A CRITICAL ANALYSIS OF THE EU'S WMD STRATEGY: A CASE STUDY OF IRAN

Sadia Khattak
Muhammad Zubair Khan
Shaista Naznin

Introduction

The adoption of a WMD strategy by the EU is considered an important step taken by it against the proliferation of weapon of mass destruction .This policy area had been neglected by the European Union for a long time and was absent from its political agenda. The strategy was adopted after the outbreak of two major crises that threatened the peace and security of the world. After initial consensus in the wake of 9/11, the Iraq crisis and the subsequent US-led invasion of Iraq in 2003, exposed the lack of unity among the EU member states. The Iraq crisis thus served as a wakeup call for the European leaders who realized the need for consensus among member states regarding important security matters, particularly on the issue of nuclear proliferation, which has emerged as a potential security challenge for the EU after the Iraq war. Thus the matter of Iran's development of nuclear weapons had to be taken seriously by member states of the EU. The international crisis triggered by the September 11, 2001 terrorist attack on America has also exposed Europe to the internal and external threat of terrorism. There is also the apprehension among the Europeans that terrorists might acquire nuclear weapons, and this has intensified the security-related anxieties of the EU. It is in this background that the EU has begun in recent years to play a more active role in matters related to international security. Thus the EU took some practical steps, including the adoption of policy documents on the proliferation of nuclear weapons and finally adopted the EU WMD strategy in 2003. [1]

This paper is an attempt to assess the significance of the first ever EU strategy to stop the proliferation of WMD by first taking a broad overview of the background which has led to its adoption and institutionalization.

[1] Christer Ahlström, "The EU Strategy Against Proliferation of Weapons of Mass Destruction", in Shannon N. Kile (ed)., *Europe and Iran: Perspectives on Non-Proliferation*, SIPRI Research Report, no. 21 (Oxford: Oxford University Press, 2005), 27-46.

Secondly, the paper also attempts to address pertinent question whether the strategy is actually effective, and which issues are undermining the implementation of the strategy. Thirdly, Iran has been taken as a case study to evaluate the role of the EU in the crisis situation that emerged after the revelations regarding Iran's development of nuclear weapons. In the last part, the paper gives conclusions on whether the EU's strategy has achieved the desired goals in the matter of proliferation of WMD or it merely remains a declaratory policy even after more than a decade since its adoption.

Adoption of the EU WMD Strategy: Background

The EU's policy on the proliferation of WMD was first presented in an incipient form in 1980. At that time, the international political environment was very different from what it is today. The Soviet Union and its satellite system in Europe were thriving, the cold war had heightened in the wake of the Soviet invasion of Afghanistan and Moscow often challenged the global initiatives of the Western allies. The end of the cold war has given rise to new security challenges in the world as well as the incentive to important powers to develop new initiative and policies for coping with the novel strategic environment. Soon after the world witnessed the momentous event of the termination of the cold war, Gulf crisis broke out in 1990-91 during which it was revealed that Saddam Hussein's Iraq was pursuing a nuclear weapons programme. This alarmed the international community which now felt that the existing non-proliferation regimes and treaties were flawed and ineffective. An important development at this juncture was the signing of the Non-Proliferation Treaty (NPT) by France in 1992. The latter was the last European Community member to do so, thereby removing the obstacle in developing a common European stance on non-proliferation matters.[2] Another major development which offered the opportunity to EU members states to develop closer cooperation on foreign and security policy matters, including non-proliferation was the establishment of a Common Foreign and Security Policy (CFSP) by the Maastricht Treaty on European Union[3]. It is important to note that CFSP did not create a common defence policy but it envisaged the "eventual framing of a common defense policy which might in time lead to common

[2] Peter Van Ham , "The European Union's WMD Strategy and the CFSP :A Critical Analysis" , Non-Proliferation Consortium Papers (2011): 2, available at www.nonproliferation.eu.

