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REPORT

on Non-Proliferation of Weapons of Mass Destruction: A Role for the
European Parliament
(2005/2139(INI))

Committee on Foreign Affairs

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on Non-Proliferation of Weapons of Mass Destruction: A Role for the European Parliament (2005/2139(INI))

The European Parliament,

- having regard to United Nations Security Council Resolution 1540 (2004), describing the proliferation of weapons of mass destruction (WMD) and their means of delivery as a threat to international peace and security;
- having regard to the European Security Strategy (ESS), which states that the proliferation of WMD is potentially the greatest threat to our security;
- having regard to the implementation of the ESS and in particular the European Union Strategy against the proliferation of WMD (the EU WMD Strategy) adopted by the European Council on 12 December 2003,
- having regard to the fact that all European Union Member States are States Parties to the major multilateral agreements that make up the non-proliferation regime, namely the 1968 Nuclear Non-Proliferation Treaty (NPT), the 1972 Biological and Toxin Weapons Convention (BTWC), the 1993 Chemical Weapons Convention (CWC) and the 1996 Comprehensive Test Ban Treaty (CTBT) and that two Member States, the UK and France, are nuclear-weapon states as defined in the NPT, and that US tactical weapons are stationed on the territories of many more Member States: Germany, Italy, the United Kingdom, Greece, the Netherlands and Belgium and states applying for EU membership, Turkey in particular;
- having regard to the Member States' commitment to pursue the universalisation of these multilateral agreements, in particular in Council Common Position 2003/805/CFSP of 17 November 2003¹,
- having regard to the report of the High-level Panel on Threats, Challenges and Change, set up by the UN Secretary-General, which states: 'We are approaching a point at which the erosion of the non-proliferation regime could become irreversible and result in a cascade of proliferation',
- having regard to the response by the UN Secretary-General in the report 'In larger freedom: towards development, security and human rights for all', underlining the importance of multilateral agreements in safeguarding international peace and security in the field of nuclear, biological and chemical weapons as well as recent efforts to supplement shortfalls such as in UN Security Council Resolution 1540 (2004),
- having regard to its resolutions expressing concern at the proliferation of WMD and associated materials and technologies, in particular its resolution on biological and toxin

¹ OJ L 302, 20.11.2003, p. 34.

weapons of 14 June 2001¹, its resolution on nuclear disarmament of 26 February 2004² and its resolution on the Nuclear Non-Proliferation Treaty 2005 Review Conference of 10 March 2005³,

- having regard to Rule 45 of its Rules of Procedure,
 - having regard to the Advisory Opinion of the International Court of Justice of 8 July 1996 on the legality of the threat or use of nuclear weapons,
 - having regard to the report of the Committee on Foreign Affairs on (A6-0297/2005),
- A. whereas nuclear non-proliferation issues have always been at the heart of the European Union since the establishment of the European Atomic Energy Community by the Treaty of Rome,
- B. whereas non-proliferation policies remained limited and are only now being seriously addressed within the ESS, and in particular by the Member States through the EU WMD Strategy and the Commission's work, under limited existing budget lines, in preparation of the 2007-2013 Financial Perspectives,
- C. whereas the EU Council achieved a Common Position (including some 41 separate measures) that was presented at the 2005 NPT Review Conference, but failed to persuade the other members of the NPT to pursue a like-minded common strategy as set out in the Common Position, notwithstanding that proliferation of WMD is to be considered as the most dangerous threat to global security;
- D. whereas this highlights the urgency with which the European Union must provide new leadership to safeguard its interests by reinvigorating the measures in the Common Position and the EU WMD Strategy in order to strengthen the non-proliferation regime,
- E. whereas the States Parties will meet in 2006 for the BTWC Review Conference to monitor progress towards implementation of the Treaty's provisions, and it is therefore essential to find ways of developing verification provisions for the BTWC and to reinforce the norms against biological weapons – including measures to criminalise the development and possession of biological weapons through national legislation,
- F. whereas the European Parliament remains concerned that the EU WMD Strategy is currently weakened by inadequate financing for the achievement of its objectives as specified in the list of priorities attached to the progress report of the Office of the Personal Representative for non-proliferation of WMD⁴ ("the OPR") and the expected outcomes of the studies run by the Commission under the Pilot Project 2004 entitled "Reinforcing EU Cooperative Threat Reduction programmes: Community Action in support of the European Union Strategy Against the Proliferation of Weapons of Mass Destruction",

¹ OJ C 53 E, 28.2.2002, p. 400.

² OJ C 98 E, 23.4.2004, p. 152.

³ Texts Adopted, P6_TA(2005)0075.

⁴ Council of the European Union, OPR, "Implementation of the WMD Strategy: 6 monthly progress report/List of priorities", 3 December 2004: <http://ue.eu.int/uedocs/cmsUpload/st15246.en04.doc>.

