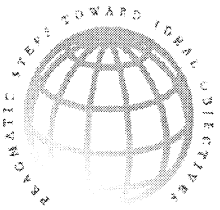

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List of Abbreviations

ABM	Anti-Ballistic Missile Treaty
ACDA	Arms Control and Disarmament Agency
AHG	Ad Hoc Group
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
BMD	Ballistic Missile Defense
BWC	Biological Weapons Convention
CD	Conference on Disarmament
CFSP	Common Foreign and Security Policy
CTBT	Comprehensive Test Ban Treaty
DGP	Senior Defense Group on Proliferation
DPRK	Democratic People's Republic of Korea
EBMD	European Ballistic Missile Defense
EC	European Council
ECSC	European Coal and Steel Community
EDC	European Defense Community
EEA	European Economic Area
EEC	European Economic Community
EFTA	European Free Trade Association
EPC	European Political Cooperation
ESDP	European Security and Defense Policy
EU	European Union
IAEA	International Atomic Energy Agency
INF	Intermediate-range Nuclear Forces
ISTC	International Science and Technology Center
KEDO	Korean Peninsula Energy Development Organization
MTCR	Missile Technology Control Regime
NAC	North Atlantic Council
NATO	North Atlantic Treaty Organization
NIS	Newly Independent States
NPT	Nuclear Nonproliferation Treaty
OSCE	Organization for Security and Cooperation in Europe
SEA	Single European Act
SGP	Senior Politico-Military Group on Proliferation
START	Strategic Arms Reduction Treaty
TEU	Treaty of European Union
WMD	Weapons of Mass Destruction

Introduction

Over the last several years, the member states of the European Union have taken bold steps to create a common defense industrial base, a common foreign and security policy (CFSP), and an autonomous defense capability. EU member states now routinely coordinate on a broad range of issues, including nonproliferation and arms control. Although some observers continue to view these initiatives with skepticism, the current processes and initiatives reflect a strong political resolve to create an independent European voice in foreign and defense policy.

This study is intended to enhance understanding of the evolving European role in arms control and nonproliferation, and on issues related to missile proliferation and defense. The study has its origins in a transatlantic dialogue and conference entitled the "Implications of Ballistic Missile Defense," which the Stimson Center organized in the cooperation with the Berlin-based German Council on Foreign Relations in June 2000, with the support of the John D. and Catherine T. MacArthur Foundation and the Carnegie Corporation of New York. While European and US participants in the conference shared many common views, distinctive European perspectives were also apparent. Convinced of the need to better understand these perspectives and the ongoing efforts among European states to forge a more coherent approach to foreign and security affairs, the Stimson Center in spring 2001 embarked on this follow-on study of the EU's role in nonproliferation and arms control.

The study has two broad purposes. First, it seeks to assess progress toward the creation of a more unified European policy on arms control and nonproliferation. What, if anything, has changed as a consequence of the European initiatives of recent years and US plans to develop and deploy missile defenses? What are the principal political, legal, institutional, or other obstacles to a more unified position and what is the likelihood that these challenges can be overcome? In addition, the study considers the implications of a more coordinated European approach to arms control and nonproliferation for US policy and for international strategies to deal with the proliferation of weapons of mass destruction.

In his essay "The Evolution of European Foreign Policy," David Brannegan examines the persistent tension between two competing visions for Europe—an intergovernmental perspective and an integrationist view. Since the creation of the European Community, the development of European foreign policy has been primarily intergovernmental in nature. The EU's inability to respond quickly and effectively to situations such as the Gulf War and the regional conflicts that have plagued the Balkans throughout the 1990s forced the EU member states to undertake incremental reforms to the primarily intergovernmental processes of EU foreign policy coordination. Integrationist reforms initiated in the late 1990s, such as modifications to the nature of the CFSP as well as new CSFP bodies and instruments, have sought to make the EU a more effective entity in international politics. In the final analysis, Brannegan concludes, the

intergovernmental impulse remains resilient and will likely slow the development of common policies on "core" security and foreign policy issues.

Cathleen Fisher's essay "EU Cooperation in Nonproliferation and Arms Control" surveys and assesses recent efforts of the EU member states to better coordinate their respective approaches to the control of nuclear, chemical, biological, and conventional weapons. The "crisis" of arms control and nonproliferation in the late 1990s has challenged the European Union to become more proactive in defining and defending its interests in these cooperative security mechanisms and regimes. Yet, although the EU possesses a variety of formal and informal instruments and mechanisms to facilitate coordination among the member states, EU prerogatives on issues with military or defense implications are nevertheless strictly bounded. Operating within these political and institutional constraints, recent European initiatives in nonproliferation and arms control have been directed toward strengthening multilateral regimes to halt or slow the spread of nuclear, chemical, and biological weapons; harmonizing European approaches to conventional arms transfers; extending multilateral controls to small arms; and supporting comprehensive approaches toward ballistic missile proliferation. Although the member states of the European Union have successfully deepened cooperation on these issues, the EU's recent record of achievements remains modest. Improved coordination on arms control and nonproliferation will depend on overcoming more fundamental divisions among EU governments and on the longer-term impact of the 11 September terrorist attacks on the United States. If current trends are sustained, the EU could make a useful contribution to global arms control and nonproliferation efforts in several areas, including the development of effective solutions to address the weaknesses of current multilateral regimes, enhanced assistance to threat reduction programs, and refinement of a comprehensive approach to ballistic missile proliferation.

The Henry L. Stimson Center is grateful to the John D. and Catherine T. MacArthur Foundation for its support of this study. It also wishes to express its thanks to Lisa Meyers, Shannon Bruffy, Chris Gagne, and Leslie-Anne Levy for their assistance in producing this report.

The Evolution of European Foreign Policy: Intergovernmental versus Integrationist Visions for Europe

David Brannegan

Progress towards a more unified arms control and nonproliferation policy at the European Union (EU) level has been, and continues to be, profoundly influenced by the continuing struggle over the evolution of EU foreign policy and the institutional rigidity of the EU's Common Foreign and Security Policy (CFSP). The EU addresses issues related to arms control and nonproliferation through formal mechanisms such as working groups, joint actions, common positions, and statements by the presidency on behalf of the European Union that are embedded within the CFSP framework. Beyond these mechanisms, however, it is the framework itself—a compromise between the integrationist and intergovernmental visions for Europe—that poses significant challenges to the development of a more coherent policy.

This paper will discuss the evolution of the structures, institutions, and channels that facilitate European foreign policy coordination and describe the major institutional challenges that impede the development of a more unified EU nonproliferation policy. The paper begins with a brief analysis of the struggle between the intergovernmental and integrationist visions for Europe that has characterized the evolution of European foreign policy. It is followed by a historical survey of the development of EU foreign policy from European Political Cooperation (EPC) to the CFSP to the most recent changes introduced in the Treaty of Amsterdam and an evaluation of the continuing struggle between these two competing visions. The chapter concludes with an evaluation of the institutional prospects for the development of a more coherent EU nonproliferation policy.

EUROPEAN INTEGRATION: INTERGOVERNMENTAL VERSUS INTEGRATIONIST VISIONS OF EUROPE

The complex process of European integration in the post-war era can best be described as the struggle between two competing visions of Europe. Integrationist or "communautaire" member states have lobbied for increased cooperation and coordination, while intergovernmentalist member states have championed the retention of traditional national sovereignty. Economic integration has comprised the vast majority of European "construction" in the last fifty years, with the creation of the common market signifying a clear victory for the integrationist vision.[1] In contrast, the evolution of European political or foreign policy

[1] The Council of the European Union, "Basic Concepts: Common Foreign and Security Policy/European Security and Defence Policy," http://ue.eu.int/pesc/default.asp?lang=en.

integration has followed a more intergovernmental path, developing largely outside the institutional framework of the more integrationist European Economic Community (EEC).[2] For much of the post-war era, member states have agreed on decision-making procedures that allow foreign policy cooperation to expand, but not at the expense of national sovereignty. The dissolution of the bipolar world order has created an environment much more conducive to foreign policy integration, however, and as will be discussed below, the EU of the twenty first century has more integrationist aspects than ever before.

The Evolution of European Foreign Policy

The struggle between the integrationist and intergovernmental visions is a common theme in the evolution of a "European" foreign policy in the post-war era from its beginnings in the aftermath of World War II to its most recent reforms. Though still quite intergovernmental in nature, a "European" foreign policy is gradually taking on integrationist aspects.

European Political Cooperation

The de Gasperi initiative of 1952 represents the earliest attempt at creating a European foreign policy involving the member states of the European Community (EC). The initiative followed the creation of the European Coal and Steel Community (ECSC), the first EC institution, but predated the Treaty of Rome that founded the EEC.[3] Reflecting an integrationist vision of Europe, this ambitious initiative sought the creation of a federalist European political community with a common foreign policy and was accompanied by an attempt by the six members of the ECSC to create a common European defense, the European Defense Community (EDC). In the end, the unwillingness of some states to cede aspects of national sovereignty to the EEC, firm political opposition within other states, and procedural difficulties ensured the failure of EDC, preventing the de Gasperi initiative from receiving serious consideration. This failure of the EDC and de Gasperi initiative had longer-term repercussions as well, effectively removing the "questions of defense and of a common foreign policy from the formal agenda of European integration" until the early 1990s.[4]

Throughout this period of formal stagnation, however, the member states participated in a process of "foreign policy cooperation," dubbed European Political Cooperation (EPC). The origins of EPC can be traced back to an initial agreement between French president Georges

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[2] For a more complete account, see Ben Soetendorp, *Foreign Policy in the European Union* (New York: Longman, 1999), 3.

[3] W. Wallace, "Political Cooperation: Integration Through Intergovernmentalism." in *Policy-Making in the European Community*, eds. H. Wallace, W. Wallace & C. Webb (Chichester: John Wiley & Sons, 1983), 373-4.

[4] Richard Whitman, *The European Union's Common Foreign and Security Policy: Achievements and Prospects* (London: University of Westminster Press, 1996), 3.

Pompidou and West German chancellor Willy Brandt, who made common cause in service of disparate national interests. [5] The concept soon garnered widespread support due to the shared desire of many member states to reinvigorate EC development following the EDC debacle. The member states also sought to provide the process of European integration added momentum so that the EC's evolution could not be stalled by impending community enlargement.[6]

At the Hague Summit of December 1969, the six founding members of the ECSC (West Germany, France, Italy, Belgium, the Netherlands and Luxembourg—the "Six") deliberated on the best option for achieving progress toward political unification. Three alternative approaches were considered. The first two proposals—to enhance the EC's institutional framework or, alternatively, to coordinate and ultimately unify national policies—were judged to be unacceptable, since the achievement of either approach required member states to sacrifice some of their national sovereignty to the larger community. In other words, these alternatives required much more of a commitment than the governments of the Six were willing to make. After careful consideration, the ministers of the Six decided that the third alternative, actions *outside* the EC framework, would be the best manner by which to seek increased political cooperation.[7]

The resulting consensus of the ministers, "European Political Cooperation", was expressed in a report compiled by, and named for, Etienne Davignon, a Belgian diplomat and future EC Commissioner. Specifically, the Davignon Report of 1970 stated that EPC was intended to provide member states an opportunity to "ensure greater mutual understanding with respect to the major issues of international politics, by exchanging information and consulting regularly [and] to increase their solidarity by working for a harmonization of views, concertation of attitudes and joint action when it appears feasible and desirable."[8] The essential aspect of EPC was that consultation and coordination would proceed outside of EC institutions, thus preserving and protecting the national sovereignty of member states on sensitive foreign policy issues. Unable to forge consensus on more ambitious alternatives, the member states had struck an agreement to disagree and rejected a supranational mode of decision making in favor of an intergovernmental approach. Therefore, the various forms of cooperation that were introduced were essentially voluntary, and lacked a rigid institutional base.

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[5] A vast majority of important EC decisions were pre-negotiated by France and Germany and presented as joint initiatives. France aspired to achieve a leadership role in Europe while at the same time check Germany's growing economic weight. See Soetendorp, 21.

[6] Derek W. Urwin, *The Community of Europe: A History of European Integration Since 1945* (New York: Longman, 1995), 146.

[7] Ibid.,146-7.

[8] "Report by the Foreign Ministers of the Member States on the Problems of Political Unification," *Bulletin of the European Communities* 11(1970), 9.

The Davignon Report recommended a process of regular consultations among the foreign ministers consisting of both quarterly meetings and monthly support group meetings. The monthly meetings of the support group, dubbed the Political Committee, would be comprised of the political directors of the national foreign ministries, aided by specialized working groups focused on both regional and area concentrations. The report also called for a continuous "liaison of ambassadors from EC states in foreign capitals, and for the issuing by the EC states of common instructions on certain matters to their ambassadors abroad."[9]

The report enjoyed the strong support of the six founding ECSC members, and its main recommendations were adopted and enacted with impressive promptness. The first ministerial meeting following the adoption of the recommendations of the Report assembled in Munich in November 1970. Six months later, in May 1971, the EC made its first joint declaration, on the Middle East. The tacit processes of the Davignon Report were viewed as successful by member states and in 1973, a second Davignon Report presented in Copenhagen recommended its continuation. The second report emphasized once again the non-binding aspects of this manner of political cooperation. The goal of EPC was not a unified foreign policy, but rather "to ensure a better mutual understanding of the major problems of international politics through regular information and consultation;...to promote the harmonization of views and the coordination of positions;...to attempt to achieve a common approach to specific cases."[10] Member states endorsed the second report, content in the knowledge that they had retained their national sovereignty while increasing consultations and understanding.

Despite a promising beginning and support from the member states, EPC began to flounder in the 1970s and 1980s, prompting some to question whether the approach was still viable. The acid test was to come in 1973, when EPC proved to be unsuccessful in dealing with the oil crisis following the Arab Israeli conflict known as the October War. In fact, throughout much of the 1970s, EPC failed to produce a great deal in terms of either common positions or actions. While member states reveled in the retention of national sovereignty, it soon became obvious that this retention was also the cause of the EC's weak foreign policy performance.

The signing of the Single European Act (SEA) in 1986 reignited hope among integrationists that the EC was going to implement a stronger, more binding foreign policy. The SEA provided the tasks and procedures of EPC a treaty basis, thereby strengthening the legal foundation for challenging the member states' monopoly in foreign affairs. However, this optimism was short lived. It soon became clear that efforts at foreign policy integration would

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[9] "Report by the Foreign Ministers of the Member States on the Problems of Political Unification," *Bulletin of the European Communities* 11(1970), 9.

[10] Second Davignon Report, cited in Urwin, 149.

continue to follow a separate road from that of economic integration. EPC, in short, would remain outside the EC structure as an intergovernmental and voluntary operation.[11]

While EPC was stagnating, the EU was formulating ambitious plans for its further integration, which it reaffirmed after the fall of the Berlin Wall in November 1989. Following the end of the Cold War, steps toward making European monetary union a reality accelerated and took on new significance. The dissolution of the bipolar world order created an environment in which the EPC was out of sync with the pace of integration in other realms. It was also too weak an instrument for an EU that aspired to a larger international role. The Gulf War and the outbreak of fighting in the former Yugoslavia "mocked EPC in its old age," as these two major conflicts overwhelmed the instruments available through European Political Cooperation.[12]

In the end, assessments of EPC's performance remain mixed. Intergovernmentalists argued that the "separate road" that European foreign policy integration followed under EPC had been successful, since it progressively had created a mechanism for consultation that benefited most states of the EC.[13] EPC was a great disappointment to integrationists, however, who sought the creation of a joint foreign policy that was binding on participating states.[14] In this view, EPC had produced a number of general statements that failed to elicit any serious attempts by member states to follow through. It was far too easy, for example, when sanctions were employed, for one or more countries to "break ranks."[15] From an integrationist perspective, the vagueness and lack of commitment that had characterized discussion of foreign policy integration at the 1969 Hague Summit had endured throughout twenty years of EPC. The result, just as the foreign ministers had hoped in 1969, was a process of foreign policy cooperation that protected the national sovereignty of the member states when they did not want to be associated with an EPC action and thus hindered the emergence of a unified "European" foreign policy.