[3] Ibid, 2

defense".[4] Thus CFSP could not address the link between WMD and national defence and left unanswered, pertinent questions about the nuclear arsenals belonging to France and the UK. However, the successive treaties of Amsterdam and Nice gave the chance to EU member states to strengthen their cooperation on foreign and security policy matters by declaring Common Security and Defence Policy (CSDP) as part of the Common Foreign and Security Policy (CFSP). Besides, by virtue of these treaties the European Council and the European Parliament also got more actively engaged in non-proliferation matters.[5]

The 1990's brought a striking change in the European Union's approach towards non-proliferation. In this period, the EU toned up its non-proliferation policy with emphasis on multilateralism. The aim was to strengthen existing non-proliferation regimes through financial and political support. The EU has since then taken several vigorous measures to make its non-proliferation policy more effective. During the 1995 NPI Review and Extension Conference, a clear message was given to the world that the disunity between member states on strategic matters had ended.[6] The EU also made efforts to promote the Comprehensive Nuclear Test Ban Treaty (CTBT), the Biological and Toxin Weapons Convention (BTWC) and the Chemical Weapon Convention (CWC). Similarly, the EU extended financial support to the Korean Peninsula Energy Development Organization (KEDO) for solving the 1993-94 North Korean nuclear crisis. The EU also supported the six step negotiation process which led to the imposition of sanctions on North Korea after it conducted a nuclear test in 2009.[7] However, on many occasions the EU's response towards nuclear proliferation matters was rather feeble. This was particularly true with regard to the tit-for-tat nuclear test by India and Pakistan. It showed that the EU response on proliferation issues was not as transparent and straightforward as it claimed.

[4] D. Hurd, "Developing the Common Foreign and Security Policy", *International Affairs* 70, no. 3 (1994):425–26.

[5] Peter Van Ham "The European Union 's WMD Strategy and the CFSP :A Critical Analysis,"2.

[6] Ibid.

[7] F. A. Saeed, "Redefining Success: Applying Lessons in Nuclear Diplomacy from North Korea to Iran", *Strategic Perspectives* 2 (September 2010).

The institutionalization of the EU's WMD Strategy

The invasion of Iraq by the US and its allies in 2003 exposed the rift among the European states regarding the alleged possession of weapon of mass destruction by Iraq. The 2003 Iraq crisis and the invasion that followed, shook the EU member states into realizing that they had to formulate credible polices on matters such as the proliferation of nuclear weapons, if they were to be taken seriously on the international stage. Besides the Iraq crisis, another important event in August 2002 was the disclosure by an Iranian opposition group regarding Iran's clandestine efforts to build nuclear weapons capabilities.[8] This triggered a new nuclear crisis on the international stage. Apart from these two major events, the possibility of more terrorist attacks (The UK and Spain had already been the victims of terror strikes) in future still loomed large over the EU which now felt very vulnerable to the internal and external threat of terrorism. These events also sensitized the European Union and its member states on the lack of cohesion in the Union on security matters, which could undermine the EU's aspiration to become an important global actor. These factors made it imperative for the EU to formulate a credible non-proliferation policy. It became a top priority for the EU.

Thus, during the second half of the Belgian presidency of the EU in 2001, several conclusions of the Council regarding non-proliferation were adopted as foundational principles of the EU's WMD strategy[9]. Another development was the proposal presented by the Swedish and Greek Ministers for Foreign Affairs for the formulation of a solid WMD non-proliferation strategy in April 2003.[10] The draft document was prepared by the High Representative for CFSP, Javier Solana and the Council Secretariat on the request of the General Affairs and External Relations Council which set out the details of the EU interests and aims with regard to non-proliferation of WMD.[11] At the European Council meeting at Thessaloniki in June 2003 the drafts of the basic principles for the EU strategy against

[8] Unclassified Report to Congress (30 June 2003), available from www.cia.gov/library /reports/achieved_reports-1/jan_june2003.pdf.

[9] General Affairs and External Relations, 2397th Council meeting, General Affairs, 15078/01 (Presse 460), Brussels, 10 December 2001.

[10] C. Ahlstrom, "The EU Strategy against Proliferation of Weapons of Mass Destruction", 32–33.

[11] General Affairs and External Relations, 2501st Council meeting, External Relations, Luxembourg, 14 April 2003.

proliferation and the first ever EU security strategy were presented".[12] After extensive discussion among the member states and the EU institutions the final versions of the EU WMD strategy and the European Security Strategy (ESS) were formally adopted in December 2003.[13] The ESS as a foundational document has identified the proliferation of WMD as one of the major threats to the whole of Europe along with terrorism, state failure, organized crime and regional conflicts.[14] Thus the WMD strategy considers the "growing" threat of proliferation of WMD as putting at "risk the security of our states, our peoples and our interests around the world".[15] The strategy can be considered as a logical step on part of the EU to enable the member states to take joint proactive measures against the proliferation of WMD.

The framework of the strategy

The framework of the strategy consists of three main parts. These are: statement of the threat situation, the guidelines to be pursued, and instruments to be employed.