- G. whereas the EU WMD Strategy calls for an increase in the EU's contribution to cooperative threat reduction in the light of the Financial Perspectives beyond 2006 and envisages the creation of a specific Community budget line for non-proliferation and disarmament of WMD,

Risk of proliferation of WMD

1. Recognises that the multilateral agreements making up the non-proliferation regime have succeeded in slowing down the spread of WMD and delivery systems, and that these agreements deserve continued and full support in the future, but also supports the view expressed in the ESS that we are now entering a new and dangerous period that raises the possibility of a WMD arms race, especially in the Middle East, North-East Asia and South Asia;
2. Believes that the proliferation of nuclear weapons seriously increases the danger of nuclear war and, considering the catastrophic impact that such a war would have upon all mankind, calls on all nation states to make every effort to build an effective, efficient and equitable system that reduces and progressively eliminates nuclear threats;
3. Rejects the development of new-generation nuclear weapons (so-called mini-nukes or bunker-busting bombs) and changes in nuclear doctrines, since these are increasing the military utility of nuclear weapons, rather than reducing their prominence, thereby undermining positive developments such as the United States-Russia strategic nuclear weapons reductions; once again calls on the US administration to permanently stop such developments;
4. Calls for immediate action to prevent the further proliferation of ballistic missiles with extended range and greater accuracy, through the development and extension of the membership of arms control mechanisms such as the Missile Technology Control Regime (MTCR) and the Hague Code of Conduct;
5. Stresses that, at this moment of heightened awareness of terrorism and homeland security threats, the security of civilian nuclear, biological and chemical materials, plants and research laboratories, both globally as well as in and around Europe, is ever more important;
6. Strongly believes that nuclear disarmament activity will contribute significantly to international security and reduce the risk of thefts of plutonium by terrorists;
7. Stresses the importance of limiting the risk that sensitive WMD-related materials, equipment and/or technologies fall into the wrong hands, by developing and enforcing effective export and transit controls, and reinforcing border security management;
8. Underlines that rapid technological development in the biological sciences as well as lack of destruction and bad storage raise particular concerns about biological weapons in the near future;

European Union WMD policy

9. Calls upon the European Union and its Member States to make best use of existing verification regimes and, where necessary, to propose new verification instruments;
10. Calls on the EU and its Member States to continue to provide full support to the International Atomic Energy Agency (IAEA) in its efforts to strengthen the nuclear non-proliferation regime, namely by gradually turning the Additional Protocol to the comprehensive safeguards into the new verification standard;
11. Urges the European Union to remain active in tackling the risk of proliferation of Cold War stockpiles of chemical and nuclear weapons and materials of mass destruction as well as Cold War biological materials and research facilities;
12. Calls upon the European Union and its Member States to take up the work done under the aegis of the IAEA looking into fuel assurance initiatives by developing a draft concept that could be promoted as the basis for a new international consensus on access to nuclear fuel;
13. Is of the view that the European Union should play a more active role in non-proliferation and disarmament policies, in particular in the framework of the fight against terrorism;
14. Calls upon the EU to develop the necessary coordination mechanisms (the EU's WMD Monitoring Unit in liaison with the EU Situation Centre) to ensure that intelligence is used to build solidarity and confidence between the Member States on WMD policy;
15. Remains convinced that the European Union should, in implementing the EU WMD Strategy, attach importance to concrete disarmament initiatives and above all to non-proliferation actions, in order to persuade those outside the European Union to engage in a common strategy for mutual security;
16. Acknowledges the work done to fulfil the EU WMD Strategy in the first year and a half of its existence, and in particular that accomplished by the Personal Representative and the Commission, and stresses that the priorities for the European Union should be:
 - a) continuation of political commitment at the international level to promote implementation of the EU WMD Strategy;
 - (b) greater emphasis on disarmament initiatives as well as non-proliferation issues;
 - (c) strengthening of the multilateral treaties making up the non-proliferation regimes;
 - d) emphasis on non-proliferation and risks associated with the use of WMD by terrorists;
 - e) provision of the financial resources needed to implement the EU WMD Strategy;
17. Calls on the Commission and the Council to prepare the programming of the 2007-2013 Financial Perspectives by setting out a list of priority actions and associated costs for fulfilment of the commitments entered into in the framework of the G8 Global Partnership against the spread of WMD, and for the extension of its actions beyond the CIS in order to meet global needs;

18. Calls on the European Union and its Member States to play a more active role in the promotion of democracy and the resolution of frozen conflicts worldwide, since this activity forms an integral part of a successful non-proliferation policy and might substantially contribute to addressing the root causes of the WMD arms race;
19. Invites the EU High Representative for the Common Foreign and Security Policy to provide substance on the question how to integrate the 1996 Advisory Opinion of the International Court of Justice on the 'Legality of the Threat or Use of Nuclear Weapons' in the EU's WMD Strategy;

EU practice of establishing clauses on non-proliferation of WMD

20. Welcomes the inclusion of clauses concerning non-proliferation of WMD in the latest European Union agreements with third countries and action plans; points out, however, that such measures must be strictly implemented by all the Union's partners without exception; therefore calls for a speedy revision of existing agreements and action plans that lack such a clause;
21. Calls upon all states which have a cooperation agreement with the EU, and nuclear-weapon states in particular, not to provide other states, especially states that are not parties to the NPT, with any assistance or encouragement in the acquisition of nuclear weapons or other nuclear devices which they may seek;
22. Recommends to this end that a toolbox of elements be prepared in close collaboration by the Council, the Commission and the Parliament to support any Third State that requests assistance in this area;
23. Calls on the Council and the Commission to provide plans for technical assistance to any Third State seeking the Union's support in developing its national export control system in order to comply with the clause or their reporting requirements under United Nations Security Council Resolution 1540 (2004);
24. Asks the Council and the Commission to provide an estimate of the costs involved in supporting Third States with the development of WMD non-proliferation legislation and the setting-up of export control systems;
25. Requests the Council and the Commission to report on those activities carried out in supporting Third States with the development of WMD non-proliferation legislation and the setting-up of export control systems;