A New Realm in European Foreign Policy Integration? The Common Foreign and Security Policy

The ratification of the Treaty on European Union (TEU) (also known as the Maastricht Treaty) relegated EPC to the "annals of history" and replaced it with the more *communautaire-*

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[11] Despite the fact that the Commission was accepted into the meetings on foreign policy in 1981, and the European Parliment won the right to be informed, EPC remained largely intergovernmental and voluntary.

[12] Soetentorp, 113.

[13] Urwin, 218.

[14] Whitman, 3.

[15] A good example of this problem was when Greece refused to "join in the condemnation of and sanctions applied to Poland and the Soviet Union in 1981." See Urwin, 217.

sounding Common Foreign and Security Policy (CFSP).[16] Integrationists lauded the creation of the CFSP and awaited with great anticipation the dawning of a more powerful and binding European foreign policy. These heightened expectations were not unjustified, as the Maastricht Treaty itself declared that the CFSP would cover "all aspects of foreign and security policy."[17]

The intergovernmental structures and habits of EPC proved to be quite resilient, however, and in the end the CFSP's expectations far exceeded its capabilities.[18] It soon became apparent that a great contradiction existed between the ambition of the member states to "play a larger international role and their reluctance to move beyond an intergovernmental framework in doing so."[19] Part of the problem may have been the nomenclature, "Common Foreign and Security Policy," which was misleading, since the CFSP's provisions were notable more for their similarities to EPC than their differences. Like its predecessor, the CFSP continues to rely on intergovernmental solutions and voluntary consensus to deal with issues of foreign policy.[20] CFSP consequently has proven to be far more evolutionary than revolutionary.

Deconstructing the CFSP

The Treaty on European Union identifies the development of a common European foreign policy as one of its principal objectives, made necessary by changes in the global strategic environment. The need for adaptation is highlighted in the preamble of the TEU, which recognizes "the historic importance of the ending of the division of the European continent and the need to create firm bases for the construction of the future Europe."[21] Responding to this challenge, the member states declare in the TEU their intention to "implement a common foreign and security policy including the framing of a common defense policy, which might, in time, lead to a common defense thereby reinforcing the European identity and its independence in order to promote peace, security and progress in Europe and in the world."[22]

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[16] Martin Holland, "CFSP...Reinventing the EPC Wheel?" in *Common Foreign and Security Policy: The Record and Reforms*, ed. Martin Holland (London: Pinter, 1997), 5.

[17] Council of the European Communities, Commission of the European Communities, *Treaty on European Union (*Luxembourg: Office of for Official Publications of the European Communities, 1992), Article J.1

[18] The idea of a capabilities-expectations gap" with regard to CFSP is discussed by Christopher Hill. See "The Capability-Expectations Gap, or Conceptualizing Europe's International Role," *Journal of Common Market Studies*31, no. 3: 305-28.

[19] John Peterson, "The European Union as a Global Actor," in *A Common Foreign Policy for Europe,* eds. John Peterson and Helene Sjursen (London: Routledge, 1998), 5.

[20] Ibid.

[21] Council of the European Communities, Commission of the European Communities, *Treaty on European Union* (Luxembourg: Office of Official Publications of the European Communities, 1992).

[22] Ibid., 7-8.

Building on the Single European Act, the TEU establishes a three-pillar structure for the new European Union. Pillar I is comprised of the European Communities, while Pillar II creates the CFSP, and Pillar III pertains to cooperation in Home and Judicial Affairs. [23] The pillar structure results in a complex international identity for the European Union, since different aspects of the EU's international role are governed by different procedures.[24] For example, when the EU participates in the United Nations (UN), the Foreign Minister of the Council speaks for the EU, but the presentation of proposals, negotiations, and the conclusion of formal agreements is the responsibility of the European Community or its member states acting together.[25] Though the pillar system significantly complicates coordination both within the EU and between the EU and other countries, the member states believed that a European foreign policy could not be built upon the CFSP alone and would only be possible if a pillar system were in place to ensure consistency across various policy domains.[26] The pillar system was intended to provide a common institutional framework that would "ensure the consistency and the continuity" of external policies.[27]

Despite its lofty aims, there often appears to be little practical difference between the *modus operandi* of CFSP and EPC, however. Article J.2 of the TEU stated that the broad objectives of the CFSP were to be achieved through "systemic cooperation" and implementation of "joint action in the area in which the Member States have important interests in common", language echoing the objectives of the EPC. [28] As with the EPC, member states are requested to "refrain from any action that is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations." Further, member states are directed to consult on any topic of general interest "in order to ensure that their combined influence is exerted as effectively as possible by means of concerted and convergent action."[29] As with the EPC, however, use of the CFSP's instruments and compliance with a EU "concerted and convergent action" is essentially voluntary. The requirement that national foreign policy conform

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[23] The European Communities were the European Steel and Coal Community, the European Atomic Energy Committee, and the European Community.

[24] David Allen, "Who Speaks for Europe?: The Search for an Effective and Coherent External Policy," in *A Common Foreign Policy for Europe*, eds. John Peterson & Helene Sjursen (London: Routledge, 1998), 51.

[25] Ibid.

[26] Roy H. Ginsberg, "The EU's CFSP: The Politics of Procedure," in *Common Foreign and Security Policy: The Record and Reforms*, ed. Martin Holland (London: Pinter, 1997), 17.

[27] Allen, 51.

[28] Council of the European Communities, Commission of the European Communities, *Treaty on European Union Council*, J.2.

[29] Ibid, J.2.1.

to the common position of the EU or that states coordinate their actions in international organizations is fully in line with the EPC's tradition of intergovernmentalism.

The Unique Aspects of CFSP

Despite many similarities, CFSP is different from EPC protocol in two significant ways. The first of these pertains to the question of consensus policy-making. In a departure from EPC, the CFSP allows majority voting under "well-defined and limited circumstances," a provision that is applied, in practice, only to the implementation of specific policy proposals.[30] Despite the reluctance of member states to grant even this modest concession and the many "qualifications and dependence on political will" associated with CFSP, numerous theorists nevertheless argue that the concession on qualified majority voting has significant potential, since it avoids the need for collective unanimity under certain circumstances.[31]

The second main difference is the introduction in Title V of the treaty of "joint actions" that may draw assets from the pillar system. The intensification and institutionalization of cooperation through joint actions indeed may be the most significant departure from EPC. Joint actions "commit the Member States in the positions they adopt and in the conduct of their activity."[32] For those topics agreed as joint actions, the contradictions between Union and national policies are removed, at least in theory. There are no legal repercussions such as sanctions for non-compliance, however, but the legal grounding of joint actions within the framework of the Maastricht treaty exerts moral and political pressure on member states that violate the obligation of policy compatibility.

A final notable aspect of the CFSP pertains to a procedural adaptation that creates a shared right of initiative for the European Commission. Under this modification, either a member state *or the Commission* can pose questions or submit proposals to the Council regarding CFSP matters. The Commission at first interpreted this adaptation as an "extension of its authority," therefore arming it with the authority to play a very prominent policy-making role. The prospect of sharing responsibility for foreign policy with the European Commission raised concerns among member states and soon provoked a backlash. As a consequence, the member states have ardently sought to constrain the role of the Commission. The shared right of initiative nevertheless suggests a "possible breach in the otherwise intergovernmental context of CFSP".[33]

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[30] Ibid.

[31] Ibid., 6.

[32] Council of the European Communities, Commission of the European Communities, *Treaty on European Union*, J.3.4.

[33] Ibid.

Recent Integrationist Reform

The crises in the former Yugoslavia in the 1990s highlighted the weaknesses inherent in the CFSP's institutional structure and spurred the member states to undertake further reforms. It became quite clear, in particular, that the EU had to improve its ability to prevent future crises as well as to improve member state coordination.[34] The Amsterdam Treaty, which came into force on 1 May 1999, consequently sought to increase the integrationist aspects of EU foreign policy in order to make the CFSP more effective and better suited to support the EU's role in international politics. The improvements included modifications to the nature of CFSP, the creation of an additional CSFP instrument, and the creation of additional CSFP bodies.

New CFSP Policy Characteristics

With the addition of the right of member states to exercise "constructive abstention," the Amsterdam Treaty has amended slightly the general rule that all CFSP decisions require a unanimous vote. Rather than blocking the adoption of a joint decision, "constructive abstention" excuses member states from their obligation to apply the particular decision as long as their abstention is qualified by a formal declaration. Member states exercising "constructive abstentions" are obligated, however, to accept that the decision commits the Union as a whole. An abstaining state therefore must agree to refrain from any action that would conflict with the EU's action under that particular decision.[35] This introduction of "constructive abstentions" provides the CFSP much needed flexibility that could give member states more flexibility in situations where national perspectives are in strong opposition to the general EU perspective.

Title V of the TEU was also amended at Amsterdam to allow the European Council to act by qualified majority when: (i) adopting joint actions, common positions, or taking any other decision on the basis of a common strategy; and (ii) when adopting any decision implementing a joint action or a common position.[36] Qualified majority votes will not be taken if a member state declares that it intends to oppose the adoption of a qualified majority decision due to important national policy concerns. In these circumstances, the Council may decide by a qualified majority to refer the matter to the European Council for a unanimous decision by heads of state and

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[34] The European Union, "The Amsterdam Treaty: A Comprehensive Guide," http://europa.eu.int/scadplus/leg/en/lvb/a19000.htm.

[35] Constructive abstention is not applicable if member states exercising the abstentions comprise more than one third of the Council votes weighted in accordance with the Treaty.

[36] External Relations, The European Commission., "Common Foreign and Security Policy: Overview," http://europa.eu.int/comm/external_relations/cfsp/intro/.

government.[37] Qualified majority voting does not apply to decisions having military or defense implications, however.

Additional CSFP Instrument

The Amsterdam Treaty also supplemented existing foreign policy instruments under the CFSP with the addition of "common strategies."[38] The European Council was given the right to define, by consensus, common strategies in areas where the member states have important interests in common. Common strategies are not simply CFSP instruments, however; they actually serve as a means to ensure the consistency of the EU's external policies as a whole. As a result, in addition to CFSP matters, a common strategy may cover matters pertaining to Pillar I (European communities) and Pillar III (Home and Judicial Affairs), and therefore can combine EU/EC and member states' national means.[39] This introduction of common strategies is intended to lead to both increased consistency and additional flexibility in European foreign policy.

New CFSP Bodies

One innovation of the Treaty of Amsterdam has proven especially important in improving the effectiveness and raising the profile of the Union's foreign policy, the creation of the new office of High Representative for CFSP. According to the Treaty, the High Representative, "shall assist the Council in matters coming within the scope of the CFSP, in particular through contributing to the formulation, preparation and implementation of policy decisions, and, when appropriate and acting on behalf of the Council at the request of the Presidency, through conducting political dialogue with third countries."[40] In addition, the High Representative is to assist the Presidency in the external representation of the EU and in the implementation of decisions in CFSP matters. Mr. Javier Solana Madariaga, former Secretary General of NATO, took up the post on 18 October 1999 for a period of five years. The creation of this position is potentially of great importance, since it gives EU foreign policy a centralized and recognizable identity. Mr. Solana's visibility and personal influence already have increased the force of EU foreign policy and provided the EU a consistent presence within the international arena.

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[37] The European Union, "The Amsterdam Treaty: A Comprehensive Guide," http://europa.eu.int/scadplus/leg/en/lvb/a19000.htm.

[38] Ibid.

[39] External Relations, The European Commission, "Common Foreign and Security Policy: Overview," http://europa.eu.int/comm/external_relations/cfsp/intro/.

[40] External Relations, The European Commission, "Common Foreign and Security Policy: Overview," Article 26, http://europa.eu.int/comm/external_relations/cfsp/intro/.

CONCLUSION

The evolution of European foreign policy has been guided by the competition between two competing visions for Europe—an intergovernmental perspective and an integrationist view. Since the creation of the European Community, the development of European foreign policy has been primarily intergovernmental in nature, but an increasing number of integrationist aspects have been added more recently, bringing new hope for future progress towards a stronger and more coherent EU foreign policy.

The failure of the integrationist EDC and de Gasperi initiative in the 1950s effectively removed the development of a truly common foreign policy from the European integration agenda until the 1990s. Throughout this period of formal stagnation, however, member states participated in the informal, voluntary, intergovernmental process of European Political Cooperation that operated outside the EC framework. EPC allowed member states to retain traditional notions of national sovereignty while increasing consultations and enhancing mutual understanding. The inflexibility of this approach, however, rendered European foreign policy largely ineffective in dealing with many international issues that required actions beyond general statements.

The introduction of the Common Foreign and Security Policy in the Treaty on European Union was lauded by integrationists, who anticipated vast improvements in the realm of EU foreign policy. The pillars of EPC proved quite resilient, however, as the CFSP failed to meet its lofty expectations and member states persisted in their unwillingness to sacrifice national sovereignty to a common EU foreign policy. The EU's inability to respond quickly and effectively to situations such as the Gulf War and the regional conflicts that plagued the Balkans throughout the 1990s made it clear that some alteration to the intergovernmental nature of EU foreign policy was necessary. Integrationist reforms initiated in the late 1990s, such as modifications to the nature of CFSP as well as new CSFP bodies and instruments, sought to make the EU a more effective entity in international politics.

It is the resilience of the intergovernmental modus operandi of EU foreign policy, however, that is likely to prove most problematic for the development of common policies on "core" security and foreign policy issues. Member states continue to be unwilling to cede control over such vital issues to a larger EU policy. Although recent reforms have lent integrationists some minor victories, additional modifications to EU structures and mechanisms will be necessary in order for the current rigidity of the EU foreign policy framework to be overcome.

EU Cooperation in Arms Control and Nonproliferation

Cathleen S. Fisher

Throughout the Cold War, arms control and nonproliferation were dominated by the United States and Soviet Union, with the smaller nuclear powers playing a lesser role. Western European countries—particularly nuclear-armed France and Britain—had a stake in the outcome of bilateral nuclear arms talks, but US and Soviet interests and leadership were decisive in determining both the pace and direction of efforts to regulate competition in, and reduce the stockpiles of, conventional and unconventional arms and their delivery vehicles. A "European" interest in nuclear arms control and disarmament did not in fact exist. During the Cold War, the national interests of France and Britain made them hesitant to support nuclear disarmament efforts, while non-nuclear European allies were torn between a desire to regulate the superpower nuclear competition and concern to preserve the credibility of the US extended nuclear deterrent and thus protect their own national security. Over time, however, European countries came to embrace arms control and nonproliferation treaties and regimes as a contribution to peace and stability in Europe and the building blocks of cooperative security.

The deterioration of arms control and nonproliferation regimes and treaties since the late 1990s consequently has been viewed with concern in Europe. Although the United States exercises decisive influence on arms control and nonproliferation, European countries have proclaimed an interest in the preservation and strengthening of existing bilateral and multilateral arms control and nonproliferation agreements, which are seen to serve the European interest in a global system founded on the principles of international law, multilateral institutions, and cooperative security. In recent years, this position has put Europe at odds with the United States, where the validity and value of traditional arms control and nonproliferation approaches and treaties has been called into question with the end of the East-West conflict and heightened concern about ballistic missile proliferation.