Statement of the threat situation

The threat assessment identifies the Weapons of Mass Destruction, e.g. nuclear, biological and chemical weapons, drones and ballistic missiles and appraises the possibility of the use of each of these weapons by terrorist organizations as well as states. The emphasis in this part of the strategy is on nuclear proliferation, which is reckoned as a threat not only to the EU member states but also to the international non- proliferation regime.[16]

[12] Council of the European Union, Action Plan for the Implementation of the Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction, Brussels, 13 June 2003.

[13] European Council, 'A Secure Europe in a Better World: European Security Strategy', Brussels, 12 December 2003.

[14] Ibid.

[15] Ibid, see also Council of the European Union, EU Strategy against Proliferation of Weapons of Mass Destruction, Thessaloniki (10 December 2003), 2. Available at register.consilium.Europa. eu/pdf/en/03/st 15/st15708.En03.Pdf.

[16] Council of the European Union, 'Fight Against the Proliferation of Weapons of Mass Destruction: EU Strategy Against Proliferation of Weapons of Mass Destruction', 15708/03 (Brussels, 2003), 2-4.

Ways and means of achieving the goals of the WMD Strategy

The three main preventive measures delineated by the strategy are effective multilateralism, creation of a stable environment and establishing closer cooperation with the key partners.

Effective multilateralism

Effective multilateralism is considered as the cornerstone of the strategy; i.e to work for a stable regional and international environment with the cooperation of key partners of the EU. The multilateral approach would strengthen non-proliferation agreements and treaties through financial, technical and political assistance to verification regimes, which would ascertain detection and compliance. It also stands for universalization; for instance para 16 (3-5) of the strategy underlines " we will pursue the universalization of the NPT, the IAEA safeguards agreements and protocols additional to them, the CWC, the BTWC, the HCOC and the early entry into force of CTBT".[17] The policy is to declare the rules on the ban of chemical and biological weapons as binding rules of international law. The promotion of the programmes and effective multilateralism is considered the hallmark of the European style of dealing with the challenge of nuclear proliferation.[18]

The adoption of the restrictive measures

Several measures have been proposed for dealing with the threat of nuclear proliferation. These range from addressing the root causes of instability to the imposition of restrictive measures known as sanctions.[19] These sanctions can take the form of financial restrictions, ban on visa and travel, ban on import and export or any other measures which are considered necessary.[20] Under (para 3) of the strategy, the Council where necessary will "impose autonomous EU sanctions in support of efforts to fight terrorism and proliferation of WMD".[21] This action shall be taken by the Council in "accordance with the Common Foreign and Security Policy given in Article 11 of the Treaty on European Union (TEU) and shall be in

[17] Ibid, 6.

[18] Benjamin Kienzle, "A European Contribution to Non- Proliferation? The EU WMD Strategy at Ten", *International Affairs* 89, no.5 (2013): 1146.

[19] Visit at www.eeas.europa.eu/cfsp/sanctions/ docs/index_en.htm.

[20] Ibid.

[21] Visit register.consilium.europa.eu/doc/srv?1=EN&f=ST%2010198%202004%20REV%201.

full conformity with obligations under international law".[22] If these measures fail, the EU can also opt for more coercive measures, though it would still rely on the UN as a final arbiter.

The EU has made use of coercive policy by introducing the WMD clause in its assistance programmes and cooperation agreements with third countries. The strategy is to make trade, development assistance and other types of assistance conditional on the fulfillment of obligations and commitments linked to non-proliferation. For furthering its non-proliferation agenda, the EU is thus relying on its economic and financial clout while dealing with the third countries. In this way, it is restraining proliferation.[23]

For assessing the performance of the institutional framework of the EU's WMD strategy, the Council publishes a biannual report after taking inputs from the Director General for External Relations. The priorities of the strategy are also updated regularly by the EU. This shows that since it was proclaimed in 2003, the EU has made consistent efforts to strengthen the institutional aspect of its WMD strategy.[24]

Though the progress reports uncritically summed up the EU's initiatives and achievements, it was apparent that the objectives set by the EU strategy in 2003 had not been fully achieved. In December 2008, the Council conclusions pointed out that the EU had "to play a more active role in combating terrorism, proliferation of weapons of mass destruction, organized crime and cyber-attacks."[25] To make the EU strategy more effective the Council conclusions drew up New Lines of Action to be adopted by the member states.[26]

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[22] See Article 11 of TEU at www.consilium.europa.eu/uedocs/cmsupload/treatychap5.pdf.

[23] Peter Van Ham, "The European Union's WMD Strategy", 4.

[24] Ibid.