Rejection of WMD deployment in outer space

26. Recalls the provisions of Article IV of the 1967 Outer Space Treaty, whereby States Parties undertake not to place in orbit around the Earth or other celestial bodies any nuclear weapons or objects carrying WMD, not to install WMD on celestial bodies, not to station WMD in outer space in any other manner, and not to establish military bases or installations, test any type of weapons or conduct military exercises on the Moon or other celestial bodies;

27. Calls upon the European Union and the Member States to explore the possibility of negotiating additional outer space agreements, in order to ensure the peaceful exploration and use of space and to prevent any arms race in outer space;

Responses to infringements of the UN system

28. Calls on the EU Presidency and the Council to provide further substance on ways of achieving the objective in the EU WMD Strategy to 'foster the role of the UN Security Council, and enhance expertise in meeting the challenge of proliferation';
29. Calls upon the European Union and its Member States, to that end, to provide the necessary resources to set up a UN technical assistance unit on verification and compliance;
30. Calls on the European Union to provide technical assistance to those nation states seeking support in fulfilling their reporting requirements under United Nations Security Council Resolution 1540 (2004);
31. Calls for the further development of activities under Resolution 1540 (2004) to include assessment teams with the task of examining the veracity of submitted reports and determining the extent to which members of the United Nations are implementing their commitments under that resolution;
32. Calls for the development of principles for a targeted and appropriate sanctions regime, to be applied against those that fail to fulfil their non-proliferation obligations under UN Security Council Resolution 1540 (2004);
33. Calls for the necessary resources to enable the European Union to contribute significantly to any future UN-sanctioned inspection regime.

Legitimate use of force in the framework of effective multilateralism

34. Takes note that the credible threat of the use of force has played an important role in facilitating the disarmament work of UNSCOM and UNMOVIC; considers that this principle is also of importance in future initiatives to facilitate disarmament work;
35. Considers it essential that no military strategy becomes detached from the disarmament strategy in any given crisis, in order to avoid any premature expulsion of international verification teams, which remain one of the most important verification instruments;
36. Considers it essential, in the interests of effective multilateralism, that all timely diplomatic and political channels be used before any recourse is had to legitimate military force in accordance with the UN Charter;
37. Underlines that nuclear weapons are for deterrence purposes; supports the political commitments made by the Nuclear-Weapons States not to use nuclear weapons against Non-Nuclear-Weapons States ("Negative Security Assurances"), and reiterates that there would be no winners in a nuclear war;

38. Stresses the importance of the adoption of measures aimed at discouraging States from withdrawal from the NPT; supports the efforts by some EU Member States which are NPT signatories to examine Article X on withdrawal from the Treaty and to facilitate referral to the UN Security Council in the event of withdrawal;
39. Calls on the Nuclear-Weapons States under the NPT - with particular emphasis on NATO members UK, France and USA, strengthening their moral authority and credibility - to pursue timely, progressive and significant steps towards the elimination of their nuclear arsenals in accordance with the undertakings contained in legally binding treaties and agreements;
40. Calls once again on Israel, India and Pakistan to become States Parties to the NPT;
41. Emphasises the need for stronger regional and multilateral security arrangements in the Middle East, the Indian subcontinent and North-East Asia in order to reduce the pressure towards nuclear proliferation and to achieve the abandonment of related programmes;
42. Calls on the European Union to work with its international partners to develop and promote a WMD-free zone in the Middle East; to that end, supports the related work being undertaken within the Barcelona Process;
43. Recommends that the European Union should attach the utmost importance to effective implementation of the nuclear non-proliferation regime in the Mediterranean, since security in Europe is inherently linked to security in that region;
44. Reminds any future Member State of its obligation to strictly abide by its international commitments, which prohibit the acquisition and development of weapons and materials of mass destruction, and the transmission of such weapons, materials or technologies to any third state or non-state actor;
45. Calls on the Council and the Commission to continue talks with Iran on that country's nuclear programme, keeping in mind the legitimate economic and regional security interests of both sides and respecting the principles derived from international law and multilateralism;
46. Welcomes the fact that the positions of the European Union and the United States on Iran have moved significantly closer and give priority to diplomacy;
47. Calls on the Iranian government - in order to re-establish international trust - to provide objective and verifiable guarantees as to the peaceful nature of each nuclear programme, and to strictly respect the provisions of the Paris Agreement and the relevant resolutions of the IAEA Board of Governors;
48. Calls on the Iranian Parliament to urgently conclude the parliamentary ratification and effective entry into force of the Additional Protocol to its Comprehensive Safeguards Agreement with the IAEA;
49. Expresses extremely deep concern that on 10 February 2005 North Korea declared its possession of nuclear weapons; welcomes the recent breakthrough in the six-party talks and specifically North Korea's commitment to abandoning nuclear weapons and rejoining

the NPT; supports the statement of 19 September 2005 by the Director-General of the IAEA, Dr ElBaradei, on the return of IAEA inspectors to North Korea; reiterates the importance of the European Union having a seat in the on-going negotiating process and playing a meaningful role in the implementation of the recent agreement;