The "crisis" of arms control and nonproliferation has challenged the European Union to become more proactive in protecting and strengthening the instruments that have come to enjoy widespread support across Europe. Whether for good or ill, it has also coincided with a time of profound change within the European Union (EU), which is moving with renewed confidence and political will to expand its influence in international affairs and to forge, through the instruments and mechanisms of the Common Foreign and Security Policy (CFSP), a "*more coherent* and more *visible foreign policy.*" [1] Much EU effort has been directed toward creating an independent military intervention force capable of intervening in regional crises when the North Atlantic

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[1] Speech by Dr. Javier Solana at the Forschungsinstitut der Deutschen Gesellschaft für Auswärtige Politik, Berlin, 14 November 2000, in *From St. Malo to Nice. European Defence: Core Documents*, compiled by Maartje Rutten, Chaillot Papers no. 47 (Paris: WEU Institute for Security Studies, May 2001), 151, emphasis in original.

Treaty Organization (NATO) chooses not to act.[2] But the fifteen member states of the European Union have also begun to coordinate their approaches and positions on the control of nuclear, chemical, and biological weapons and ballistic missiles and on the regulation of conventional arms sales and small arms. Despite differences among their ranks—particularly over nuclear issues—a distinctive European profile in arms control and nonproliferation nevertheless is beginning to emerge.

Whether these trends will be sustained is unclear. In the wake of the 11 September terrorist attacks on the United States, arms control, nonproliferation, and missile defense could prove to be less of an irritant in US–European relations, particularly if the US embrace of multilateral cooperation is sustained. The reaffirmation of the transatlantic relationship has largely quelled European criticism of US leadership and unilateralism and dampened feelings of mutual resentment and misunderstanding. On the other hand, the Bush administration does not appear to have altered its position on missile defense or its approach to arms control, while its commitment to multilateralism in other policy spheres remains untested. Transatlantic divergences could well reemerge, spurring the EU to define and defend its stake in global nonproliferation and arms control regimes.

This paper examines recent actions and initiatives taken by the EU member states with regard to nonproliferation, arms control, and missile defense. It begins with a discussion of the crisis in arms control and nonproliferation following the end of the East West conflict and then describes the mechanisms and instruments that could be used to enhance European coordination on arms control and nonproliferation. It then surveys recent actions and initiatives by the EU and assesses European accomplishments and shortcomings. The paper concludes with a discussion of the prospects for a common EU policy on nonproliferation, arms control, and missile defense in light of the 11 September terrorist attacks and of the implications of the EU's success or failure for global arms control and nonproliferation regimes.[3]

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[2] In December 1999, the European Council announced a series of "headline goals" designed to allow the EU to fulfill the so-called Petersburg tasks—humanitarian interventions, peacekeeping, and peace operations in crises and conflicts. By 2003, member states are committed to deploy within sixty days and to sustain for at least one year military forces of up to 50,000 to 60,000 forces. Additionally, the Nice European Council (December 2001) announced the creation of new political military and political bodies and structures for directing EU peace operations. On the headline goals and evolution of the ESDP, see *From St. Malo to Nice.*

[3] The paper draws both on available public documentation as well as interviews in May and June 2001 with European officials and nongovernmental experts in France, Germany, the UK, NATO, and the EU.

ARMS CONTROL AND NONPROLIFERATION AFTER THE COLD WAR: CRISIS OR CROSSROADS?

At the end of the Cold War there was much reason for optimism about the future of cooperative security tools and instruments. The fall of the Berlin Wall in November 1989 and dissolution of the Soviet Union in 1991 raised hopes for a fundamental transformation in US Russian relations and drastic reductions in Cold War nuclear and conventional arsenals. Early arms control successes did not disappoint. Following decades of stalemate, a treaty to substantially reduce conventional forces across Europe was completed in fall 1990. Five years later, the Nuclear Nonproliferation Treaty (NPT) was extended indefinitely in conjunction with certain "principles and measures" intended to strengthen the regime and provide new momentum to the process of nuclear disarmament. One year later, the Comprehensive Test Ban Treaty (CTBT), a goal that had eluded disarmament advocates for years, was successfully concluded.

While the end of the East West conflict removed significant impediments to progress in arms control and nonproliferation, it also raised fundamental questions about the continued relevance of these Cold War tools in a changed strategic environment. By mid-decade, the consensus in the US strategic community regarding the role of nuclear deterrence, arms control, and missile defenses in safeguarding US national security was beginning to erode. Citing concern about proliferation and the emergence of new security threats against which nuclear deterrence might be ineffective, some prominent members of the US strategic community recommended a reevaluation of US nuclear strategy and a gradual reduction of the United States' reliance on nuclear deterrence.[4] At the same time, revelations regarding Iraq's extensive programs to develop weapons of mass destruction (WMD) following the 1991 Gulf War raised doubts about the efficacy of existing nonproliferation treaties and regimes. As the decade wore on, bilateral arms negotiations with Russia bogged down, and the Arms Control and Disarmament Agency (ACDA) came under increasing fire from Congressional critics. Amid growing criticism of multilateral nonproliferation regimes and treaties, the US Senate in October 1999 voted to reject the CTBT, which had been celebrated only three years earlier as a major US-led achievement in global efforts to stem the proliferation of nuclear weapons. At the same time, rising concern about the proliferation of ballistic missiles, reflected in the 1998 report of the Rumsfeld Commission, coupled with technological advances in defensive technologies, sparked a reevaluation of the desirability and feasibility of ballistic missile defense. In a sign of the changing times, the Clinton administration in 1999 announced plans to pursue development of a

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[4] See, for example, *An Evolving US Nuclear Posture: Second Report of the Steering Committee*, Report no. 19 (Washington, D.C.: The Henry L. Stimson Center, December 1995); Committee on International Security and Arms Control, National Academy of Sciences, *The Future of US Nuclear Weapons Policy* (Washington, D.C.: National Academy Press, 1997); General Andrew J. Goodpaster, *Further Reins on Nuclear Arms: Next Steps for the Major Nuclear Powers*, Consultation Paper (Washington, D.C.: The Atlantic Council of the United States, August 1993); Paul Nitze, "Is It Time to Junk Our Nukes?" *The Washington Quarterly*, vol. 20, no. 3 (Summer 1997), 97–101.

limited national missile defense system. Although President Clinton subsequently decided to leave the decision on deployment to his successor, the Cold War consensus on the relationship between deterrence and defense clearly had been shattered, while the future of cooperative arms control mechanisms appeared increasingly uncertain.

The new Bush administration quickly made clear its intention to transform US nonproliferation and arms control policy. While the bilateral ABM Treaty was the target of pointed criticism, the new administration's dislike of negotiated, legally binding constraints extended beyond this single treaty. Laboriously negotiated bilateral arms control agreements, such as the Strategic Arms Reduction Treaties (START), were characterized as inappropriate to the changed strategic context and changed political relationship between the United States and Russia. The administration also stated that it would not seek ratification of the Comprehensive Test Ban Treaty and declined to support a draft verification protocol to the Biological Weapons Convention (BWC), arguing that it was ineffective as well as potentially harmful to US national security and commercial interests.[5] The BWC decision followed on the heels of US actions aimed at significantly weakening a multilateral convention to address illegal sales of small arms and light weapons.

The administration's critique of arms control extended beyond the shortcomings of specific treaties to encompass the desirability of binding multilateral constraints that could restrict the United States' freedom of action. For example, Undersecretary of State Bolton declared at the UN small arms conference that the United States would not "commit to begin negotiations and reach agreement on any legally binding instruments, the feasibility and necessity of which may be in question and in need of review over time." The "diffuse focus" of the draft protocol, Bolton noted, mistakenly mixed "legitimate areas for international cooperation and action and areas that are properly left to decisions made through the exercise of popular sovereignty by participating governments."[6] Describing the administration's "a la carte" approach to multilateralism, Richard Haas, director of Policy Planning at the Department of State, advised that the administration henceforth would be selective in its consideration of international agreements and eschew a "broad-based approach."[7] To many Europeans, such statements, as well as the US rejection in March 2001 of the Kyoto Protocol on global warming, appeared signs of a fundamental rejection of international law and treaty-based regimes and a repudiation of multilateral and cooperative approaches to security more generally.

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[5] Ambassador Donald Mahley, US Special Negotiator for Chemical and Biological Arms Control Issues, "Statement by the United States to the Ad Hoc Group of Biological Weapons Convention States Parties," Geneva, Switzerland, 25 July 2001, http://www.state.gov/t/ac/bw/rm/2001/index.cfm?docid=5497.

[6] John R. Bolton, Under Secretary of State for Arms Control and International Security, "Plenary Address before the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects," New York City, 9 July 2001, Department of State website: http://www.state.gov/t/us/rm/2001/janjuly/index.cfm?docid=4038.

[7] Quoted in Thom Shanker, "White Says the US is not a Loner, Just Choosy," *New York Times*, 1 August 2001.

Arms control was not the only area targeted for an overhaul. Echoing the arguments of nuclear strategists a decade earlier, administration officials voiced concerns about the limitations of nuclear deterrence in the new strategic context. In his confirmation hearing before the US Senate Committee on Armed Services in January 2001, Secretary of Defense designate Donald Rumsfeld stated that credible deterrence had to be "based on a combination of offensive nuclear and non-nuclear defensive capabilities," a view reiterated by his deputy, Paul Wolfowitz, who asserted the need for a "new form of deterrence appropriate to the new strategic environment . . . based less on massive levels of punishment or retaliation, and more on the use of both defensive and offensive means to deny our adversary the opportunity and benefits that come from the use of weapons of mass destruction."[8] In this view, nuclear deterrence was no longer sufficient to guarantee US national security and thus had to be supplemented by a robust and extensive system of defenses aimed at protecting the US homeland, allies, and American forces deployed abroad from ballistic missile attacks.

Above all, the Bush administration made clear its strong and unwavering commitment to ballistic missile defense and its determination to move forward with testing and deployment on an accelerated timetable.[9] Attuned to allied sensitivities, President Bush promised close consultations with US partners around the world, a pledge the new administration hastened to act upon. In a move that won much praise from European governments, President Bush in spring 2001 dispatched senior-level delegations to Europe and Asia to discuss the administration's plans to deploy missile defense.[10] The president continued to stress his commitment to consultations at the NATO summit in Budapest in late May and in meetings with allied governments during his first European tour in June 2001. At the same time, administration officials also suggested that they would not be slowed or deterred if allied support for or Russian acquiescence in the US plan were not forthcoming. In mid-July 2001, the administration reportedly distributed to US embassies around the world talking points intended to persuade governments to support US

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[8] "Statement of the Honorable Donald H. Rumsfeld Prepared for the Confirmation Hearing Before the US Senate Committee on Armed Services," 11 January 2001, 4, http://www.senate.gov/~armed_services/statemnt/2001/010111dr.pdf; "Prepared Statement of Dr. Paul R. Wolfowitz for his Confirmation hearing before the US Senate Armed Services Committee, 107th Congress, February 27, 2001," 3, http://www.senate.gov/~armed_services/statemnt/2001/010227pw.pdf.

[9] On 11 January 2001, Secretary of Defense designate Donald Rumsfeld stated in his confirmation hearing before the US Senate, "There is no question . . . that I think that we should deploy a missile defense system— when its technologically possible and effective." Secretary of State Colin Powell similarly underscored the administration's commitment to the development of missile defenses, as did Deputy Defense Secretary designate Paul Wolfowitz. On 1 May 2001, President Bush offered a more comprehensive explanation of the administration's plans. For the administration's key statements regarding missile defenses, see http://www.ceip.org/files/projects/npp/resources/bushadminmissiledefense.htm. For Bush's remarks to students and faculty at the National Defense University, Washington, D.C., 1 May 2001, see http://www.state.gov/t/ac/rls/rm/2001/index.cfm?docid=2873&CFNoCache=TRUE&printfriendly=true.

[10] In a move welcomed by many European governments, the Bush administration dropped the distinction between national and theater missile defenses and spoke instead simply of missile defenses, underscoring the indivisibility of US and European security.

missile defense plans. According to the White House script, foreign governments were to be notified that the administration would pursue a "robust" research, development, and testing program on missile defenses that would bring the United States into conflict with the ABM treaty "in months, not years."[11] Subsequent statements by Under Secretary of State John Bolton in Moscow and by President Bush himself reaffirmed the administration's intention to withdraw from the ABM treaty "at a time convenient to America," either in cooperation with the Russians or, if need be, alone.[12]

EUROPEAN COORDINATION INSTRUMENTS AND MECHANISMS

The deterioration of US support for arms control and multilateral nonproliferation instruments and treaties has posed an untimely challenge to the European Union. Although the EU has taken significant steps beginning in the late 1990s to strengthen European cooperation in foreign and security policy, the CFSP remains a work in progress. In addition, other issues and challenges have been far more pressing concerns for the EU. Spurred by concern over ethnic conflict in the Balkans and Europe's military weakness in the Kosovo conflict, the EU in 1999 decided to create the institutional infrastructure and operational capabilities to respond effectively—and with military means, if necessary—to international crises in which NATO chooses not to become involved. Outside of the security realm, European governments have been focused on implementation of monetary union, as well as preparations for expansion of the EU eastward and continued reform of the EU's institutions and structures.

Political and legal factors provide further disincentives for the EU to become involved in arms control and nonproliferation. Despite the creation of the European Security and Defense Policy (ESDP)—a part of the CFSP—the member states retain sovereignty over core issues of security and defense. The provisions on CFSP, as codified in the Treaty on European Union, the Amsterdam Treaty, and the Treaty of Nice, stipulate that EU efforts to develop a common defense policy do not affect the security and defense policies of individual member states and are compatible with the obligations and framework of NATO. EU prerogatives on issues with military or defense implications, in short, are strictly bounded.

The EU's claim to competence on these issues is also weak relative to NATO. Beginning in the mid-1990s, NATO began to focus more attention on the dangers posed by the proliferation

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[11] A copy of the cable text was obtained by the Carnegie Endowment's nonproliferation project, which posted the text in full on its website. See "Administration Missile Defense Papers," http://www.ceip.org/files/projects/npp/resources/EmbassyCableNMD_copy.htm.

[12] "Transcript: Bolton Missile Defense Interview in Moscow," 21 August 2001, http://www.usinfo.state.gov/topical/pol/arms/stories/01082222.htm; President George W. Bush, Remarks to Elementary School Students Followed by Media Q & A, Crawford, Texas, http://www.ceip.org/files/projects/npp/resources/bushadminmissiledefense.htm.

of weapons of mass destruction and their delivery capabilities and to consider the implications of proliferation for allied security. At the 50th anniversary summit in April 1999, the North Atlantic Council (NAC) announced the launch of a new WMD initiative to enhance coordination and information sharing among allied members on proliferation issues. Included in the initiative was the creation of a WMD Center, which became operational in 2000 and is charged with improving coordination of all WMD-related activities at NATO headquarters in Brussels. Additionally, the NATO ministers in December 2000 agreed to a process of consultations on various nonproliferation and arms control issues, including dialogues with Russia, offensive nuclear force reductions, and the CTBT entry-into-force. Discussions of the threat posed by the proliferation of WMD and ballistic missile capabilities also take place in other NATO bodies, including the North Atlantic Council, the Senior Defense Group on Proliferation (DGP), and the Senior Politico–Military Group on Proliferation (SGP).[13]

In theory, the European Union possesses a variety of instruments to facilitate coordination among the member states on arms control and nonproliferation policy.[14] *Common positions* establish the EU's approach on a particular geographical or thematic issue and define the EU's relationship toward a third country or its position at an international conference. Once the Council adopts a common position, it is the responsibility of all participating member states to ensure that national positions conform to the position defined by the EU. When a more specific, operational measure is appropriate, the Council may adopt a *joint action*, which delineates the objectives, scope, and means to be made available to the EU, as well as the duration and conditions for implementation of the joint action.[15] Other tools include *common strategies*, which are decided by the European Council and pertain to areas in which the member states have important interests in common. To express the EU's point of view on incidents or issues, the EU may issue broad *declarations*, a tool retained from the time of European Political Cooperation (EPC). In addition, the EU maintains political dialogues with countries and groups of countries. It is assisted in this task by the Presidency, which represents the EU in matters falling within the CFSP. The Presidency may be assisted by the Secretary General of the Council, who also serves as High Representative for the CFSP, and by the so-called "Troika."[16] The EU Presidency or

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[13] "An Alliance for the 21st Century," Washington Summit Communique, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington, D.C. on 24 April 1999, Press Release NAC-S (99)64, http://www.nato.int/codu/pr/1999/p99-064e.htm; "Final Communique," Ministerial Meeting of the North Atlantic Council held at NATO Headquarters, Brussels on 14 and 15 December 2000, Press Release M-NAC-2 (2000)124, http://www.nato.int/docu/pr/2000/poo-124e.

