he would applaud the EU's efforts in the WMD

proliferation area, and comment positively on Europe's determination. But given the gap between ambition and policy, and after so many decades of practice, the EU's strategy remains inadequate and inconsequential.

* * *