50. Therefore urges North Korea to rejoin the NPT, to revoke its decision to withdraw from the six-party talks and to allow the resumption of negotiations in order to find a peaceful solution to the current crisis;
51. Similarly urges both North Korea and the United States to seek a speedy resolution of the current crisis, the first step being a United States offer to recommence heavy fuel oil supplies in exchange for the verified freezing of the Yongbyon plant;
52. Reminds the Council that the Korean Peninsula Energy Development Organization initiative has played a significant role in the recent past and could well serve a useful purpose as regards future conventional energy supplies;

Results and development of 2005 NPT Review Conference

53. Reiterates that the NPT remains the cornerstone of the multilateral non-proliferation regime, that it should be preserved in its integrity and that non-compliance with its provisions should be pursued through the UN Security Council;
54. Expresses disappointment and deep concern over the failure to reach by consensus useful recommendations to be addressed to the next NPT Review Conference and regrets that the European Union did not take up the initiative of the Mayor of Hiroshima for a nuclear-free world by 2020;
55. Expresses disappointment over both the outcome of, and the role played by the Member States at, the 2005 NPT Review Conference; calls however on the Member States, the Council and the Commission to pursue in good faith the 41 measures contained in the Common Position;
56. Calls in particular on France and the United Kingdom to reinvigorate their pursuit of the 13 disarmament steps and to engage with the United States, Russia and China, who also committed themselves to the process at the end of the 2000 NPT Review Conference;
57. Calls on the Council and the Member States to effectively implement the provisions of the Final Document of the 2000 NPT Review Conference aimed at the conclusion of a treaty effectively banning the production of all weapons making use of fissile materials; stresses that, in the absence of a final document at the 2005 Review Conference, these provisions remain in force as a political and legal obligation binding on NPT States Parties;
58. In so doing, reiterates its support for the conclusion of a non-discriminatory, multilateral and internationally and effectively verifiable fissile material cut-off treaty;
59. Calls equally upon all states that have not already done so to now sign and ratify the CTBT; underlines that under no circumstances should any state start or resume explosive nuclear testing; reiterates its conviction that everything possible must be done by the EU

and by NATO to persuade the US administration to give up its resistance on this issue;

60. Calls on the Council and the Commission to submit additional proposals aimed at convincing those Third States that have not already done so to now sign and ratify the IAEA Additional Protocols;

Joint action in the framework of US-EU transatlantic relations

61. Urges the European Union and the United States to continue their positive dialogue in the fields of non-proliferation and the fight against terrorism, in accordance with the European Union-United States Declarations on combating terrorism and on the non-proliferation of WMDs adopted at the EU-US Summit on 26 June 2004 and reaffirmed on 20 June 2005;
62. Reaffirms the importance of stronger cooperation with the United States in order to strengthen the international system of treaties and regimes against the spread of WMDs, to ensure strict implementation and compliance, to support non-routine inspections and to recognise that other measures in accordance with international law may be needed to combat proliferation;
63. Stresses the urgency of signature and ratification of the CTBT without delay, unconditionally and in accordance with the institutional processes of that treaty, so as to ensure its entry into force at the earliest possible moment;
64. Calls on the Council and the Commission to insist on the urgency of such signature and ratification in dialogue with the United States, and all other partner states, that have not yet ratified the CTBT and/or the NPT;
65. Calls on the United States to clarify the situation as regards the quantity and strategic objectives of its tactical nuclear arsenals stationed on European bases;

Non-state actors

66. Calls on the European Union to work with its international partners, the UN, the IAEA, OSCE and NATO, to develop and promote mechanisms to prevent terrorist organisations, or countries harbouring terrorists, from gaining access to weapons and materials of mass destruction;
67. Considers that every effort should be made to prevent any state or non-state actor from acquiring, developing or profiting from the development, diversion or use of weapons and materials of mass destruction;
68. Is of the view that the Proliferation Security Initiative is an important instrument to tackle the proliferation of WMD and should complement UN Security Council Resolution 1540 (2004) and the existing non-proliferation regimes;
69. Underlines the importance of programmes for, inter alia, the security and disposition of weapons-related materials, physical protection of facilities and laboratories, detection and deterrence of illicit trafficking in WMD materials, strengthening of export controls and

redeployment of former weapons scientists as defined under the G8 Global Partnership;

70. Encourages the establishment of joint international nuclear research and industrial projects as confidence-building steps;
71. Supports further financial commitment in the framework of the Financial Perspectives 2007-2013 to the G8 Global Partnership against the spread of WMD and related materials; this should support, inter alia, further effective and definitive disarmament measures by contributing to the chemical weapons destruction and multilateral plutonium disposition efforts in Russia; calls upon Russia to make a greater financial contribution to both programmes;
72. Calls on the Commission and the Council to present an annual progress report on the realisation of the commitment made in Kananaskis in 2002 on behalf of the EU to the G8 Global Partnership;
73. Points out that history has demonstrated that far too many states, including EU Member States, have irresponsibly exported materials and technology from which nuclear weapons can be fabricated and that this has greatly contributed to current problems of uncontrolled proliferation; underlines therefore that national and multilateral control systems should operate hand in hand to prevent any undesirable proliferation of WMD;