[14] Responsibility for defining the principles and general guidelines for the Common Foreign and Security Policy rest with the European Council, which refers to the regular meetings of the heads of state or government of EU member states and the President of the European Commission. Implementation of these guidelines and principles is undertaken by the Council, the EU's main decision making institution.

[15] The adoption of a joint action or common position or agreement on a decision to implement either a joint action or common position can be taken by a qualified majority of the Council.

[16] The troika previously referred to the member state currently holding the Presidency of the Council, as well as the member state that previously held the Presidency and the member state that will hold the Presidency in the next six months. Following the Treaty of Amsterdam, the Troika was changed to consist of the Presidency, the Secretary

Troika may also undertake confidential demarches, which are intended to express particular EU concerns.[17]

In addition to these formal coordinating mechanisms, the member states use various standing bodies in Brussels and their respective foreign ministries and diplomatic representations to "advance systematic cooperation . . . in the conduct of policy."[18] The Council's working group on nonproliferation, for example, meets regularly to exchange information, undertake joint assessments, and coordinate the positions of member states on export controls and nonproliferation. This working group is also responsible for preparing the agenda for discussions between the EU Troika and third countries and for coordinating the positions of EU member states in multilateral regimes such as the Missile Technology Control Regime (MTCR). Foreign offices and diplomatic representations are also charged with ensuring that national policies and positions in international organizations and conferences are compatible with the common positions and joint actions of the European Union. Additionally, the member states participating in international organizations or negotiations are obligated to keep non-participating EU member states informed—an important provision in light of the variable geometry that characterizes many arms control and nonproliferation arrangements. Individual member states are aided in their coordination efforts by the existence of a secure communications system that links the Council Secretariat, the European Commission, and the member states' respective national capitals.

Although, in theory, the High Representative for Common Foreign and Security Policy could help to raise the EU's profile on nonproliferation and arms control, the position's influence in practice is limited by institutional and political constraints. The High Representative must navigate carefully vis-à-vis the EU Commission and the member states. Complicating the High Representative's task is the rotating Presidency, since individual member states may have particular foreign policy priorities that they wish to represent publicly. On the other hand, occupants of the post are likely to bring significant personal assets to the job. The current High Representative, for example, former NATO General Secretary Javiar Solana, boasts considerable expertise in foreign and security matters and possesses an extensive network of contacts both within and outside of Europe. For the most part, however, Solana and his "policy planning unit"

General of the Council/High Representative for CFSP, and the member state that will assume the Presidency in the next six months. See http://www.europa.eu.int/scadplus/leg/en/cig/4000t.htm#t6.

[17] In addition, the EU may take decisions or conclude international agreements, but to date these have been of less relevance to coordination on arms control and nonproliferation issues. Decisions are difficult to take because that must be taken by the Council through a unanimous vote. Member states continue to play the primary role in international negotiations and are themselves parties to treaties. On the legal mechanisms for CFSP, see the consolidated text (i.e. incorporating changes from the 1997 Treaty of Amsterdam) of the Treaty on European Union, http://www.europa.eu.int/eur-lex/en/treaties/dat/eu_cons_treaty_en.pdf. Further information on these instruments and on implementation of the CFSP can be found on the EU's CFSP website: http://ue.eu.int/pesc/pres.asp?lang=en.

[18] Article 12 (ex Article J.2) of the "Consolidated Version of the Treaty on European Union," p. 16.

have focused on implementation of the EU's plans to create a rapid reaction force, the situation in the Balkans, and the foundering peace process in the Middle East.

EU INITIATIVES AND ACTIONS ON NONPROLIFERATION, ARMS CONTROL, AND MISSILE DEFENSE

Over the last two years European countries have focused on several broad objectives: (i) strengthening existing multilateral regimes governing the spread of nuclear, chemical, and biological weapons; (ii) achieving harmonization of European procedures and approaches to conventional arms transfers and extending multilateral controls to small arms; and (iii) supporting alternatives to missile defense in global efforts to curb the spread of ballistic missiles. Although European officials have few illusions that arms control and nonproliferation regimes are always effective, they nevertheless tend to believe in the intrinsic value of arms control, which is viewed as a process rather than an endstate. In contrast, the EU has been much less central to the transatlantic debate on missile defense, both because of NATO's leading role in European defense issues and the inherent divisiveness of the issue.

Nuclear, Chemical, and Biological Weapons Nonproliferation and Arms Control

Although the EU is not itself a party to the major conventions governing the control and spread of nuclear, chemical, and biological weapons, the EU has stepped up efforts to ensure that the positions of EU states parties are either more effectively coordinated or, where appropriate, compatible with a stated EU "common position." Additional EU efforts have been directed toward supporting threat reduction programs in Russia and the Newly Independent States (NIS). In a notable departure from past practices, the EU has also been active in engaging North Korea to address concerns about its reported nuclear and ballistic missile programs.

Nuclear Nonproliferation

Despite the diversity of perspectives within the EU on the future of nuclear weapons, the fifteen member states of the European Union presented a common position to the 2000 NPT Review Conference in New York.[19] The common position endorsed the NPT's goals, as well as

[19] The EU's common position was presented by the Permanent Mission to the United Nations of Portugal, which held the EU Presidency at the time of the review conference. Agreement on the position followed several years of coordinated efforts in the NPT Preparatory Committees. The "alignment" of sixteen associated countries gave the EU's common position added weight. Countries "aligning" themselves with the EU position were the Central and Eastern European countries associated with the European Union (Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia), the associated countries (Cyprus, Malta, and Turkey), and

the principles and objectives agreed at the 1995 NPT Review and Extension Conference, and declared the Council's support for a range of specific measures, including: early entry-into-force of the CTBT "through ratification without delay and without conditions," especially by those states whose approval is required; "immediate commencement and early conclusion" of negotiations within the Geneva-based Conference on Disarmament (CD) on a global, "effectively verifiable" ban on the production of fissile material for military purposes; and the prompt entry-into-force of START II and commencement of negotiations on START III. Additionally, the European Union reaffirmed "the importance of the Anti-Ballistic Missile Treaty as a cornerstone of strategic stability." Significantly, the common position went beyond broad statements to offer specific proposals on transparency, accounting, the irreversibility of nuclear disarmament, and tactical nuclear weapons. To advance these objectives, the Council announced, a variety of tools would be used, including demarches by the EU Presidency; agreed draft proposals regarding substantive issues, which would be submitted on behalf of the European Union by those member states who were states parties to the NPT; and statements by the European Union both in the General Debate and in the three Main Committees of the review conference, to be delivered by the serving EU Presidency.[20]

As reflected in its common position at the NPT 2000 Review Conference, the EU has been united on the importance of the Comprehensive Test Ban Treaty to nonproliferation efforts and has defended the treaty in the face of US opposition. Speaking on behalf of the EU before the 2000 NPT Review Conference, the Portuguese Permanent Representative to the UN, Ambassador Antonio Monteiro, lauded the treaty's approval by the Russian State Duma, then called on "those NWS [nuclear weapon states] that have not done so, to expedite their ratification process." Singling out the United States, Monteiro noted: "We deeply regret, in this connection, the upset to the ratification process in the US." The Portuguese ambassador then exhorted the United States to continue to abide by the terms of the treaty and pledged the EU's continued support for efforts to establish the Treaty's verification regime.[21] European officials continue to believe that CTBT ratification would be a boost to global nonproliferation efforts and express concern that the United States may allow the treaty to languish in perpetuity or, worse still,

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the European Free Trade Area Countries of the European Economic Area (Iceland, Liechtenstein, and Norway). For more on the EU's role at the NPT conference, see Harald Mueller, "The Future of Arms Control," in *Nuclear Weapons: A New Great Debate*, 50–51.

[20] "Council common position of 13 April 2000 relating to the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons," http://www.un.org/Depts/dda/WMD/NPT/40980.htm. Portugal submitted several papers to the three main committees on behalf of the EU, reiterating specific points outlined in the EU's common position. Additionally, Portugal's representatives to the United Nations made several statements to the plenary sessions and to the three Main Committees. For the texts of the working papers, see http://www.un.org/Depts/dda/WMD/NPT/41427.htm. For the statements by Portuguese representatives on behalf of the EU, see http://www.un.int/portugal/gapeu2000nptreviewconf1; http://www.un.int/portugal/gapeu2000nptreviewconf2; http://www.un.int/portugal/gapeu2000nptreviewconf3; and http://www.un.int/portugal/gapeu2000nptreviewconf4.

[21] "Statement by Ambassador Antonio Monteiro, Permanent Representative of Portugal to the United Nations, on Behalf of the European Union, to the 2000 Review Conference of the Parties to the Treaty on Non-Proliferation of Nuclear Weapons (24 April–19 May 2000), http://www.un.int.portugal/gapeu2000nptreviewconf1.

abandon the testing moratorium, either in response to domestic pressures to test newly developed weapons or to a nuclear explosion by another of the declared or undeclared nuclear powers.

Nonproliferation Diplomacy

In addition to its efforts to strengthen the nonproliferation regime, the European Union has intensified its diplomatic engagement of North Korea, which has been suspected of developing nuclear weapons and is known to have an extensive ballistic missile program. The EU delegation's visit to North Korea in May 2001 represented the culmination of several years of quiet diplomatic activity that had gradually increased the degree of European involvement on the Korean Peninsula. In the previous two years, North Korea had worked successfully to improve relations with European countries, resulting in the diplomatic recognition of Pyongyang by thirteen of the fifteen EU member states. The EU has also expressed support for a reduction of tensions on the Korean peninsula, including direct talks between North and South Korea and is the largest donor of humanitarian assistance to the Democratic People's Republic of Korea (DPRK). Additionally, the EU in 1997 joined the founding members of the Korean Peninsula Energy Development Organization (KEDO) as a member of the Executive Board. The EU has since provided € 75 million in support of the organization, which is intended to replace North Korea's existing nuclear power facilities with Light Water Reactors under the supervision of the International Atomic Energy Agency (IAEA).[22]

European engagement in East Asia intensified beginning in late 2000. In October and November 2000, the Council of the European Union signaled its intention to pursue a more coordinated approach to developments on the Korean Peninsula. Building on the Council's July 1999 Conclusions on the Korean Peninsula, the EU stated that future assistance efforts to North Korea would be "linked" to the DPRK's actions on inter-Korean reconciliation, nonproliferation, human rights, and economic structural reform.[23] In March 2001, the Stockholm European Council then announced that it would send a delegation to Pyongyang consisting of the serving EU President and Swedish Prime Minister Goran Persson, EU External Affairs Commissioner Christopher Patten, and the EU's High Representative for Common Foreign and Security Policy, Javiar Solana. The mission was charged with exploring four areas with the North Korean leaders: the dialogue with South Korea and the next North South summit, human rights, North Korea's missile program and nonproliferation, and the conditions for European aid organizations in North Korea.[24]

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[22] External Relations, The European Commission, "The EU and the Democratic People's Republic of Korea–DPRK: Overview," http://europa.eu.int/comm/external_relations/north_korea/intro/index.htm.

[23] Ibid.

[24] Stockholm European Council: Presidency Conclusions, Press Release, Stockholm, 24 March 2001 (10/1/01), http://ue.eu.int/newsroom/main.cfm?LANG=1. The EU's announcement followed a cooling of US support

The EU delegation traveled first to North Korea and then to Seoul, South Korea on 2–4 May 2001. In Pyongyang, the delegation met with North Korean leader Kim Jong Il and received commitments in each of the four areas of principal EU concern. On proliferation, Kim pledged to abide by a moratorium on missile testing until 2003 and confirmed the DPRK's continuing commitment to the Agreed Framework. The meeting yielded an understanding that the EU Commission would establish relations with North Korea and an agreement on an exploratory exchange regarding human rights.[25] In South Korea, the EU delegation briefed President Kim Dae-jung, who expressed broad support for Europe's engagement of North Korea and lauded the missile moratorium, which he characterized as "an achievement" that "was more than I expected." Kim added: "I think this will very favorably affect the issue concerning whether North Korea US dialogue will resume."[26] In the week following the EU's visit to North Korea, a delegation from the European Union traveled to Washington to brief the administration on the result of the EU's exchanges with the North and South Korean leaders.[27]

EU and European engagement of North Korea continued under the subsequent Belgian Presidency. In summer 2001, the EU and North Korea began exploratory exchanges on human rights, as agreed at the summit, and EU and North Korean representatives attending the July 2001 foreign ministerial meeting of the Association of Southeast Asian Nations (ASEAN) Regional Forum (ARF) held working level meetings for the first time. Additionally, North Korean diplomatic representatives visited both France and Ireland—the only two EU member states still

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for South Korea's "Sunshine Policy" in light of the Bush administration's review of US Korea policy and the increasingly uncertain future of US–DPRK exchanges. While European officials were circumspect in their public remarks, an EU official was reported to say: "This is the context in which our visit is taking place. . . . We wanted to do something to prevent the momentum of the 'sunshine policy' being lost." Quoted in "EU Talks with North Korea on Diplomatic Relations," *The Independent*, 2 May 2001.

[25] Press Release, External Relations, The European Commission, "EU to establish diplomatic relations with Democratic People's Republic or Korea," 14 May 2001, http://europa.eu.int/com/external_relations/north_korea/intro/14_05_01.htm.

[26] Transcript of joint news conference with Republic of Korea President Kim Dae-jung and Swedish Prime Minister Goran Persson in Seoul, 4 May 2001, Foreign Broadcast Information Service (FBIS), 4 May 2001. In undertaking its sensitive diplomatic mission, European leaders and the EU delegation avoided criticizing the US or implying that the EU was ready to fill the political vacuum left by the Bush administration's initial withdrawal of support for the South Korean leader Kim's Sunshine Policy. Speaking at a press conference in South Korea following his visit to Pyongyang, Persson emphasized, "First of all, let me say that the European Union doesn't seek a role in this process." Acknowledging that, "if others want us to play a role, we are prepared to do so," Persson continued: "But I am extremely careful when I am saying we will not replace the United States. It's not possible; it's nothing we want to do." See ibid. Persson was particularly adamant that the EU would not and could not assume a leading role with regard to missile proliferation: "We have no intention of intruding upon North Korea's missile issue, which is an issue between North Korea and the United States." See ibid., press conference by Swedish Prime Minister and EU President Goran Persson on 2 May 2001 in Pyongyang, FBIS translation, 2 May 2001.