[25] Council of the European Union, Implementation of WMD Strategy: Updated List of Priorities, 16 June 2008, available at register.consilium.euope.eu/pdf/en/08/st10/st10747.en08.pdf; See also European Council, Council Conclusions, Brussels (11–12 December 2008); Presidency Conclusions, Brussels (13 February 2009), 18.

[26] Council of the European Union, Council Conclusions and New Lines for Action by the European Union in Combating the Proliferation of Weapons of Mass Destruction and their Delivery Systems, Brussels (17 December 2008), 5.

The New Lines of Action stress that "close co-ordination between EU institutions and member states will be necessary to ensure coherence and synergies between ongoing and future activities and actions".[27] The basic objective of the New Lines of Actions was not to change EU policy on WMD rather it was meant to raise the level of alertness among the EU member states regarding the growing threat of proliferation of WMD. It was also aimed at the academic and scientific circles which were excepted to be more vigilant with regard to proliferation matters and any potential risk involved in their own activities. The New Lines of Action can be seen as a modest update of the WMD strategy focused on enhancing the coherence and effectiveness of the WMD strategy. The effectiveness or otherwise of the strategy needs to be explored by reviewing its implementation.

Issues regarding implementation of the strategy

The implementation of the strategy is hindered by certain factors which are discussed below.

The European Security Strategy and its concomitant WMD strategy are considered as important instruments for the development of an effective and coherent EU foreign and security policy. It is a widely known fact that for the EU a big hurdle in the development of CFSP is the lack of consensus among policy makers. The reason is that member states orient their national policies towards commonly set objectives only through voluntary commitment. In other words, the CFSP is wholly dependent on intergovernmental cooperation, therefore, what is required is to first develop full consensus between member states on basic foreign and security policy objectives. This is not easy to achieve in a Union comprising twenty-eight member states, which have differing perceptions of the world and often diverging national interests. A refining of the coordination procedures among member states and a rehauling of the administrative underpinning of the procedures could help to a certain extent. Over the years, the EU has made many declarations and statements on its WMD strategy which has led to setting up of policy acquis on WMD strategy around which national policies of the member states are expected to converge.[28]

[27] Ibid, 6.
[28] Peter Van Ham, "The European Union's WMD Strategy and the CFSP", 5.

Lack of coherence is another major issue. It has been pointed out that the WMD strategy was drawn up as a horizontal issue with the CFSP. The purpose was to integrate the policy with the EU's external action programmes e.g. trade, development and cooperation. But it is said that "few links were established", thus making the WMD strategy an inter-governmental policy area, in which the supranational Commission's role is limited.[29] This leads to a lack of coherence which makes the strategy ineffective, and it can only be rectified if the main EU institutions -- the Commission, the European Parliament and the Council work together.

It is argued that a strong and effective EU WMD strategy though not impossible is difficult to establish owing to the fact that the European Union comprises nuclear states as well as non- nuclear states, NATO states as well as non NATO states and also states which are the supporters or opponents of nuclear energy.[30] Thus the EU has not been able to establish itself as a strong player on non-proliferation matters, rather its role remains weak, thus making the WMD policy a capital based affair wherein the key role is played by the representatives and national experts of the member states.[31]

A monitoring centre has been established within the framework of the WMD strategy. As its name suggests the purpose should be to monitor WMD related developments anywhere in the world. But instead of monitoring proliferation activities around the world, the centre mainly streamlines the WMD related policies of the EU institutions, thus limiting its functions to a coordination mechanism.[32]

On its part, the European Parliament has played a positive role in building an effective WMD strategy since 1979 by adopting a plethora of resolutions regarding Iran, North Korea, the NPT and other non-proliferation treaties. Though the parliament has no specified role in the decision making process with regard to WMD-related matters, it has been active in calling upon the EU member states and institutions to overcome their differences and strive

[29] L. Grip, "Mapping the European Union's Institutional Actors Related to WMD Non-Proliferation", EU Non-Proliferation Consortium Papers no. 1 (May 2001), http://www.nonproliferation.eu/activities/activities.php, 2.
[30] Peter Van Ham, "The European Union's WMD Strategy and the CFSP", 6.
[31] Ibid.
[32] Ibid.

for establishing a common and effective EU policy on non-proliferation of WMD.[33]

As already pointed out earlier, the divisions among member states make it difficult to establish a common WMD policy which takes into account the political, economic and security interests of all the member states.[34] Many EU member states have, from time to time expressed doubt regarding EU capacity to build a really effective WMD strategy that can go beyond being a declaratory policy. As pointed in a report of the UK's House of Lords:

> EU institutions do not have the legal authority or bureaucratic flexibility needed to implement a comprehensive programme in the area of non-proliferation, which a number of EU member states continue to regard as an inter–governmental prerogative.[35]

The WMD clause introduced by the EU in its trade and development agreements with third countries is meant to effectively promote its non-proliferation policy. The clause stipulates that if third countries do not comply with obligations under the international non-proliferation regime, the EU reserved its right to suspend an agreement.[36] The mainstreaming of the CFSP objectives is implied in the understanding that the EU will promote its non-proliferation policy by making trade and development assistance contingent on compliance by third countries with the WMD clause. This is stated clearly in the New Lines document of 2008. Here it

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[33] European Parliament, "Resolution on Measures to Safeguard the Non-Proliferation Treaty", *Official Journal of the European Communities*, C262, (14 October 1985), 84; European Parliament, "Resolution on the Importance of the Non-Proliferation Treaty Review Conference", *Official Journal of the European Communities*, C262, (14 October 1985), 85; and European Parliament, Report on Non-Proliferation of Weapons of Mass Destruction: A Role for the European Parliament, Committee on Foreign Affairs, (12 October 2005).

[34] Ian Anthony and S. Bauer, "Controls on Security-Related International Transfers", SIPRI Yearbook 2009: Armaments, Disarmament and International Security (Oxford: Oxford University Press, 2009).

[35] British House of Lords, European Union Committee, Preventing Proliferation of Weapons of Mass Destruction: The EU Contribution, 13th Report of Session 2004-05 (London: The Stationary Office, April 2005), 68.

[36] Council of the European Union, Fight against the Proliferation of Weapons of Mass Destruction – Mainstreaming Non-Proliferation Policies into the EU's Wider Relations with Third Countries, Brussels, 14997/03, (19 November 2003), 4.

must be pointed out that the WMD clauses in agreements with countries like China, South Korea and some Central American states are not finally agreed upon.[37] Till date, only two mixed agreements with WMD clauses have been agreed upon but with countries that do not have nuclear capabilities nor aspirations for acquiring WMD.[38] One such agreement has been signed with Albania. The other is the revised Cotonou agreement with the African, Caribbean and Pacific (ACP) countries. On the other hand, in certain instances, WMD clauses could not achieve the desired results, or a third country just refused to include the clause. The EU agreements with India are a prime example of such a situation. India made it quite clear after four years of negotiations that any trade agreement with the EU shall not be tied to any political conditionality. It simply refused to accept WMD clauses. This exposed the limited influence of the EU in the promotion of its non-proliferation agenda, especially since the emergence of the new economic and political powerhouses in the world.

The effective implementation of the WMD strategy could also be assessed on the basis of the budget allocated for it. Though declared as a top policy concern of the EU in 2003, the strategy was adopted without any substantial budgetary support. Out of the 62.6 million euro budget for CFSP, a sum of only 15 million euro was used for non-proliferation efforts in 2004. Similarly in year 2005 only euro 6 million from the CFSP budget was used for non-proliferation efforts.[39] The allocation of such meager amounts for non-proliferation strategy which the EU has declared as among its top priorities, is incongruous. Though the budget allocation for CFSP has increased after 2007, the EU is still dependent on national contributions.[40] Funds for CFSP related activities are often insufficient. Apart from the size of the allocation for non-proliferation efforts there is another issue regarding CFSP budget. CFSP contributions are in fact a contingency fund for crises situations. There is hardly much support for the long and medium term projects, which can make a difference. Thus support for agencies such as the Comprehensive Nuclear Test ban Treaty

[37] Council of the European Union, Annual Report from the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament on the Main Aspects and Basic Choices of the CFSP, 2009 (European Union: Brussels, June 2010), p. 7.

[38] Peter Van Ham, "The European Union's WMD Strategy and the CFSP", 7.

[39] British House of Lords, European Union Committee, Preventing Proliferation of Weapons of Mass Destruction, 41.

[40] Council of the European Union, Annual Report from the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament, 7.

Organization (CTBTO), the International Atomic Energy Agency (IAEA), and the Organization for the Prohibition of Chemical Weapons (OPCW) is minimal and only related to particular activities.[41] For instance 20 joint actions have been taken by the Council to support non-proliferation organizations. A notable instance is support to the CTBT, IAEA, and OPCW in the implementation of Security Council resolution 1540.[42] Joint actions have also helped in capacity building of third world countries in non-proliferation related activities.