Export control of nuclear materials

74. Emphasises that the European Union should be a leading cooperative player in the export control regimes, as underlined by the EU WMD Strategy, in particular by improving the efficiency of export controls inside the EU, under the "Dual-Use" Regulation¹ and by setting up an assistance programme to those states which need technical knowledge in the field of export control;
75. Calls for more pro-active EU and national approaches to the control of exports of dual-use items in order to avoid the risk of possible access to sensitive items by terrorists and other undesirable end-users in third countries;
76. Welcomes the development by the Commission, as the first of a series of actions supporting the possible setting-up of a longer-term EU export control cooperation initiative, of the TACIS project in Russia, the Pilot Project 2004 in the Balkans, and the Pilot Project 2005 in four additional countries or regions;
77. Calls on the Council to provide a report on the political dialogue with partners on export controls and calls on the Commission to report on the progress of well-monitored implementing of the Dual Use Export Control projects; also calls for an analysis, with cost estimates, in the framework of the Financial Perspective 2007-2013, by both the Council and the Commission on how such projects could be expanded to other regions and countries;

¹ Council Regulation (EC) No 1334/2000 setting up a Community regime for the control of exports of dual-use items and technology (OJ L 159, 30.6.2000, p. 1). Regulation as last amended by Regulation (EC) No 1504/2004 (OJ L 281, 31.8.2004, p. 1).

Chemical and biological weapons

78. Calls for proper implementation of the CWC and adequate funding for the Organisation for the Prohibition of Chemical Weapons (OPCW); is of the view that challenge inspections should be conducted on those suspected of violating the terms of the treaty;
79. Urges the Member States, the Council and the Commission to elaborate a clear and persuasive European Union position at the BTWC meeting of States Parties on 5 to 9 December 2005 in order that a comprehensive Common Position may be presented at the 2006 BTWC Review Conference;
80. Calls on the European Union to provide for technical assistance for developing countries with regard to disease surveillance (in accordance with Article X of the BTWC);
81. Urges the Member States concerned to withdraw their reservation to the 1925 Geneva Protocol, since a policy of retaliation in kind with chemical and/or biological weapons runs counter to the BTWC obligations;
82. Within the framework of the forthcoming Financial Perspectives, calls on the Commission to evaluate the feasibility of cooperative assistance programmes with third states to strengthen the security of biological materials, laboratories and facilities;

A role for the European Parliament

83. Recalls the positive contribution that can be made by the European Parliament in addressing common security concerns on non-proliferation and disarmament in its capacity as a budgetary authority, as already shown in its support for nuclear safety and nuclear security programmes under TACIS;
84. Reiterates its call for a moratorium - with a view to the introduction of a total ban - on the use of so-called "depleted uranium munitions";
85. Recalls equally the positive contribution that the European Parliament has continued to make in the case of the second Pilot Project (2005), whereby EUR 1.5 million has been allocated for use by the Commission to launch an EU Export Control Cooperation Initiative; recalls its decision to continue supporting such actions with the financing in 2006 of a third Preparatory Action enabling the Commission to further prepare the ground for future Community-funded programmes under the new Financial Perspectives 2007-2013;
86. Recalls the role that Parliament plays in its codecision legislative capacity and as a budgetary authority in issues such as the proposed Stability Instrument, which should include export controls and border security, support for chemical weapons destruction and weapons-grade fissile material elimination, radioactive and nuclear material management and control, bio-security, conversion of former weapons expertise, etc., in coordination with a Nuclear Safety Instrument, export controls, etc.;
87. Further recalls its involvement via assent in the Union's most important international

agreements with third countries, and in particular those agreements which include a non-proliferation clause; recalls in that connection the support required from Parliament for all those initiatives designed to counter proliferation in certain countries by offering cooperation in return, and for any other kind of international agreement or partnership;

88. Asks therefore that the European Parliament be fully associated with all initiatives aimed at implementing the EU WMD Strategy;
89. Recommends that an official Parliament delegation attend the next NPT Review Conference as well as the BTWC Review Conference;
90. Calls on the Member States and the Council to include Members of the European Parliament in the Union's delegation at any future peer review on export controls; also calls on the Council and the Commission to keep Parliament regularly informed about the EU's role at the Australia Group, the MTCR, the Wassenaar Arrangement and the Nuclear Suppliers Group (NSG);
91. Proposes to adopt annually a report on the status of non-proliferation activities of the European Union containing relevant policy recommendations;

Financial aspects of the European Union Strategy against the proliferation of WMD

92. Calls on the Member States to assign adequate financial resources to implement the priorities listed in the progress report by the OPR;
93. Calls on the Commission to set out in a transparent and clear manner the resources it has already committed for both "nuclear safety" and "WMD non-proliferation";
94. Calls on the Commission to present in a transparent and clear manner the resources needed for the necessary Community contribution to the EU WMD Strategy during 2006 and under the new Financial Perspectives 2007-2013, making a clear distinction between "nuclear safety" and "WMD non-proliferation" headings;
95. To that end, calls on the Commission to set out a list of priorities and estimated costs for the actions necessary to meet its commitment in the framework of the G8 Global Partnership, and for extending its action beyond the CIS to meet global needs;
96. Calls on the Council, the Commission and the Member States to support specific projects conducted by multilateral institutions, such as the IAEA and the OPCW, and to provide financing where appropriate;
97. Calls in particular on the Member States to provide finance regarding the list of priorities of the OPR for export controls and technical assistance programmes;
98. Is of the view that conflict prevention and crisis management should not be financed at the expense of the WMD prevention budget, and that the high-level ambitions expressed in the WMD Strategy and supported by all the European institutions and Member States require an adequate level of financing; recalls in this connection the increasing difficulties in funding recent initiatives (specifically the renewal of the Joint Action with the OPCW

and a new Joint Action in support of the BTWC) from the CFSP budget or Community instruments;

99. In the framework of the discussions on the Financial Perspectives 2007-2013, proposes therefore a review of the existing Interinstitutional Agreement of 6 May 1999 and the establishment of a specific budget line within the Union's budget to finance all activities regarding WMD issues, irrespective of whether they fall within the Community or CFSP framework, whilst respecting their respective decision-making processes as well as the competences of the Council, the Commission and the Personal Representative;
100. Instructs its President to forward this resolution to the Presidency-in-office of the Council, the Council, the Commission, the governments and parliaments of the Member States, the UN Secretary-General, the governments and parliaments of the United States, Russia, China, Israel, India, Pakistan, Iran and North Korea, and all other States Parties to the NPT and members of the IAEA.