[27] US officials were circumspect in their references to the EU's action. Asked about the EU's decision to establish diplomatic relations with North Korea, Secretary of State Colin Powell commented: "Well, that is a choice for the EU to make. I don't have anything critical to say about it." Powell went on to note that "EU colleagues" had been keeping the US informed of their efforts to engage the North Korean leadership. See CNN Interview with Secretary Colin L. Powell, Washington, D.C., 14 May 2001, http://www.state.gov/secretary/rm/2001/index.cfm?docid=2864.

withholding diplomatic recognition from North Korea—to discuss measures to improve relations.[28]

Nuclear Disarmament

The member states of the European Union have made an effort to coordinate and decide upon common positions and nominations before decisions are made within the United Nations Conference on Disarmament. While this approach reportedly can make it more difficult to forge a broader consensus within the CD's Western Group, the EU's efforts to coordinate national positions before decisions are made reportedly has enhanced its influence within the body.[29]

Enduring differences over nuclear policy can still undermine European unity within the CD, however. At the close of the CD's 2000 session, for example, the EU, contrary to expectations, failed to make a common statement at the final plenary due to a dispute over language in the French version of the Final Document of the 2000 NPT Review Conference regarding the creation of a subsidiary body in the CD on nuclear disarmament. The underlying cause of the EU's failure to achieve consensus reportedly was the determination of the French government to limit discussion of nuclear disarmament.[30]

In spring 2001, European efforts within the Conference on Disarmament were directed toward breaking the deadlock that has blocked commencement of negotiations on an agreement banning the production of fissile material for military purposes and the creation of a subsidiary body within the CD to discuss nuclear disarmament. In plenary debates, EU member states underscored the dangers of the continuing stalemate, including the further marginalization of the multilateral body and a general weakening of global disarmament and nonproliferation regimes.[31]

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[28] "NK–EU Human Rights Meeting Slated for 13 June in Brussels," *Seoul Yonhap*, 12 June 2001, FBIS translation; "DPRK–EU Hold 'Working Level' Contacts at ARF," *Seoul Yonhap*, 25 July 2001, FBIS translation; External Relations, The European Commission, "The EU and the Democratic People's Republic of Korea–DPRK: Overview"; "DPRK, Ireland Discuss Diplomatic Relations," *The Korea Herald*, 16 July 2001, FBIS translation; "North Korea's Roving Ambassador to Visit France Around 14 July," *Seoul Taehan Maeil*, 12 July 2001, FBIS translation.

[29] "Looking Towards 2000," *Acronym Report* No. 13, http://www.acronym.org.uk/a13pt3.htm.

[30] Jenni Rissanen, "Silence and Stagnation as the CD Concludes Fruitless Year," *Disarmament Diplomacy*, Issue no. 50, September 2000.

[31] Ibid., "CD Inches Forward: Reform Coordinators But No Negotiations," *Disarmament Diplomacy*, Issue no. 57, May 2001.

Biological Weapons Convention

EU governments participating in the Ad Hoc Group (AHG) negotiations to complete a verification protocol for the Biological Weapons Convention have adhered to an EU common position, which declares the Council's support for strengthening compliance with the BWC through promotion of its universality and conclusion of a "legally binding and effective verification regime."[32] Underpinned by a strong consensus on the dangers associated with biological weapons, EU member states subsequently pressed for the conclusion of the Ad Hoc Group's work on a BWC verification protocol by fall 2001.

In early 2001, following reports that the Bush administration was prepared to reject the draft protocol, EU governments worked to achieve agreement within the Ad Hoc Group by fall 2001. EU member states supported initiatives of the Chair and Friends of the Chair to introduce greater flexibility into the group's deliberations, so as to facilitate agreement by fall 2001.[33] The diplomatic representations of individual member states in Washington also reportedly underscored to the Bush administration the importance of supporting the Convention. In June 2001, the EU's General Affairs Council issued a recommendation on strengthening the BWC, underscoring the high priority that the EU attached to the "successful conclusion, this year" of the negotiations, which, it also pointed out, were the only multilateral negotiations still ongoing. The Council also argued that an agreement based on the Chair's composite text was possible. The European Parliament weighed in as well, calling on all parties to the treaty to "show maximum flexibility and a readiness to compromise," in an effort to achieve a timely conclusion of the protocol.[34]

When the Bush administration rejected the draft protocol, the EU, with support from the associated states, issued a tempered, but critical statement on the US action. Speaking on behalf of the EU, the Belgium representative noted that the EU did not share the US perspective "that the costs related to the Protocol would outweigh the benefit thereof," nor the US view that nothing could be done to make the composite text acceptable. Expressing regret at the loss of six

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[32] See "Common Position of the European Union defined by the Council on the basis of Article J.2 of the Treaty on European Union, relating to preparation for the Fourth Review Conference of the Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction (BTWC), Working Paper submitted by Ireland, Fourth Session, Ad Hoc Group of the States Parties to the Convention on the Prohibition BWC/Ad hoc Group/WP.61 of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction," Fourth Session, Geneva, 15-26 July 1996, GE.96-62884.

[33] Jenni Rissanen, "Protocol Negotiations Continue Through 25th Anniversary of Convention's Entry into Force," *Disarmament Diplomacy*, Issue no. 45; ibid., "Hurdles Cleared, Obstacles Remaining: the Ad Hoc Group Prepares for the Final Challenge," *Disarmament Diplomacy*, Issue no. 56, April 2001.

[34] Idem., "US Jeopardizes BWC Protocol," *Disarmament Diplomacy*, Issue no. 57, May 2001.

years effort, the Belgium representative voiced the hope that a "multilateral negotiating forum would be maintained in the context of this Convention."[35]

WMD Threat Reduction in the Newly Independent States

The European Union has contributed to programs in Russia and the Newly Independent States to ensure the safety and security of nuclear materials and assist former nuclear weapons scientists with the transition to other employment. The EU's nonproliferation activities are based on a joint action of the Council and include the Tacis (technical assistance) Nuclear Safety Program and an EU contribution to the International Science and Technology Center (ISTC), a cooperative international endeavor.

The EU's nonproliferation activities are framed, in part, by the broader "common strategy" of the European Union on Russia, agreed in June 1999. The Common Strategy on Russia builds on the Partnership and Cooperation Agreement between the EU and Russia and sets as its goal "promoting the integration of Russia into a wider area of Cooperation in Europe." To achieve this objective, the EU and its member states are to coordinate so as to achieve "coherence and complementarity of all aspects of their policy towards Russia," including policies adopted by EU member states in various international and regional organizations such as the United Nations or Organization for Security and Cooperation in Europe (OSCE). More specifically, the common strategy calls for enhanced cooperation "to strengthen stability and security in Europe and beyond" and designates nuclear safety as "an essential issue."[36]

The EU's "Cooperation Programme for Nonproliferation and Disarmament" includes cooperative scientific and technological programs related to the safety, security, and conversion of chemical agents and nuclear weapons materials. Between 1992 and 2001, the European Commission and member states of the European Union spent a reported total of € 550 million on various projects involving the safe storage of plutonium and spent fuels; the monitoring of storage facilities, the environment, and human security at nuclear facilities; the conversion of production facilities; and assistance to scientists formerly employed in the Soviet weapons complex.[37] The

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[35] Bulgaria, Estonia, Hungary, Lithuania, Poland, Slovakia, Slovenia, the Czech Republic, Cyprus, Malta and Turkey, and later Norway associated themselves with the EU position. For a summary of the EU reaction, see Jenni Rissanen, "Deep Disappointment But Restrained Reactions to US Decision," *BWC Protocol Bulletin*, 3 August 2001, http://www.acronym.org.uk/bwc/bwc06.htm.

[36] "Common Strategy of the European Union of 4 June 1999 on Russia," (1999/414/CFSP), Official Journal of the European Communities, 24.6.1999, L157/1.

[37] The United States, in contrast, has spent approximately $400 million a year on the Nunn-Lugar Cooperative Threat Reduction program. Other US nonproliferation programs include the Nuclear Cities Initiative; the Material Protection, Control and Accounting (MPC&A) Initiative; and the Plutonium Disposition Initiative and are administered by the Department of Energy. The combined value of these programs is roughly $2 billion a year. For an

EU also has hosted a series of conferences to assess progress in nonproliferation and disarmament activities in Russia and the Newly Independent States.[38]

Technical and scientific assistance projects related to the safety of nuclear and chemical weapons materials and scientists are administered as part of two broader EU programs, the Phare and Tacis Nuclear Safety Programs, which are intended to promote the safety and security of nuclear power facilities. Activities specifically aimed at improving the control of nuclear materials and thus reducing the risk of nuclear smuggling include the establishment of a training center at Obninsk in Russia; the creation of a reference material laboratory in Moscow capable of determining the origin of nuclear materials; and assistance to Russia to develop detection instruments. Additionally, the EU provides modest support for the International Science and Technology Center in Moscow, which reportedly has retrained roughly 20,000 scientists and engineers, some 60 percent of them formerly engaged in the development of weapons of mass destruction and their delivery systems.[39]

Conventional Arms Control and Nonproliferation

EU arms control initiatives and activities have not been confined to weapons of mass destruction. In the mid 1990s, the EU supported international efforts to negotiate a global ban on anti-personnel land mines, a campaign that ended in the conclusion of the 1997 Ottawa Convention.[40] More recently, the EU has focused on forging a consensus among its members on the principles and practices governing the export of conventional arms. Additionally, EU member states have worked in several regional and international fora to achieve agreement on principles and measures to stop the destabilizing accumulation of small arms and light weapons.

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overview of existing programs, see Leonard S. Spector, "Missing the Forest for the Trees: U.S. Non-Proliferation Programs in Russia," *Arms Control Today*, June 2001, http://www.armscontrol.org/act/2001_06/specjun01.asp.

[38] The exact breakdown of funds, as reported by the European Commission is: € 390 million for nuclear weapons destruction; € 115 million for stabilization, and re-conversion of experts; € 88 million for chemical weapons destruction; € 34 million for control of nonproliferation; and € 4 million for re-conversion of facilities. See "Non proliferation and disarmament: EU to host Brussels conference on progress 8–9 March 2001," IP/01/329, Brussels, 7 March 2001, http://europa.eu/int/comm/external_relations/cfsp/conf/o/_03_01.htm. See also the "Joint Statement" from the May 2001 EU–Russia summit, issued by Russian President Putin, the serving President of the EU Council, Swedish Prime Minister Persson, the Secretary-General of the EU Council/High Representative for Common Foreign and Security Policy Javiar Solana, and Romano Prodi, President of the Commission of the European Communities, Press Release, Moscow, 17 May 2001, 8853/01 (Presse 189).

[39] "Nuclear Safety in Central Europe and the New Independent States," European Commission, External Relations, http://www.europa.eu.int/comm/external_relations/nuclear_safety/intro/nis.htm. In 2000, the EU provided 17.40 percent of funding for the ISTC, with the US contributing 43.29 percent and Japan 9.99 percent of the total. See http://www.istc.ru/istc/website.nsf/html/oo/en/summary.htm.

[40] The "Convention on the prohibition of the use, stockpiling, production, and transfer of anti-personnel mines and on their destruction," was signed on 4 October 1997.

EU Code of Conduct on Arms Exports

Over the last several years, EU governments have sought to harmonize European procedures and approaches related to conventional arms transfers, both legal and illicit.[41] On 26 June 1997, the General Affairs Council of the European Union adopted the "EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms," which declared the EU's intent to strengthen both collective and national efforts to combat illicit trafficking of arms, particularly small arms, and to enhance cooperation and coordination between the EU and its member states on specific measures. Practices governing legal transfers of conventional arms were addressed one year later, when the Council adopted the "Code of Conduct on Arms Exports," a non-binding set of guidelines intended to facilitate more intensive consultations among member states, enhance transparency regarding proposed arms exports, and, over time, lead to greater harmonization of national policies on conventional arms transfers. Under the terms of the Code, EU member states are required to notify other member states of export denials and to initiate consultations when transfers are denied. To prevent undercutting, the Code also specifies that, in the case of export denials, other member states should eschew "essentially identical transactions."[42]

Although the guidelines have been in effect for a limited period only, an annual review of the Code's operation, which is required under the Council action, expressed general satisfaction with the progress toward enhanced transparency and "more common understandings and practices" among the EU member states. Among the areas singled out for improvement were the development of a common European list of military equipment, further consultation among the member states on the meaning of an "essentially identical transaction," and more information in denial notifications about the reasons member states have refused export licenses. Although the Code is not legally binding, EU and European officials have expressed the expectation that the Code over time will move the member states toward common policies on the export of arms outside the EU. In the meantime, a number of states beyond the European Union already have chosen to associate themselves with the EU Code of Conduct on Arms Exports, including the EU associated countries of Central and Eastern Europe and Cyprus, the European Free Trade Association countries, and Canada.

In a related effort, the EU also has taken steps to harmonize licensing procedures for and approaches to the export of dual-use technologies that may be used by countries seeking to

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[41] For an account of the evolution of EU efforts to harmonize export controls, see Richard Cupitt, *Multilateral Nonproliferation Export Control Arrangements in 2000: Achievements, Challenges, and Reforms*, Study Group on Enhancing Multilateral Export Controls for US National Security, Working Paper no. 1 (Washington, D.C.: The Henry L. Stimson Center and CSIS, 2001).

[42] For the text of the Code of Conduct, see http//projects.sipri.se/expcon/eucode.htm. For a review of the Code's operation, see Council of the European Union, "First Annual report according to Operative Provision 8 of the European Union Code of Conduct on Arms Exports," Brussels, 28 September 1999 (OR.en) 11384/99.

acquire weapons of mass destruction or their delivery capabilities. Although responsibility for control of exports of military items remains with the individual member states, the European Community claims competence over controls on dual-use goods and items, since the latter are considered to be commercial items. In June 2000, the 1995 system of EU dual-use controls was updated and revised to address problems and weaknesses in the pre-existing system. Among the improvements approved were steps to enhance the operation of the EU's "catch-all" policy, which requires exporters to obtain licenses for dual-use items that would not normally require a license if they have received notification that the item could be intended for military use.[43]

Small Arms Proliferation

Building on the Code of Conduct on Arms Exports, the EU has focused attention in recent years on the problem of small arms proliferation. The blueprint for recent EU activities is a December 1998 joint action, which outlines general principles and identifies specific preventive and reactive measures that the EU will seek to support. Underscoring the threat from small arms proliferation to peace and security and to prospects for achieving sustainable development, the joint action declares that the EU will seek to foster consensus in regional and international fora on certain "principles and measures." First, the EU stipulates, all countries should import and retain small arms solely for "legitimate security needs" at levels commensurate with legitimate self-defense and security. The EU calls further for a commitment by exporting countries to supply arms only to governments and in compliance with appropriate international and regional "restrictive arms control criteria," such as the EU Code of Conduct on conventional arms transfers, and to produce small arms only within these parameters. Also included in the stated principles are a call for effective national inventories of legally-held weapons and restrictive national weapons legislation; confidence-building measures to increase transparency and openness on exchanges and holdings of small arms; a commitment to combat illegal trafficking of small arms through effective national controls; and support for demobilization of combatants after the settlement of conflicts. To achieve these objectives, the EU declares, it will provide technical and financial assistance for projects and programs aimed at fulfilling these principles, particularly in regions of conflict.[44]

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[43] Burkard Schmitt, *Toward a Common European Export Policy for Defense and Dual-use Items*, Working Paper no. 9 (Washington, D.C.: The Henry L. Stimson Center and CSIS, 2001).

[44] "Joint Action of 17 December 1998 adopted by the Council on the basis of Article J.3 of the Treaty on European Union on the European Union's contribution to combating the destabilizing accumulation and spread of small arms and light weapons" (1999/34/CFSP), *Official Journal of the European Communities*, 15.1.1999. The Joint Action reportedly had its origins in an initiative by the German Government. See "Joint Action of the EU – Background," website of the German Foreign Ministry, http://www.auswaertiges-amt.de/www/en/aussenpolitik/friedenspolitik/abr_und_r/kleinwaffen_html.