Support rendered by the EU to these organizations and countries is part of the international multilateral non-proliferation efforts. At the same time, the EU by making itself an important donor to these organizations, apparently wants to increase its influence in the international non-proliferation agenda. However this approach of the EU is criticized on the ground that the EU is trying to influence and strengthen the organizations which are already established and working for nonproliferation. This EU approach has been dubbed "actorness by stealth".[43] It has not brought substantial results in the domain of non-proliferation so far.

Along with financial resources, the WMD strategy has competitors on the EU agenda. For instance, the EU claims that climate change and combating terrorism are among its top priorities which appear to have relegated the WMD strategy to a secondary position. Besides, the nuclear power member states such as France and the UK do not place much confidence in the EU in matters related to WMD proliferation. They consider it too inexperienced for handling the WMD portfolio, in fact security matters in general. The EU policy guidelines remain vague as agreement cannot be reached on nuclear disarmament, use of military force and the role of nuclear weapons.[44]

For the effective implementation of its WMD strategy, the EU has been trying hard to evolve an institutional framework to elicit confidence among the member states regarding effectiveness of the policy and its objectives. The most prominent development in this regard is the achievement of a

[41] Peter Van Ham, "The European Union's WMD Strategy and the CFSP", 8.
[42] Ibid, See also UN Security Council Resolution 1540, 28 April 2004.
[43] K.E. Jorgensen (ed.), *The European Union and International Organizations* (London: Routledge, 2009).
[44] Peter Van Ham, "The European Union's WMD Strategy and the CFSP", 10.

common position on the Nuclear Non-Proliferation Treaty (NPT) Review Conference in March 2010. The members states called for "verifiable and irreversible reduction and elimination" of non-strategic (i.e. tactical) nuclear weapons. It was commendable that the EU member states succeeded in reaching a consensus on the NPT Review Conference, though the Union is not a member of NPT. This demonstrates that the EU now has an enhanced role in international forums and it is able to exert its weight in important international issues. A few years back it was different.[45]

A real challenge for the EU WMD strategy was the Iranian nuclear issue. The issue shall be taken as a case study for evaluating the effectiveness of the EU WMD strategy and for ascertaining the EU's role as a global security actor in the domain of non-proliferation.

The Iranian nuclear issue and the EU's WMD strategy: A case study

The EU's role in the containment of Iran's nuclear ambitions has been considered a challenge and test for the EU's WMD strategy. The EU's keen involvement in successfully resolving the Iranian nuclear issue established it as a global security player. This was unlike its previous response in the matter of Iraq's WMD, which had been a flop.

The EU had been on its alert since it was known that Iran was making clandestine efforts to develop its capacity for building nuclear weapons. In 2001 the European Commission expressed its concern over Iran's ambitions to develop weapon of mass destruction.[46] In June 2003, in the Council's conclusions Iran's nuclear programme was mentioned, but in a mellow tone. It was stated in the conclusions that "the nature of some aspects of Iran's programme raises serious concerns, in particular as regards the closing of the nuclear fuel cycle…, announced by President Khatami…". It called on Iran to fully cooperate with the IAEA.[47] In October 2003 the foreign ministers of the EU 3 which included the UK, France and Germany went to Tehran for negotiations on Iran's nuclear programme and warned

[45] Catherine Ashton, Speech at the Nuclear Non-Proliferation Treaty (NPT) Review Conference, New York, 3 May 2011.

[46] S. Everts, "Engaging Iran: A Test Case For EU Foreign Policy", Working Paper (London: Centre for European Reform, 2004).

[47] General Affairs and External Relations, 2518th Council Meeting, (Presse 166), Luxembourg, 16 June 2003. Available at europa.eu/rapid/press_release_PRES-03-166_en.htm?locale=en.

the leadership of possible US military action if some sensitive aspects of the Iranian nuclear programme were not suspended. It is important to note that while the US was keen to further isolate Iran, the EU was interested in promoting the dialogue process. The EU also wanted to avoid divisions among its member states, as had happened during the Iraq crisis in early 2003.