EXPLANATORY STATEMENT

Origins and rationale for this report:

The rise of EU WMD policy: In December 2003 the EU adopted a ‘Strategy Against the Proliferation of WMD’. The driving force behind the strategy was the need to demonstrate that the EU was serious about constructing a genuinely multilateral approach to tackling the problem of WMD proliferation. The WMD strategy is probably now the most developed policy agenda item of the overall implementation of the European Security Strategy (ESS). From now on, the EU WMD Strategy constitutes the basis for the Union's strategic dialogue with third countries or international organisations.

International Crises and a new EU approach: The EU's profile on WMD has recently increased through the EU-3's (Britain, France and Germany) diplomatic effort to resolve questions surrounding Iran's nuclear programme. Since the Paris Agreement in November 2004, these countries have been joined in the official negotiations by the EU Presidency, the Personal Representative, Annalisa Giannella (the person responsible for overseeing the WMD Strategy's implementation and development, and who represents the High Representative for CFSP Mr Solana) and the European Commission (leading on economic and trade aspects). This approach is also associated with the introduction of a new non-proliferation clause in all mixed agreements with third parties.

The role of the European Commission: The European Commission is also fully involved and associated with the WMD Strategy. It has been the primary focal point for the EU's contribution in the G8 Global Partnership against the spread of weapons and materials of mass destruction, which is focussed upon securing, dismantling and destroying nuclear and chemical weapons-related materials and facilities, and on the reconversion of the expertise formerly involved in the weapons programmes in the former Soviet Union. The EU, represented by the Commission, has committed to allocating one billion euros over 10 years to the Global Partnership programme (in addition to the four billion euros committed by individual member states). Most of the Commission's contribution has been focussed under the TACIS and Nordic Dimension Environmental Programme (TACIS budget). The Commission has also been charged to implement the Joint Action with Russia (CFSP budget) which is therefore part of the overall endeavour.

The Commission is also actively supporting the implementation of the WMD Strategy in other areas – particularly to secure future financing. On 29 September 2004, the Commission adopted a Communication on Instruments for External Assistance under the Future Financial Perspectives 2007-2013. The Commission has proposed a new Instrument for Stability, aimed at tackling crises and instability in third countries, including trans-border challenges (nuclear safety, non-proliferation, organised crime and terrorism). In parallel, it has also commissioned a scoping study looking at how to strengthen EU cooperative threat reduction activities through programming community actions. This is financed by a Pilot Project (proposed by the European Parliament and the Council) and is carried out by the Stockholm International Peace Research Institute (SIPRI).

The scoping study will provide the supporting material to help the Commission in reaching a decision on, and the programming of, a specific Community contribution to support external

EU cooperative threat reduction activities, as mentioned in the EU WMD Strategy. The target of the research findings, therefore, is to underpin future Community actions in terms of structure, content and size for cooperative threat reduction for the budget cycle 2007–2013. Against a backdrop of EU threat perception, the main activities will:

- review existing cooperative threat reduction programmes;
- evaluate areas of cooperation for a possible future large Community contribution;
- determine the financial requirements and propose detailed ideas for projects;
- organise and convene meetings and workshops to present and discuss the findings and proposals with officials and others;
- take responsibility for the organization, jointly with the European Parliament, of the conference on 7 and 8 December 2005 where the project results will be presented to the European Parliament and Member States. The timing of this event will therefore constitute an excellent contribution to the debate on the financial procedure.

The role of the European Parliament: The European Parliament's primary role in shaping the policy process in this area is as a budgetary authority in relation to the CFSP budget and Commission programmes (such as TACIS presently and the new Financial Instruments in the future). In light of the EU's commitment to **one billion euros** under the G8 Global Partnership, led by the European Commission with **Community and CFSP funds**, this is a significant role and an area in need of proper Parliamentary scrutiny.

In 2004, in response to this growing responsibility in the area of security policy, the European Parliament created a new Subcommittee on Security and Defence (SEDE) within its AFET. This Subcommittee, which met Annalisa Giannella on 17 March 2005, will produce a report on the WMD Strategy by autumn 2005.

This Report will coincide with the above-mentioned Inter-Parliamentary Conference, involving the European Parliament and Member State Parliaments, co-organised with the European Commission and with the involvement of the UK Presidency of the EU on the EU's role in preventing WMD proliferation.

The EU WMD Strategy

Annalisa Giannella, along with the Commission, has produced two progress reports on the Strategy's implementation so far, and has compiled a list of priorities for member states to follow up under the operational Chapter III of the Strategy¹.

According to the Strategy the European approach emphasises:

- understanding regional security trends;
- assessing specific security dynamics around any particular proliferation concern;
- developing a dialogue with states under suspicion;
- the application of all EU instruments and resources in tackling the problem.