The first annual report assessing implementation of the joint action catalogues EU actions as well as the initiatives of individual member states. Acting upon the joint action, the EU has provided funds for projects to regulate small arms in Albania, Cambodia, Georgia, Mozambique, Latin America, and the Caribbean. Member states also have stepped up cooperation among their respective police authorities and customs services under "Project Arrow," a collaborative operation aimed at curbing illicit arms trafficking. Additionally, individual member states have offered support to a wide range of programs in the target regions. The joint action has been endorsed by the countries associated with the EU, the EFTA/EEA countries, Canada, and South Africa.[45]

Concomitant with efforts within the EU, European member states have worked within the Organization for Cooperation and Security in Europe to address the problem of small arms and light weapons. Based on a decision taken at the OSCE's Istanbul summit in November 1999 and in response to growing concern about the movement of surplus weapons both within and outside of Europe after the end of the East West conflict, a working group of the Forum for Security Co-operation began work on the problem of small arms proliferation in early 2000. The initiative concluded with the endorsement by the OSCE Ministerial Council on 27–28 November 2000 of a comprehensive "Document on Small Arms and Light Weapons." The document drew heavily on the principles and measures that had been outlined in the EU's 1998 joint action.[46]

A particular focus of EU efforts during this same period was preparations for the United Nations "Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects," which convened in New York from 9–20 July 2001. Final EU preparations for the conference were coordinated by Sweden, which had assumed the Presidency in January 2001 and had identified small arms as a high priority.[47]

The EU position in the UN conference built upon the EU's 1998 joint action as well as the November 2000 OSCE document. Underscoring the EU's support of politically binding

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[45] "Annual report on the implementation of the EU Joint Action of 17 December 1998 on the European Union's contribution to combating the destabilizing accumulation and spread of small arms and light weapons (1999/34/CSFP) and the EU Programme on illicit trafficking in conventional arms of June 1967." The annual report was introduced to the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in a note verbale from the Permanent Mission of Sweden, which held the EU Presidency. See United Nations General Assembly, 29 June 2001, A/CONF.192.4.

[46] Additional impetus for the OSCE action came from a joint initiative by Canada, Norway, the Netherlands, Switzerland, and BASIC, an NGO that hosted a seminar on small arms in 1998. See "In focus: OSCE Focus on Small Arms and Light Weapons," OSCE Eighth Ministerial Council, 27–28 November 2000, http://www.osce.org/austria2000/mc_in_focus/small_arms.php3. See OSCE Document on Small Arms and Light Weapon, adopted at the 308th Plenary Meeting of the OSCE Forum for Security Cooperation on 24 November 2000, FSC.DOC/1/00, 24 November 2000. The full text of the document can be found on the OSCE's website http://www.osce.org.

[47] Permanent Mission of Sweden in the United Nations, "The Swedish EU Presidency in New York," http://www.un.int/sweden/pages/eu/index.htm.

instruments, Louis Michel, the Foreign Minister of Belgium, which succeeded Sweden in the EU Presidency, argued that it was "essential" to achieve "concrete results" in several key areas, including export controls; international instruments for marking and tracing as well as brokering small arms; stockpile management and the management of surpluses and destruction; and disarmament, demobilization, and reintegration of combatants in post-conflict situations. Effective implementation of the program, Michel stressed, would depend critically on follow-on efforts. To that end, the EU proposed a review conference in 2006 and biennial meetings until the review conference could be held. Michel noted that, although the conference was tasked with addressing illicit trade, "we must . . . examine the legal aspects directly connected with such illicit trade," a challenge to the US insistence on a clear demarcation between legal and illegal trade in small arms.[48] The EU's emphasis on specific and binding measures, advocacy of a broad definition of small arms, and proposal for concrete follow-on steps also put it at loggerheads with the US position.

Other European delegates echoed the EU statement challenging American perspectives. Dutch Foreign Minister Jozias van Aartsen, for example, expressed strong support for the EU position, then stated: "It is my firm conviction that the illicit trade cannot be tackled without involving the legal arms trade: we must further regulate the legal trade in arms, small weapons included, in order to prevent 'spill over' into the illegal arms trade." Van Aartsen underscored that "an energetic follow up" to the conference would be "essential." German Ambassador Dieter Kastrup struck a similar chord. Expressing Germany's full endorsement of the EU position, Kastrup asserted: "We need a programme of action that is politically binding. It has to contain concrete measures, as well as a perspective of follow-up actions." On the issue of legal transfers of small arms, French Minister for Cooperation Charles Josselin stated, "the quest for better monitoring of legal transfers of small arms . . . should under no circumstances be given less attention in our efforts." The British representative, Under Secretary of State Ben Bradshaw, tacitly countered the US position, stating: "What this is not about, as Kofi Annan himself has said so clearly, is 'interfering in national sovereignty or domestic laws on gun ownership.'" In an indirect reference to the purported influence of special interest groups on the US position, Bradshaw continued: "We should not allow ourselves to be blown off course by the unfounded fears spread by powerful lobbying organizations."[49]

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[48] "Statement by H.E. Mr. Louis Michel, Deputy Prime Minister and Minister of Foreign Affairs of Belgium on behalf of the European Union," 55th Session of the United Nations General Assembly Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects, New York, 9 July 2001, http://www.un.org/Depts/dda/CAB/smallarms/statements.htm. See also John R. Bolton, Under Secretary of State for Arms Control and International Security, Plenary Address to the UN Conference on the Illicit Trade in Small Arms and Light Weapons," New York, 9 July 2001, http://www.state.gov/t/us/rm/2001/index.cfm?docid=4038.

[49] "Speech by the Netherlands Minister of Foreign Affairs Jozias van Aartsen, 'Small Arms Control: No Magic Spell,'" UN Conference on Small Arms and Light Weapons, New York, 9 July 2001, http://www.un.org/Depts/dda/CAB/smallarms/statements/netherlandsE.html; Statement by Ambassador Dr. Dieter Kastrup, UN Conference on Small Arms and Light Weapons, New York, 9 July 2001, http://www.un.org/Depts/dda/CAB/smallarms/statements/germanyE.html; Address by Charles Josselin, Minister for Cooperation and Francophonie, UN Conference on Small Arms and Light Weapons, New York, http://www.un.org/Depts/dda/CAB/smallarms/statements/franceE.html; Statement by Mr. Ben Bradshaw,

In New York, the EU member states worked hard to achieve agreement among the delegates on a binding UN resolution or treaty on small arms, but in the end proved too weak to counter the effects of concerted US opposition. The final result was a non-binding "programme of action" outlining general goals and measures that were a far cry from the more substantive and concrete program favored by the EU.[50] Although European officials and delegates were circumspect in their comments, many were reportedly frustrated with the US position and behavior at the conference. Commenting on Undersecretary of State Bolton's statement, one European envoy, speaking on condition on anonymity, commented: "The content of the speech was what we expected, but the tone was quite negative—and surprising, because it wasn't necessary."[51] France's minister for cooperation, Charles Josselin, noted that Bolton's speech was "not the best way to start negotiations." Josselin continued: "There will have to be concessions on all sides and to come with the firm intention of not moving on one's position is not decent."[52] European dailies were less restrained in their comments, adding the small arms accord to a the list of multilateral endeavors rejected by the United States and decrying US rejection of cooperative and multilateral solutions.[53]

Ballistic Missile Proliferation and Defense

The EU has been largely sidelined on the issue of missile proliferation, with bilateral channels and NATO playing more central roles in discussions of missile proliferation and consultations regarding alternative responses, including ballistic missile defense (BMD). As national perspectives on missile defense have evolved, EU member states have managed to preserve a degree of congruity in their strategies and public positions on missile proliferation and ballistic missile defense, but the issue remains divisive for European governments.

Parliamentary Under Secretary of State and Foreign and Commonwealth Office, http://www.un.org/Depts/dda/CAB/smallarms/statements/ukE.html.

[50] For the text of the programme of action, see United Nations Department for Disarmament Affairs," "DDA 2001 Update," June–July 2001, http://www.un.org/Depts/dda/update/jun2001/article2.htm.

[51] Quoted in Colum Lynch, "US Fights U.N. Accord to Control Small Arms: Stance on Draft Pact Not Shared by Allies," *Washington Post*, 9 July 2001.

[52] Quoted in Dafna Linzer, "U.N. Arms Conference to Revise Draft," Reuters, 13 July 2001.

[53] "For George W. Bush to attach value to international agreements," one Swedish commentator wrote, "they must serve US interests. This has been clear since Bush revealed his negative stance on the Kyoto Protocol, the nuclear test ban treaty, the ABM Treaty. . . . The United States is seen less and less as a legitimate superpower." An Italian commentary urged the EU to stand up to the United States on small arms, as on other issues, noting: "A relationship of subservience, such as held sway back in the days of the Cold War, is not in Europe's interest. . . . " "Arms Without a Safety Catch," *Stockholm Dagens Nyheter*, 12 July 2001, FBIS translation; "Bush's Temptation," *Corriere della Serra*, 19 July 2001, FBIS translation.

Evolving European Perceptions and Positions

European perspectives on missile defense have continued to evolve since the Clinton administration first proposed the development and deployment of a limited national missile defense system. By early 2001, there could be little doubt in European minds about the seriousness of the Bush administration's commitment to missile defense; the only unanswered question was whether deployment would proceed cooperatively or unilaterally and according to what timeline. The European strategy consequently has been redirected toward influencing "how," and not "whether," missile defense will proceed and toward prolonging the period of transatlantic discussion in order to bring European perspectives to bear through quiet diplomacy.

Despite the shift in strategy, Europeans continue to be concerned about four broad issues related to missile defense: assessments of the threat; the need for a comprehensive and strategic approach to the problem of ballistic missile proliferation, including measures to preserve and strengthen global and regional arms control and nonproliferation efforts; the potential reaction of Russia and China; and the impact of a defensive "paradigm shift" on strategic stability and deterrence.[54]

Capabilities vs. Threat.

Many Europeans continue to voice doubts about US threat assessments. The issue is less the spread of capabilities, which many Europeans acknowledge, but American assumptions regarding intentions.[55] Summing up the essential difference in European and US perspectives, a

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[54] For US assessments of European responses to the Clinton plan, see Steven Cambone, Ivo Daalder, Stephen J. Hadley, and Christopher J. Makins, *European Views of National Missile Defense*, Policy Paper (Washington, D.C.: The Atlantic Council of the United States, September 2000); and Andrew J. Pierre, "Europe and Missile Defense: Tactical Considerations, Fundamental Concerns," *Arms Control Today*, May 2001, 3–9. For alternative European perspectives, see Bernd Kubbig, "Europe," in *International Perspectives on Missile Proliferation and Defenses*, Center for Nonproliferation Studies and Mountbatten Centre for International Studies, Special Joint Series on Missile Issues, Occasional Paper No. 5 (Washington, D.C.: Monterey Institute of International Studies, 2001), 42–52; Mark Smith, "European Perspectives on Ballistic Missile Proliferation and Missile Defences," in *Missile Proliferation and Defences: Problems and Prospects*, Center for Nonproliferation Studies and Mountbatten Centre for International Studies, Special Joint Series on Missile Issues, Occasional paper No. 7 (Washington, D.C.: Monterey Institute of International Studies, May 2001), 71–76; and Bruno Tertrais, "US Missile Defence: Strategically Sound, Politically Questionable," Centre for European Reform, Working Paper (London: April 2001). For an update on the Atlantic Council analysis, see Ivo H. Daalder and Christopher Makins, "A Consensus on Missile Defence?" *Survival*, vol. 43, no. 3 (Autumn 2001), 61–66.

[55] The UK's *Independent* asserted in January 2001, for example, that "Star Wars II is designed to provide theoretical reassurance against theoretical threats. . . . " See "Mr. Blair Must tell Mr. Bush his Star Wars Missile System is Folly," *The Independent*, 13 January 2001. The UK's left-of-center *Guardian* has generally taken a critical view of the US plan, with sympathetic perspectives presented in the more conservative *Times*. See, for example, "Flawed Defences; Bush's Missile Plan May Explode in His Face," *The Guardian*, 6 February 2001. The French media have generally been skeptical of the US argument regarding the missile threat. See, for example, Paul-Ivan Dee Saint-Germain, "Bush, From Shield to Sword," *Le Figaro*, 3 May 2001, FBIS translation. For a sampling of German views supporting the US threat analysis, see for example, Nikolaus Busse, "Nuclear Bombs on Berlin and Munich?" *Frankfurter Allgemeine Zeitung*, 15 February 2001, FBIS translation; Hans-Juergen Leersch, "German Defense Experts

respected German weekly wrote: "To say that 'they can' is the same as saying 'they want to,' and that military resistance to them is the only option, is deemed more doubtful on this side of the Atlantic."[56] At the same time, many European governments by mid-2001 appeared to have accepted the need for a serious analysis of the threat and consideration of alternative responses. As Dutch Minister Van Aartsen remarked following a meeting in March 2001 with US National Security Adviser Condoleezza Rice, the United States has undertaken a "search for an answer to the threats that exist" and the Netherlands must be "open" to the search.[57] Additionally, some European officials and analysts have begun to press for an independent European assessment of the threat, including consideration of the implications of ballistic missile proliferation for European security and for the credibility of an EU led intervention force.

Impact on Arms Control and Cooperative Security Mechanisms.

While some European governments by mid 2001 appeared increasingly resigned to the ABM treaty's demise, Europe remains strongly committed to cooperative arms control and nonproliferation regimes and treaties. As on other issues related to missile defense, the UK has been most supportive of the US position that the ABM treaty is outdated, but opposition to modification of the treaty has softened in other European countries as well.[58] On the other hand, through acknowledging their imperfections, European governments clearly are not prepared to accept the elimination of arms control and treaty-based regimes altogether.

European support for arms control and multilateral nonproliferation regimes is underpinned by an enduring belief in the value and necessity of multilateral security cooperation. European governments consequently were troubled by the perceived tendency of the Bush administration in early 2001 to eschew multilateral cooperation in favor of unilateral action. Throughout the spring and summer of 2001, many European commentators leveled scathing criticism against what was seen as an outmoded and narrowly self-interested US conception of international relations. Writing of Secretary of Defense Donald Rumsfeld, a prominent conservative German daily observed: "What has to astonish us is the casual attitude toward international law and the way he dismisses the 1972 Anti-Ballistic Missile Treaty . . . as a relic

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Fear the Rogue States," *Die Welt*, 24 February 2001, FBIS translation; and Herbert Kremp, "Bush's New Strategy," *Die Welt*, 12 February 2001, FBIS translation.

[56] Constanze Stelzenmueller, "Accomplice of the Missile," *Die Zeit*, 8 March 2001, FBIS translation.

[57] Quoted in "Missile Shield Not Moving so Quickly," *Handelsblad*, 9 March 2001, FBIS translation.

[58] Following President Bush's 1 May speech outlining US missile defense plans, a UK government spokesman acknowledged that the United States "had a case" in arguing that the ABM treaty had outlived its usefulness. See London Press Association, 1 May 2001. Though rejecting a unilateral withdrawal of the ABM treaty as "not the right approach," Dutch Prime Minister Wim Kok continued: "Obviously this does not mean that it cannot be adapted or replaced by a new treaty, with mutual consent." Quoted in "Bush Sees Sympathy Among Allies," NRC *Handelsblad*, 14 June 2001, FBIS translation.

from days long past."[59] Striking a similar chord, one European diplomat reportedly complained that the Bush team was "still living in the eighties," and had failed to adjust to the profound geo-strategic changes since the end of the Cold War.[60] In the view of many Europeans, such outmoded and unilateralist thinking was doomed to be ineffective in world of global connections and transnational problems that require coordinated, multilateral solutions. The perceived penchant of the Bush administration for unilateral action, moreover, appeared to many to run contrary to the spirit of allied and transatlantic cooperation. The United States "temptation to overplay the role of sole superpower," former Italian Prime Minister Giuliano Amato asserted in February 2001, "is isolation disguised as leadership and is not in America's interest. Globalization no longer allows any unilateral national interests."[61] The perceived American refusal to play by the rules of the international system, many feared, could have profoundly negative consequences for Europe and the world. A centrist British daily criticized the US for behaving "as though it were the only country in the world, happy . . . to 'unleash nuclear anarchy.'"[62]

Relations with Russia and China.