This staid approach of the EU towards Iran resulted in the Tehran Declaration in October 2003 by virtue of which Iran signed an additional protocol with the IAEA, without any formal efforts on part of the EU. On November 15, 2004 Iran and the E3 France, Germany and Britain signed the Paris agreement.[48] The EU involvement in resolving the Iranian nuclear issue, was also a move to improve its image as a global security actor. Besides, it was not coincidental that the EU-Iran dialogue in the context of Tehran's nuclear ambitions would promote the EU's security strategy, based on its interests and values. Thus negotiations with Iran, become a landmark in the development of the CFSP. Another significant aspect of the dialogue was the adoption by the EU of the dual track approach, based on continuing dialogue and a limited show of coercion in the face of the intransigence shown by Iran. The latter had rejected the EU offer to expand the dialogue, to include other matters. Although the EU maintained the economic sanctions on Iran imposed by the various UN resolutions, it did not break its dialogue process with Iran and also continued its limited cooperation with the country in the areas of higher education [through the Erasmus Mundus programme] and anti-drug trafficking support for Afghan refugees. This cooperation continued even after the suspension of the trade and cooperation agreement and political dialogue agreement in 2005 when the Ahmadinejad government denounced the Paris agreement and expressed its ambition to enrich uranium for civilian uses under the NPT conditions.[49]

In 2006 an important development took place with regard to the Iranian nuclear issue. The UN Security Council's five permanent members (P 5), viz

[48] The Paris agreement became the EU's modus oparandi for transatlantic diplomacy with the US and Iran to continue negotiations on the Iranian nuclear issue. See statement by Javier Solana, EU High Representative for the CFSP, on the Agreement of Iran's Nuclear Programme, S0304/04, Brussels, 15 November 2004.

[49] Peter Van Ham, "The European Union's WMD Strategy and the CFSP", 11-12. For further detail visit www.iranprimer.usip.org/resource/iran-and-european-union.

the US, Russia, China, France and the United Kingdom plus Germany (P5+1) began joint diplomatic efforts to restrain Iran from pursuing its nuclear weapons programme. This group of six world powers is also referred to by European countries as the E3+3.

Talks between Iran and P5+1 were suspended in July 2009 when Iran accused the EU of interfering in its presidential elections. However, despite an apparent deadlock over the nuclear issue, the EU continued to exert diplomatic and economic pressure on Iran, to persuade it to change its course.[50]

During this whole process of engagement with Iran, the EU used its economic leverage with the country in a circumspect manner. The scope of economic sanctions on Iran were extended by the EU in compliance with the UN Security Council resolutions. Thus the EU imposed a comprehensive arm embargo, a travel ban and a freeze of Iranian bank accounts and individual assets. It imposed restriction on its banking and insurance, energy and transport sectors. Here it is important to mention that the EU achieved consensus among its member states over economic sanctions on Iran, despite the fact that the commercial interests of member states were at stake. Member states such as Sweden, Belgium and Austria opposed the stricter application of economic sanctions. They were also not in favour of confrontational policies, instead they called for continued dialogue and multilateralism.[51] However, during that whole course of the crisis, the EU maintained a firm stance regarding the imposition of economic sanctions without any public show of disagreement among the member states. Though the economic sanctions on Iran did not achieve tangible results, a positive outcome was the consolidation of the Union's determination to play a vital role in the non-proliferation issue.[52]

Critics have pointed out that in the Iranian nuclear crisis, the EU has relied more on the multilateral approach. Often, rather than immediately exerting pressure, the EU waited for IAEA and UN Security Council

[50] Peter Ham, ibid.
[51] E. Oezbek, "The EU's Non-Proliferation Strategy: Iran as a Test Case", *Strategic Assessment* 13, no. 2 (August 2010): 73.
[52] Peter Van Ham, "The European Union's WMD Strategy", 12.

responses before exercising any policy options.[53] Analyzing the role of the EU in the Iranian context, Ann Marie Slaughter and Lee Feinstein contended that the international community has not only the responsibility to protect but also the duty to prevent security and humanitarian disasters even at the cost of violating state sovereignty.[54] If the EU wants to achieve substantial result in non-proliferation its soft toned approach may not work well. It has to be coercive in its declarations and actions in dealing with cases of nuclear proliferation, such as that of Iran.

The Foreign Ministers of the P5+1, the High Representative of the European Union for Foreign and Security Policy and the Iranian foreign minister met in Geneva in November 2013, when the Joint Action Plan, an interim agreement on Iran's nuclear programme was adopted.