This approach is evident in relation to the EU-3 efforts to halt Iran's nuclear enrichment

¹ Latest Progress report and list of priorities can be found at :
<http://ue.eu.int/uedocs/cmsUpload/st15246.en04.doc>

programme¹. However, it is becoming increasingly clear that the US also has to be involved in the process if the outcome is to prove successful over the medium- to long-term².

While the WMD Strategy continues to receive strong political support from the member states, the Office of the Personal Representative (OPR) in the Council and the Commission are following-up with specific, practical actions. These include:

Linking EU assistance with improved export controls

The OPR and the Commission Services are compiling a prioritised list of third countries that could benefit from EU assistance in relation to export controls. A 'Non-proliferation clause', to be included in agreements with third countries, was drawn up and has been included in agreements with Syria, Tajikistan, Albania, the African Caribbean and Pacific states (in the revised Cotonou Agreement) and there are ongoing discussions to include the clause in agreements with Gulf Cooperation Council and Mercosur³. The clause mentioned explicitly the importance of effective export controls and opens the door for cooperation in that field. This is also in line with the UNSCR 1540.

Criminalising proliferation within the EU

The EU is also working towards the criminalisation of activities that contribute to proliferation (a declaration has been adopted by the European Council)⁴.

Interdiction of criminal proliferation activities

Several Member States hosted exercises in the context of the Proliferation Security Initiative (PSI). The Commission is invited to participate when appropriate.

Enhancing the UN's verification role

On 28 April 2004, Member States on the UNSC co-sponsored Resolution 1540 on WMD non-proliferation, and contributed actively to its adoption by consensus⁵. The Commission drafted the Common EU report, which was transmitted by the EU Presidency to the 1540 Committee in October⁶. A month earlier the Working Group on Disarmament (CODUN) had an initial exchange of views on an international inspection and verification capability to be established within the UN (in line with the Strategy's commitment to retain and utilize UNMOVIC's unique skills)⁷.

Supporting the International Organisations IAEA and OPCW

A first Joint Action has been adopted in support of the nuclear security action plan of the IAEA that is designed to counter the threat of nuclear terrorism. An initial amount of

¹ This policy represents the most high profile and significant manifestation of the EU's new WMD Strategy. The E-3 of UK, France and Germany went to Tehran and brokered an initial deal on Iranian signature of an Addition Protocol to the IAEA safeguards on enrichment in October 2003. During 2004 the issue of Iranian cessation of enrichment activities continued to receive significant attention at the Board of Governors meetings of the IAEA and the E-3 continue their negotiations with Iran.

² This week, 7 March, an EU delegation led by the PR went to Washington to discuss the approach to Iran.

³ See: <http://ue.eu.int/uedocs/cmsUpload/st14997.en03.pdf>

⁴ See: <http://ue.eu.int/uedocs/cmsUpload/st10774.en04.pdf>

⁵ See: [http://disarmament2.un.org/Committee1540/Res1540\(E\).pdf](http://disarmament2.un.org/Committee1540/Res1540(E).pdf)

⁶ See: <http://daccessdds.un.org/doc/UNDOC/GEN/N04/611/48/PDF/N0461148.pdf?OpenElement>

⁷ See: The WMD Strategy, op cit.

€3.3 million was made available to the IAEA during 2004¹. By the end of 2004, following contacts between the Personal Representative on WMD and the Organisation for the Prohibition of Chemical Weapons (OPCW), a Joint Action was agreed on support for OPCW activities.

Strengthening the prohibition of chemical and biological weapons

The EU is working in CODUN in order to reach a common position on challenge inspections under the Chemical Weapons Convention. The Personal Representative will also put forward suggestions on how to promote universalisation and implementation of the Biological and Toxin Weapons Convention.

Linking supply to the NPT

While there is consensus for making the NPT Additional Protocol a Condition of Supply, there is as yet no agreement within the Nuclear Suppliers' Group on the scope of those nuclear items that should be covered.

The WMD Strategy: Resources?

A UK Parliamentary Committee recently published a report² that, whilst being very supportive of the WMD Strategy, expressed concern over the funding of its implementation. The Minister for Europe, Denis MacShane, said that out of the CFSP budget of €62 million for 2005 he would expect about 10 per cent to be spent on the WMD Strategy and that Annalisa Giannella was working on that basis. He also said that another €40 million was being spent on cooperative threat reduction from Community budgets (TACIS), which are implemented by the Commission.

MacShane also stated that the UK Presidency would make the WMD Strategy a priority and noted that in co-sponsoring the Commission Pilot Project he expected the groundwork to be in place to secure adequate EU financial resources in the next Financial Perspectives (the EU budget for 2007-2013)³. Similarly, on 8 March in a European Parliament debate, Louis Michel (on behalf of the Commissioner for External Relations) Development and Humanitarian Aid Commissioner stressed that the Commission was committed to supporting the Strategy's implementation and had included specific reference to WMD non-proliferation and disarmament under the External Relations Stability Instrument. He hoped the budgetary authorities would support this proposal⁴.