European leaders and officials emphasize the importance of an agreement on missile defense that takes into account both Russian and Chinese concerns. Prior to the 11 September attacks on the United States, European views were divided over whether an accommodation with Russia would prove possible. While some officials speculated privately that Russian President Putin would likely agree to a new strategic arrangement with the Americans, they noted that addressing China's concerns would be a far more difficult matter. Some Europeans acknowledged, however, that Europe had few strategic interests vis-à-vis China and would be less affected by a downturn in Sino American relations than a significant increase in tensions in relations with Russia. In the final analysis, they noted, China was far removed from Europe and therefore less salient to European interests.

Offense/Defense and Strategic Stability.

Although many Europeans in early to mid-2001 expressed skepticism about the need for a new "strategic paradigm," a gradual shift in perspectives regarding the relationship between nuclear deterrence and a limited defensive system may be underway. While some French officials and analysts remain adamant about the continued relevance and efficacy of deterrence, statements from the British government have echoed US arguments, asserting that missile

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[59] Werner Adam, "Making Noise," *Frankfurter Allgemeine Zeitung*, 13 January 2001, FBIS translation.

[60] Quoted in "Colin Powell on the European Front," *Le Figaro*, 27 February 2001, FBIS translation.

[61] "New Transatlantic Division of Labor," *Die Welt*, 13 February 2001, FBIS translation.

[62] "Mr. Bush's Defence Plans are Dangerous and Misguided," *The Independent*, 2 May 2001.

defenses can be part of "layered deterrence" and a supplement to existing nonproliferation efforts.[63] In addition, a number of European strategic thinkers have begun to argue the need for a broader strategic debate in Europe and new thinking about nuclear deterrence, defenses, and strategic stability. A respected French strategic analyst, for example, criticized the Europeans' insistence on preserving "strategic stability" as it evolved during the East West confrontation and advocated instead "forms of stability" that are "fit and relevant for this century." A new definition of nuclear stability, she argued, could include "elements of defence in a new US Russia bilateral strategic agreement, and the creation of a new balance by limiting both offensive and defensive means."[64] Others suggest that the focus on ballistic missile proliferation necessarily will lead to the consideration of other strategic balances, in particular, that between WMD, ballistic missiles, and advanced conventional weapons. Some conservative military analysts and leading dailies are prepared to go even further in throwing off old thinking about defenses and deterrence and advocate European cooperation in the American missile defense plan.[65]

The problems that would be associated with European Ballistic Missile Defense (EBMD) program have also begun to receive some serious consideration. According to one study, the financing of a European ballistic missile defense is unlikely to be forthcoming in light of the priority accorded ESDP, but political obstacles could be even more daunting. This is because EBMD is likely to raise deepseated—and unresolved—questions regarding Europe's future. Who will lead Europe? Who will command? Would or should the Europeans accept dependence upon the United States for early warning? Where would interceptors be deployed and what would happen to intercepted missiles that fell to the ground? Despite the formidable political and financial obstacles, some analysts argue that Europe and the EU eventually will have to address the issue, because a European rapid reaction force might someday require defensive capabilities. Most experts agree, however, that EBMD remains a project for the distant future, since it presumes much greater progress toward military integration and a more solid consensus on the future of the EU than now exists.[66]

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[63] Statement by French Minister of Defense Alain Richard, "Security in the 21st Century: A European Perspective," delivered at the Center for Strategic and International Studies, Washington, D.C., 9 July 2001; "UK Government Brief on Missile Defence," from the Office of the Secretary of State for Foreign and Commonwealth Affairs, Rt. Hon Jack Straw, August 2001, http://www.basicint.org.

[64] Thérèse Delpech, "Nuclear Weapons: Less Central, More Dangerous?" in *Nuclear Weapons: A New Great Debate*, 19. See also Tertrais, "US Missile Defence: Strategically Sound, Politically Questionable."

[65] See, for example, the commentary by former German State Secretary, Lothar Rühl, "Partners Sought," *Frankfurter Allgemeine Zeitung*, 23 January 2001, FBIS translation; and "Klaus-Dieter Frankenberger, "Under the Missile Shield," *Frankfurter Allgemeine Zeitung*, 7 February 2001, FBIS translation.

[66] For a more complete discussion of the issues involved in EBMD, see Ian Kenyon, Mike Rance, John Simpson, and Mark Smith, *Prospects for a European Ballistic Missile Defence System*, Southampton Papers in International Policy, Number 4 (Southampton: Mountbatten Centre for International Studies, University of Southampton, June 2001).

EU Initiatives and Actions

Throughout 2001, the European Union continued to play a limited role in the evolving European debate on missile defense, which has been conducted primarily through bilateral channels and in NATO. The sidelining of the EU has been both a matter of choice and necessity. The European Union has a weak claim to any competence on missile defense, since the issue bears directly on core foreign and defense interests that remain the responsibility of member states. Additionally, a number of European countries have been insistent that the discussion on missile defenses must take place in NATO. Speaking before the Munich Conference on Security Policy in February 2001, for example, German Foreign Minister Joschka Fischer stated firmly: "NATO is the forum in which we can appropriately assess this [missile defense] and look for the right solution."[67] Although a number of European countries reportedly would have preferred that the EU take up the issue, a more visible role for the EU in the missile defense could have heightened US concerns and suspicions about the EU's emerging role in European security and defense. The issue also has been divisive both within and among European governments and thus risks EU unity at a crucial time in its evolution.

Routine European coordination processes and structures nevertheless have prevented divisions among EU member states from destroying all semblance of European consensus.[68] European governments have adopted an approach to missile defense based on several common elements:

- *A Wait-and-See Posture:* European governments have insisted that they can take no formal position on the US system and plan until the Bush administration has elucidated both the architecture and timeline for development and deployment. Although Italy, Spain, and the UK have ventured further afield of this European consensus, EU member state stress common concerns and themes, as described above. Through fall 2001, European governments, in short, were holding to a posture of "wait-and-see," in the hope that they could influence both how and when missile defense would proceed.

- *Reiteration of European Concerns and Perspectives:* European governments have continued to advance alternative perspectives concerning the ballistic missile threat and nuclear deterrence, and have insisted on the need for an accommodation with Russia and China and redoubled arms control and nonproliferation efforts. Although perceptions of the ballistic missile threat have continued to evolve, as noted above,

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[67] Speech by Joschka Fischer, Federal Minister for Foreign Affairs, at the 37th Munich Conference on Security Policy, 3 February 2001.

[68] "EU Increasingly Foreign Policy Superpower." Stockholm *Dagens Nyheter*, 8 April 2001.

European governments have been hesitant to accept US threat assessments without qualification, as witnessed in their reported refusal in May 2001 to accept a US draft reference to the ballistic missile threat in the NATO summit communiqué in Budapest, admittedly at the price of a European-favored reference to the continued importance of the ABM treaty.[69]

- *Preservation of European Unity:* Although both Italy and Spain, as well as the UK and EU aspirants Poland and Hungary, have taken a more sympathetic view of the US missile defense plan, the EU member states have endeavored to present a relatively unified public position. When former British Foreign Minister Robin Cook visited Washington in early 2001, for example, he reportedly urged the Bush administration to deal with all European NATO partners, not just the UK and Denmark—both proposed sites for upgraded radars under the Clinton missile defense plan. The British and Danish governments subsequently agreed to coordinate their responses to the US proposal to prevent either country from being isolated within Europe, a concern shared not only by the two governments, but apparently by other EU member states as well.[70] Similarly, French and German leaders have intensified bilateral consultations to resolve outstanding differences on a range of issues, including missile defenses.[71]

- *Promotion of Political and Diplomatic Alternatives to Missile Defense:* The EU has sought to strengthen the existing multilateral regime to combat the spread of ballistic missile capabilities—the Missile Technology Control Regime (MTCR)—by encouraging the widespread adoption of a draft Code of Conduct. In a common position adopted at the EU's May 2001 summit, the Council cited the "urgent need for a global and multilateral approach to complement existing efforts against ballistic missile proliferation" and underscored the "prime importance" to the EU of stronger "international norms and political instruments" to prevent the proliferation of WMD and delivery vehicles. Characterizing the draft Code of Conduct as "the most concrete and advanced initiative in this field," the EU urged other states to adopt the

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[69] "NATO Snubs Powell Over Missile Defence," *The Guardian*, 30 May 2001. For the final text of the communiqué, see "Final Communique. Ministerial Meeting of the North Atlantic Council Held in Budapest," 29 May 2001, Press Release M-NAC-1(2001)77, http://www.nato.int/docu/pr/2001/p01-077e.htm.

[70] Danish Foreign Minister Mogens Lykketoft stated: "We have agreed that we will keep in close contact with the English. We are the countries which . . . could be involved in radar installations. We have told one another that we should keep one another very closely informed if we get close to a conclusion." Quoted in "Lykketoft Awaiting Missile Proposal," *Berlingske Tidende*, 20 February 2001, FBIS translation. See also "Danish-British Cooperation to Resist US Pressure," *Berlingske Tidende*, 4 February 2001, FBIS translation; "Analysis: Dreaming of a True Anti-Missile Defense," *Le Monde*, 2 February 2001, FBIS translation.

[71] "Paris and Berlin Form Common Front Vis-à-vis Washington," *Le Figaro*, 13 June 2001, FBIS translation; "The 'Red Lines' of French Strategists," *Le Figaro*, 8 June 2001, FBIS translation.

Code and proposed ad hoc international negotiations to complete the Code and achieve its acceptance at an international conference "no later than 2002."[72]

In sum, although discussion of missile proliferation and of US plans to develop and deploy missile defenses has proceeded largely outside of the EU, routine coordination mechanisms nevertheless appear to have had some impact on European policies on missile defense, shaping not only direct responses to the US proposal but also broader strategies to preserve existing multilateral arms control and nonproliferation tools and regimes and to promote political and diplomatic alternatives to BMD.[73] Further, although the EU has eschewed formal consideration of missile defense, by championing the MTCR Code of Conduct, the EU has opened a door to a broader discussion of trends in the spread of ballistic missile capabilities and of alternative responses.

THE EUROPEAN ROLE IN ARMS CONTROL AND NONPROLIFERATION

EU initiatives to combat the proliferation of nuclear, chemical, biological, and conventional weapons have advanced unevenly. To its credit, despite divisions between its nuclear and non-nuclear members, the EU at the 2000 NPT Review Conference presented a common position that went beyond general expressions of principle to propose concrete measures on transparency and tactical nuclear weapons. Additionally, the EU as well as individual member states support a modest range of threat reduction programs in the former Soviet Union. While the EU's unprecedented visit to North Korea offered a timely diplomatic counterpoint to US actions, the impact of European engagement of North Korea on Pyongyang's proliferation activities is unclear. Within the BWC Ad Hoc Group, the EU member states pressed hard for timely completion of negotiations on a verification protocol that critics branded weak and ineffective, and the EU could not prevent a breakdown of the process in the face of US opposition. A similar pattern prevailed at the UN small arms conference. On the other hand, although still relatively

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[72] The EU action was strongly supported by France, Germany, and the UK. In June 2001, Chirac and Schroeder agreed at their biannual summit to call on the EU to reinforce multilateral nonproliferation instruments and, more specifically, to push for the universal application of the MTCR Code of Conduct, culminating in the convening of an international conference. The initiative reportedly came at the express urging of the French government, but was supported by the German leader as well. See "Paris and Bonn Return to the Table to Reconcile," *Liberation*, 20 March 2001, FBIS translation. The EU endorsed the Code at its subsequent summit. See "Council Common Position of 23 July 2001 on the fight against ballistic missile proliferation" (2001/567/CFSP), Official Journal of the European Communities, 27.2.2001.

[73] When asked about EU coordination on missile defenses, German Foreign Minister Joschka Fischer replied: "We have so far coordinated our policy closely with our European partners, and we will continue to do so. . . ." Even before the US delegation arrived in Europe to discuss US plans, Fischer, noted, there had been talks among the Europeans. "We have always closely coordinated our policy within the EU and, notably, with our close partner, France. And this will not change in the future." See the interview with Foreign Minister Joschka Fischer, Cologne *Deutschlandfunk*, 2 May 2001, FBIS translation.

untested, the EU Code of Conduct already has had an impact on prospective EU members. Countries seeking EU membership are using the EU Code as a guide in building and strengthening national export control systems, and a number of non-European countries have chosen to associate themselves with the EU Code as well.

On missile defense, the pattern of European responses suggests that the habitual sharing of information among EU governments and other routine coordination mechanisms can be useful in narrowing the differences among European member states even when the European Union plays no formal role in policy deliberations. Despite the divisive nature of the missile defense issue, the European Union's member states have managed to sound fairly consistent themes and concerns in their discussions with US leaders and officials. Although speaking individually rather than under the EU umbrella, European governments succeeded in 2001 in striking a largely harmonious chorus, though with varied national nuances and even some solo performances.

In a broader sense, the EU has helped to defend an alternative concept of security based on multilateral cooperation and international treaties and regimes. During the early months of the Bush administration, the European message provided a striking contrast to the US emphasis on military security and a style of global engagement that has been criticized in Europe and elsewhere as hegemonic, unilateralist, and self-serving. On arms control and nonproliferation, as on other issues, the EU has attempted to use moral suasion and "soft power" to make common cause with states and coalitions of states that may share similar objectives and interests.

Despite these accomplishments, the EU's ability to launch bold initiatives continues to be hampered by limited resources, divisions within its ranks and, perhaps most importantly, the power and interests of the member states. Although the European consensus on chemical and biological weapons nonproliferation measures is strong, the EU member states are, as one prominent French analyst admits, "as divided as ever over the nuclear issue," as evidenced in the breakdown of EU consensus over a closing statement in the CD.[74] Further, EU common positions remain, for the most part, very broad statements of principle, proving that in bargaining among the EU fifteen, as with other international negotiations, the devil is indeed in the detail. EU assistance to the Newly Independent States is modest in comparison to the US Nunn Lugar program, although the importance of EU activities could grow in relative terms if the US program were to be substantially curtailed or even terminated. And although the EU has taken a high-profile role with regard to North Korea, European officials acknowledge that Europe has often relied on the United States to raise nonproliferation concerns in bilateral discussions with third countries, rather than taking a more proactive stance.

In addition, European actions remain largely reactive to US policies and are often ineffective when they run counter to US preferences. While a European debate on the spread of

[74] Delpech, 11.

ballistic missile capabilities was stirring prior to the 11 September terrorist attacks on the United States, Europe has largely failed to undertake a collective and independent assessment of threats to European security or to define clearly the EU's interests in arms control and nonproliferation. Further, although broadly framed common positions and declarations may allow the Europeans to seize the moral high ground, they have proven weak weapons in the face of direct US opposition or, alternatively, apathy. "Without a lead from the United States," a German nonproliferation expert observed, "arms control [can] only be taken forward in less relevant areas." The EU, in other words, cannot supplant the United States. "Without a clear US example, and outstanding leadership," he continues, "it is hard to see how the nuclear arms control and disarmament train will move forward."[75]

The battle for international opinion as well as influence over US policy will be lost, some European analysts argue, unless Europe proposes independent solutions to the problems that bedevil and weaken existing regimes and treaties. The challenge, two European analysts assert, is not just to persuade the US to support the nonproliferation regime, but "to make that regime more effective and credible."[76] The draft MTCR Code of Conduct, for example, which has been endorsed by the EU, suffers from several shortcomings that, some argue, could render it meaningless.[77] New initiatives are also needed to deal with suppliers of deadly technologies and weapons that are not members of control regimes or, alternatively, suppliers that may be members of regimes but refuse to abide by their rules. And little independent analysis has been undertaken to address arms control issues on the horizon—such as the weaponization of space.