After a decade of diplomatic efforts to stop Iran from pursuing its nuclear weapons programmes, the July 2015 deal struck between Iran, the EU, and other powers has finally resolved a dispute that had lasted for 12 years. This deal can be seen as a success of the EU strategy to stop the spread of WMD. However, as is evident in the preceding paras, the deal with Iran was not accomplished solely by the diplomatic efforts of the EU, but through the equal involvement of global powers such as the US, China, and Russia. Under the Joint Comprehensive Plan of Action (JCPOA) Iran has promised not to "seek, develop or acquire any nuclear weapons" in any circumstances.[55] Iran has the right under the nuclear deal to use nuclear energy for peaceful purposes, but at the same time it has agreed to limit its nuclear stockpile and production capabilities. The agreement which runs into 159 pages, and includes the do list for Iran for the next decade, was clinched after much debate between the parties. It was decided that once the essential part of the agreement is implemented by Iran and verified by IAEA, the key partners will gradually lift sanctions on the financial and oil sectors of Iran in accordance with their commitments in the agreement.[56]

[53] A. Stubb, Finnish Minister for Foreign Affairs, 'Dignified foreign policy', Lecture, London School of Economics and Political Science, 11 November 2010.

[54] Lee Feinstein and A.M. Slaughter, "A Duty to Prevent", *Foreign Affairs* 83, no.1 (January-February 2004).

[55] Steven Blocksmans, "The Nuclear Deal with Iran: Le Moment Supreme?" Commentary, Centre for European Policy Studies (16 July 2015), available at www.ceps.eu.

[56] Ibid.

The response of the EU member states and the European Parliament towards the deal has been positive. As the EU is one of the guarantors of the deal, there were indications that it would like to shift its relationship with Iran from containment to engagement, however, analysts warned that the EU should not be too hasty in making abrupt policy changes before the effective execution of the agreement and IAEA verification.[57] The EU should plan the renewal of its relationship with Iran in the commercial, energy and most importantly diplomatic realms only after making sure that the country is fulfilling all its promises under the historic deal. This would give a clear message to Iran, that the EU is serious about the restraints on the country's nuclear capabilities.

Conclusions

The WMD strategy was part of the broader European Security Strategy under the umbrella of the EU's Common Foreign and Security Policy. As discussed earlier, the WMD strategy and the ESS were formulated in the wake of 9/11 and the 2003 Iraq crisis.

Though the immediate motivation for the formulation of those documents were the above mentioned events, it was necessary for the EU in the long term to clearly identify the threats to European and international security and to prepare appropriate responses. This was essential not only for the enhancement of its own security, but also to establish its credibility as a global security actor.

Since the adoption of the WMD strategy the EU has assumed a more clear-cut role in preventing the spread of nuclear and other weapons of mass destruction. It has also made efforts to universalize the norm of nuclear non-proliferation by giving financial support to the international organizations set up to act as nuclear watchdogs and has also been using all the policies and instruments at its disposal under its external action programme for this purpose.[58]

A striking feature of the EU's WMD strategy is its framework based on effective multilateralism. Close cooperation with key partners and joint action is important as the EU alone can not cope with the challenge of

[57] Ibid.

[58] Council of the European Union, EU Strategy against Proliferation of Weapons of Mass Destruction.

countering the proliferation of nuclear and other WMD. By working in cooperation with key partners greater pressure can be put on governments having nuclear ambitions.

As the part of the strategy, the EU has been a major donor to the agencies and organizations that work for the non-proliferation agenda. However, instead of giving random financial support, the EU should devise methods for evaluating the impact of its funding on the performance of these organizations in combating proliferation. And most importantly, the EU should figure out whether financial assistance to these organizations has enhanced the Union's influence in proliferation related matters.[59]

Though designed as the first ever EU strategy in the domain of non-proliferation, the allocation of funds is not substantial as compared to that for other policy concerns of the EU. This has relegated the strategy to a secondary position. This show that on the priority list of the EU there are other areas such as combating terrorism and climate change. Thus the EU's WMD strategy has to compete for financial resources as well as diplomatic attention with other important challenges faced by the EU.

The WMD strategy has remained an intergovernmental matter, with little input from the EU's supranational institutions. Experts and representatives from the foreign ministries of member states have played the lead role in WMD related issues. The lack of involvement of the EU institutions has undermined the effectiveness of the strategy during all these years.[60]

The EU's reliance on IAEA and UN Security Council findings on important issues relating to proliferation has made the Union's decision making on these matters indecisive and slow. This has raised questions about the EU's credibility as a global security actor. This slow response in matters of critical importance has raised doubts regarding consensus among the member states on WMD related issues. This is turn has impacted on the effectiveness of the strategy.

Though the recent historic deal with Iran is considered a major policy success of the EU and its key partners, more needs to be done on part of the EU. This would restore confidence in the EU of not only its own

[59] Peter Van Ham, The European Union's WMD Strategy and the CSFP, 14.
[60] Ibid.

member states but also the international community with regard to the Union's diplomatic and conflict resolution capabilities.