The issue of resources and the NPT were considered by the European Parliament and its new

¹ Council Joint Action 2004/495/CFSP of 17 May 2004, on support for IAEA activities under its Nuclear Security Programme. http://europa.eu.int/eur-lex/pri/en/oj/dat/2004/1_182/1_18220040519en00460050.pdf

² See : <http://www.publications.parliament.uk/pa/ld200405/ldselect/ldcom/96/96.pdf>

³ See : <http://www.publications.parliament.uk/pa/ld/lduncorr/euc0902.pdf> Please note this is uncorrected evidence and "Any public use of, or reference to, the contents should make clear that neither witnesses nor Members have had the opportunity to correct the record. The transcript is not yet an approved formal record of these proceedings."

⁴ Louis Michel (on behalf of Commissioner Benita Ferrero-Waldner) Commissioner for Development and Humanitarian Aid « The Non-proliferation Treaty must be preserved by all means », European Parliament Plenary Session, Strasbourg, 8 March 2005.

Subcommittee on Security and Defence at a hearing on 17 March 2005¹. The parliamentarians urged the Member States to work hard on the EU's position at the NPT Review Conference in May 2005.

The WMD Strategy: What role for the NPT and Disarmament?

Strengthening the Non-Proliferation Treaty (NPT) regime is part of the EU's commitment to: 'effective multilateralism' under the ESS; the pursuit of the treaty's universalisation; and to the IAEA Safeguard agreements and protocols².

On 20 April 2005 the Political and Security Committee endorsed a new EU Common Position for the NPT Review Conference, which commits the EU and its member states to strengthen the non-proliferation regime by promoting a successful outcome to the Conference³. The Common Position contains 43 distinct measures to achieve this goal and mandates the EU Presidency to undertake demarches in order to convince others of the EU approach.

The last NPT Review Conference in 2000 was a success largely because it was possible to adopt a Final Document by consensus. This Document provided a review of the NPT's operation over the previous five years and set out a number of steps that should be taken to promote nuclear non-proliferation and disarmament, perhaps the most significant of which was a joint pledge from the five nuclear weapon states to an 'unequivocal undertaking to accomplish the total elimination of their nuclear arsenals'. The lack of progress made in this respect presents a serious challenge.

The final Preparatory Committee meeting before the Review Conference largely failed to produce recommendations and finalise arrangements for that Conference, such as the rules of procedure, documentation and agenda. The decisions it did manage to take are mired in confusion⁴.

Clearly the EU needs to prevent future NPT Conferences from failing. It needs to make the case for universal adherence, compliance and enhanced verification mechanisms, backed by the full authority of the UN and ultimately by sanctions. It will also be important for the EU to continue to give substance to the wider range of policy instruments at its disposal (including trade, energy assistance, security assurances). Tentative lessons learned from the EU's engagement with Iran might help here.

¹ Entitled: Non-proliferation of weapons of mass destruction: a role for the European Parliament.

² EU WMD Strategy, chap. 2, para. 16.

³ Council Common Position relating to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Council of the European Union, Brussels [April 25, 2005]

⁴ Rebecca Johnson, 'Report on the 2004 NPT PrepCom', *Disarmament Diplomacy*, No.77, May/June 2004.

PROCEDURE

Title	Non-proliferation of Weapons of Mass Destruction: A role for the European Parliament			
Procedure number	2005/2139(INI)			
Basis in Rules of Procedure	Rule 45			
Committee responsible Date authorisation announced in plenary	AFET 8.9.2005			
Committee(s) asked for opinion(s) Date announced in plenary				
Not delivering opinion(s) Date of decision				
Enhanced cooperation Date announced in plenary				
Motion(s) for resolution(s) included in report				
Rapporteur(s) Date appointed	Girts Valdis Kristovskis 1.2.2005			
Previous rapporteur(s)				
Discussed in committee	26.5.2005	11.7.2005	3.10.2005 (SEDE)	4.10.2005 (AFET)
Date adopted	4.10.2005			
Result of final vote	for: 30 against: 5 abstentions: 17			
Members present for the final vote	Angelika Beer, Panagiotis Beglitis, Monika Beňová, Elmar Brok, Simon Coveney, Marek Aleksander Czarnecki, Camiel Eurlings, Anna Elzbieta Fotyga, Jas Gawronski, Ana Maria Gomes, Alfred Gomolka, Klaus Hänsch, Richard Howitt, Jana Hybášková, Toomas Hendrik Ilves, Anna Ibrisagic, Jelko Kacin, Helmut Kuhne, Joost Lagendijk, Vytautas Landsbergis, Francisco José Millán Mon, Pasqualina Napolitano, Annemie Neyts-Uyttebroeck, João de Deus Pinheiro, Justas Vincas Paleckis, Mirosław Mariusz Piotrowski, Paweł Bartłomiej Piskorski, Tobias Pflüger, Raül Romeva i Rueda, Libor Rouček, José Ignacio Salafranca Sánchez-Neyra, Gitte Seeberg, Marek Maciej Siwiec, István Szent-Iványi, Antonio Tajani, Inese Vaidere, Ari Vatanen, Paavo Väyrynen, Jan Marinus Wiersma, Karl von Wogau, Francis Wurtz, Luis Yañez-Barnuevo García, Josef Zieleniec			
Substitutes present for the final vote	Árpád Duka-Zólyomi, Carlo Fatuzzo, Jaromír Kohlíček, Erik Meijer, Janusz Onyszkiewicz, Aloyzas Sakalas, Jean Spautz, Csaba Sándor Tabajdi, Tatjana Ždanoka			
Substitutes under Rule 178(2) present for the final vote				
Date tabled – A6	12.10.2005		A6-0297/2005	