Improving EU Coordination

If the EU is to move beyond its modest accomplishments in arms control and nonproliferation, the member states will have to overcome deeply rooted historical, cultural, and political differences, and resolve differences among its members on the future shape, institutional structure, and role of Europe. The process is likely to be difficult, protracted—and could be outstripped by international developments. As EU High Commissioner for Common Foreign and Security Policy Javiar Solana remarked pointedly, "the world is not waiting while we get our house in order."[78]

Enhancing EU coordination on issues involving "core" security issues will continue to be difficult. National interests, perceptions of threat, and responses to risk are influenced by many

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[75] Mueller, 37.

[76] Schmitt and Grand, 161.

[77] Mark Smith, "The MTCR and the Future of Ballistic Missile Non-Proliferation," *Disarmament Diplomacy*, February 2001, 1–6.

[78] Solana, Speech at the DGAP, 151.

factors, including geography, history, strategic culture, economics, and collectively shared notions of national identity. Political culture and electoral cycles can exacerbate divisions both within and among European states as well. Most European governments today are headed by social-liberal parties or coalitions, which have little in common with a conservative US administration but are chary of risking disruptive political debates or heightened tensions in relations with the United States during an election season.[79] Divisions within governments or governing coalitions or differences between ministries of foreign affairs, which commonly house departments responsible for arms control and nonproliferation, and their defense counterparts, can create additional complications.

At the most fundamental level, European efforts to achieve a "more coherent and more visible foreign policy" are hindered by deep-seated divisions over the future shape of Europe. This has been particularly evident with regard to the missile defense debate, which has been caught up in the ongoing struggle of member states to arrive at a common vision of what a united Europe will and ought to be, and to determine their place within that entity. In Britain, the missile defense issue has become intertwined with the UK's seemingly endless musings over whether its future lies in the EU, in the "special relationship" with the United States, or in a bridge-building function spanning the two. Germany has been similarly torn, as it wrestles to strike a new balance between a Franco–German partnership that is adjusting with fits and starts to the realities of post-unification Europe and a United States, that until September 2001, seemed ready to abandon multilateralism, the foundation of post-war Germany's foreign policy and identity. And while some French leaders have sounded well-known themes regarding the need for Europe to emancipate itself from US dominance, Italian Prime Minister Berlusconi through his support of missile defense would appear to be endeavoring to elevate the importance of Italy in bilateral relations with the United States and thus to shift the balance of influence within Europe in Italy's favor.[80] The mosaic of reactions, as prominent German commentator Josef Joffe remarked, is all too familiar: "England is cultivating its *special relationship* with America, France wants to forge a 'European Europe' under its command, while the Germans are mediating toward all sides."[81]

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[79] In Germany, which will hold national elections in fall 2002, a number of prominent conservative leaders have come out in favor of the US proposal, including former Defense Minister Volker Rühe (CDU), and Friedbert Pflüger (CDU), the head of the German parliament's committee for European Union affairs. See "German Envoys Visit Bush Team," *Frankfurter Allgemeine Zeitung*, 2 February 2001, FBIS translation; "Germany's Rühe Urges Support for US Missile Defense Plans," Berlin ddp, 15 March 2001. In the UK, conservative leaders endorsed US missile defense plans and criticized the Blair government for its "lukewarm" support. See "Hoon Accused of Stonewalling Over Government's Stance on Star Wars," *The Independent*, 13 February 2001.

[80] Noting that "for the first time in 15 years . . . Italy has been cited by an important US daily as being one of the leading players in a geopolitical context," a leading Italian daily commented: "Europe's hierarchies are going to have to be revised; and this, to the detriment of France and Germany, which have been acting to date like they own the place, while in actual fact being more concerned about their own national interests than with those of a united Europe." Mario Platero, "A New Strategic Axis," *Il Sole-24 Ore*, 26 June 2001, FBIS translation.

[81] Josef Joffe, "World Politics Without Partners," *Die Zeit*, 22 February 2001, FBIS translation.

Although further progress may be slow in coming, some historical perspective is useful in this regard. In seeking to stabilize Macedonia, for example, the EU and its member states are speaking largely with one voice and acting in a coordinated fashion—in contrast to the discordant responses registered in the early 1990s. EU policy on the Balkans, moreover, has been given a decidedly EU trademark through the visible participation of CFSP High Representative Javiar Solana. In other areas, the EU voice is weaker and less developed, but the lack of a prominent public role for the European Union masks a more complex reality that includes the development of routine mechanisms for consultation, information sharing, and coordination—processes that are helping to develop common understandings and to foster mutual expectations of unity. In this sense, EU member states may be developing what could be termed a "coordination reflex," which causes national governments to seek a united stance first and act independently only if agreement within the EU cannot be reached.[82] Though it may be ignored on occasion, this "reflex to unity" operates more often than not, suggesting that a shared norm of coordinated action and public accord is being created through the CFSP.

In the end, finding effective ways to overcome these divisions could be vital to the health and durability of global nonproliferation and arms control regimes, but also to the concept of security championed by the EU. "What is at stake for Europe," two European analysts argue, "is not just its immediate security but also its perception of international relations based on multilateralism, the prevention and peaceful settlement of conflicts and the primacy of the rule of law."[83]

CONCLUSIONS: THE EU AND ARMS CONTROL AFTER THE 11 SEPTEMBER ATTACKS

The 11 September terrorist attacks on the United States could prove to be a pivotal event in global politics, with far-reaching consequences for international relations. Efforts to combat terrorism will require new coalitions and tools that could lead to the emergence or destruction of new international norms as well as additional conflicts and fresh fault-lines in the international system. Cooperation among the United States, Russia, and China has the potential to fundamentally redefine these political relationships in a positive direction. On the other hand, the actions of the US-led coalition in Afghanistan could provoke a global backlash among Muslim countries. Incidents of bioterrorism or documented nuclear smuggling could spark renewed debates about the relevance of arms control and sufficiency of multilateral treaties and regimes to deal with the states or subnational groups that refuse to be bound by international norms, rules,

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[82] Stockholm *Dagens Nyheter*, 8 April 2001.

[83] Schmitt and Grand, 161.

and procedures. Conversely, it is also possible that the United States and other countries will gain firmer resolve to strengthen these instruments, which, though imperfect, are the only existing multilateral mechanisms for combating the spread of deadly weapons and technologies. Questions are being raised as well about the relative value of missile defense, which, critics argue, can provide little protection against the threat posed by international terrorism.

There are also profound uncertainties regarding the direction of US policy and priorities in the wake of the 11 September attacks and continuing threats to US security. For the foreseeable future, counterterrorism will be the central driver of US foreign and defense policy and a dominating factor in discussions of domestic policy as well. What is unclear at this writing is the fate of the administration's other stated objectives, however, above all its plans to develop, test, and deploy ballistic missile defenses. President Bush and senior Pentagon officials have reaffirmed their commitment to BMD deployment, although details on the architecture and timetable for deployment have not been forthcoming. At a time when national unity is considered a political necessity, domestic critics of the administration's plans could find it difficult to mount an effective opposition campaign. On the other hand, single-minded pursuit of missile defense could threaten the unity of the US-led counterterrorism coalition. If agreements with Russia and China on the modalities and timeline for deployment cannot be reached and the US withdraws from the ABM Treaty unilaterally, either or both countries could refuse cooperation on counterterrorism, a development that also would reawaken European fears and concerns about US unilateralism and leadership, which have been significantly quelled by the Bush administration's response to the 11 September attacks.[84]

Additionally, the strength of the administration's commitment to multilateral action is untested and its boundaries undefined. Although President Bush has articulated a strong commitment to international cooperation in support of a global counterterrorism campaign, it is unclear whether the administration's embrace of multilateralism will translate into rigorous support of existing multilateral arms control and nonproliferation regimes and treaties. Early indications are inconclusive but do not suggest a significant change in strategy. Following the first incidents of anthrax exposure and infection in October 2001, administration officials announced that the US would put forward an alternative to the BWC to combat the use, production, import, or export of biological weapons. According to a senior US official, the administration will seek to persuade European allies to adopt a "broad" approach to the problem that does "not limit ourselves to this multilateral disarmament forum." The official argued "You can't just use arms control instruments" in combating the threat posed by biological weapons."[85]

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[84] President Bush's first meeting with Chinese President Jiang Zemin at the October 2001 APEC meeting in Shanghai failed to produce a meeting of the minds on missile defense. If agreement with Russia cannot be achieved by the end of 2001, the Bush administration has declared that it will provide the necessary six-month notification of its intention to withdraw from the ABM treaty. Although in October 2001 US–Russian talks appeared to be progressing, it was unclear whether the US-imposed deadline could be met.

[85] Quoted in Carol Giacomo, "US to Consult Allies on German Warfare Proposal," Reuters, 17 October 2001.

The administration's position on the ABM treaty is similarly unchanged. Following President Bush's meeting in October 2001 with Russian President Putin, US national security advisor Condoleezza Rice reiterated that the US would not be bound by an "outmoded" treaty.[86]

The events of 11 September will continue to reverberate in transatlantic relations as well. In the immediate aftermath of the terrorist attacks on Washington and New York, European governments, the EU, and NATO were quick to express their sympathy and solidarity with the United States, reaffirming the importance of the transatlantic tie. The support of European leaders and publics reflected a commonly felt horror as well as a recognition, often obscured of late, that the values and interests that bind the United States and Europe far outweigh their differences. Yet common vulnerabilities and threats are no guarantee of unity regarding appropriate responses. Although criticism of President Bush has been largely stilled since the 11 September attacks, European commentators are beginning to raise questions about the part that US policy in the Middle East and Persian Gulf may play in creating the conditions that give rise to terrorism. European support for continued US actions is not guaranteed, moreover, particularly if the counterterrorism campaign becomes extended in time and geographic scope. On the other hand, the recent reaffirmation of transatlantic cooperation and commonality in the face of a shared threat could downgrade the importance of recent disputes over the environment, trade, the international criminal court, and perhaps even the divergence over arms control and missile defense, belying predictions of increasing estrangement and even rupture in the transatlantic relationship. More realistically, these irritants are likely to reemerge over time and will have to be managed.

Europe's plans and priorities will not be immune to the effect of the terrorist attacks and their aftermath. The emergence of a fundamentally different kind of threat to European security could well unleash renewed debate about the nature of the European security order, NATO's scope and purpose, and the priorities and requirements for ESDP. European perspectives on missile defense could also evolve if independent threat analyses were to conclude that the EU faced a growing ballistic missile threat on its periphery. And while counterterrorism cooperation could have a beneficial effect on transatlantic relations, conversely, it could also reveal old fault lines within the EU. The closer cooperation between the UK and the United States, in this sense, is bound to raise questions once again about Britain's role in and relationship to an evolving European Union.

Given the considerable uncertainties in late 2001, it is difficult to predict Europe's future course on arms control, nonproliferation, and missile defense. If current trends nevertheless are sustained, the EU could make a useful contribution to global arms control and nonproliferation efforts in several areas:

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[86] "Bush and Putin Edge Closer to Missile Deal," *Washington Post*, 22 October 2001.

- *Strengthen existing arms control and nonproliferation regimes.* The EU, itself the "product" of multilateral treaties and processes, has a vital interest in preserving an international system based on treaties, international law, and cooperative regimes. The EU therefore could take a more active role in developing and promoting independent proposals to enhance the effectiveness of multilateral arms control agreements. Effective measures will be needed, in particular, to address the dangers posed by non-state groups that may possess or acquire weapons of mass destruction and their delivery vehicles or, alternatively, states that refuse to be bound by regime rules. Independent European assessments could be particularly valuable in any post-September 11 evaluation of the future of arms control and nonproliferation.

- *Enhance threat reduction programs in the NIS.* Concerns regarding the possible leakage of nuclear, chemical, and biological weapons materials and know-how from the former Soviet Union have increased significantly in the wake of the suspected bioterrorist attacks in the United States in October 2001. Unfortunately, to date the burden of reducing the threat in the NIS has fallen disproportionately on the United States. This division of labor may not be sustainable in the future as the United States seeks to direct resources to other aspects of its counterterrorism campaign and other security priorities. Even if US programs are maintained at existing levels, EU threat reduction programs are a good investment in European security and merit continued support and expansion.

- *Intensify nonproliferation diplomacy.* The EU and EU member states could take a more proactive role in discussing arms control and nonproliferation concerns with Russia, China, and other states of concern, both in bilateral exchanges and in the EU's external relations. While such initiatives could be controversial both within and outside of the EU, as demonstrated by the EU's engagement of North Korea, Europe has a vital interest in preventing these deadly technologies from reaching states or sub-state groups that could pose serious threats to Europe.

- *Develop comprehensive solutions to ballistic missile proliferation.* For the foreseeable future, the issue of ballistic missile defense will be divisive for the EU and therefore potentially dangerous to European unity and focus. On the other hand, it could be difficult over time for the EU to remain disengaged from this discussion. One possible strategy, suggested by two European analysts, would be the development of a comprehensive yet "differentiated approach" to missile defense,

which could be shared by all EU members and which would stipulate the EU's conditions for supporting the American plan.[87]

The ability of European member states to overcome their divisions and play a more active part in advancing effective arms control and nonproliferation solutions will depend on regional and global developments and the broader repercussions of the 11 September attacks. In the coming years, Europe may be dually challenged with "old" security issues in the Balkans and elsewhere that have lost none of their virulence and daunting new security challenges that will test its resolve to speak with a more united voice and to assume an expanded role in international affairs. In the final analysis, however, the EU may have little choice but to take on new responsibilities. As Swedish Prime Minister Persson remarked in an interview following the EU's trip to North Korea: "In a globalized world, where we are responsible together for the future, a major actor like the European Union can't be passive."[88] A similar theme was sounded by EU External Affairs Commission Christopher Patten, who commented: "The dark side of globalization...can only be tackled multilaterally. This requires a feeling for the interplay of morals and benefits. Quite accidentally, the EU is the organization that can best contribute to that." [89]

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[87] The conditions could include: an "unequivocal renewal of commitments to non-proliferation and disarmament," through ratification of the CTBT and continuation of the START process rather than resort to unilateral, non-negotiated reductions; a continued emphasis on political as well as military means to fight proliferation; and an architecture that is "acceptable to Russia and bearable to China" and limited in nature. This "differentiated approach" would require, however, that the US missile defense plan not call into question nuclear deterrence or extended deterrence and do no harm to the European's "strategic priority" of achieving the "more urgent Headline Goal projects." Whether these conditions would be relevant and viable under changing international circumstances is uncertain but the general approach is promising and worthy of consideration. See Schmitt and Grand, 166-167.

[88] Transcript of joint news conference with ROK President Kim Dae-jung and Swedish Prime Minister Goran Persson in Seoul, 4 May 2001, FBIS, 4 May 2001.

[89] Quoted in an interview with *Die Zeit*, "EU External Relations Commissioner Chris Patten Views the New Diplomatic Ambition of the Europeans," *Die Zeit*, FBIS translation, 13 June 2001.