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NOTE

from : Secretariat

to : Delegations

Subject: Basic Principles for an EU Strategy against Proliferation of Weapons of Mass
Destruction

Delegations will find attached a document entitled "Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction" as resulting from the meeting of the Political and Security Committee on 10 June 2003.

Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction

On 14 April 2003 the Council instructed the Secretary General/High Representative, in association with the Commission, and the Political and Security Committee, to pursue work on proliferation of weapons of mass destruction with a view to making proposals for submission to the European Council. Member States have contributed a number of specific proposals.

Drawing on these, as well as on the targeted initiative to respond effectively to the international threat of terrorism, adopted by the Council on 15 April 2002, the Council Secretariat and the Commission have drawn up a set of basic principles defining the broad lines for an EU strategy against proliferation of WMD. In addition to these basic principles an Action Plan has also been elaborated. It contains a series of short and medium term specific measures for action in the months to come.

Basic Principles

1. The proliferation of all weapons of mass destruction (i.e. biological, chemical and nuclear weapons) and means of delivery such as ballistic missiles constitutes a threat to international peace and security. These weapons are different from other weapons not only because of their capacity to cause death on a large scale but also because they could destabilise the international system.
2. The acquisition of WMD or related materials by terrorists would represent an additional threat to the international system with potentially uncontrollable consequences. Armed with weapons or materials of mass destruction terrorists could inflict damage that in the past only states with large armies could achieve.
3. An EU strategy against the proliferation of WMD needs to be based on a common assessment of global proliferation threats. The EU Situation Centre has prepared and will continuously update a threat assessment using all available sources; our intelligence services should keep this issue under review and remain engaged in this process.

4. To address the new threats, a broad approach is needed. Political and diplomatic preventative measures (multilateral treaties and export control regimes) and resort to the competent international organisations (IAEA, OPCW, etc.) form the first line of defence. When these measures (including political dialogue and diplomatic pressure) have failed, coercive measures under Chapter VII of the UN Charter and international law (sanctions, selective or global, interceptions of shipments and, as appropriate, the use of force) could be envisioned. The UN Security Council should play a central role.

5. The EU is committed to the multilateral system. We will pursue the implementation and universalisation of the existing disarmament and non-proliferation norms. With regard to biological and chemical weapons, we will work towards declaring the bans on these weapons to be universally binding rules of international law. We will work towards the universalisation of the NPT. We will also promote measures to ensure that any possible misuse of civilian nuclear programmes for military purposes will be effectively excluded.

6. We are committed to the multilateral treaty regime, which provides the normative basis for all non-proliferation efforts. If the regime is to remain credible it must be made more effective. This means working with those who share our interest in preventing proliferation; and it also means dealing with those who cheat. At the same time we should consider carefully the position of those who do not belong. The EU will place particular emphasis on defining a policy reinforcing compliance with the multilateral treaty regime. Such a policy must be geared towards enhancing the detectability of significant violations and strengthening enforcement of the norms established by this treaty regime. In this context, the role of the UN Security Council, as the final arbiter on the consequences of non-compliance – as foreseen in multilateral regimes – needs to be effectively strengthened.

7. To ensure effective detectability of violations and thereby deter non-compliance we will make best use of existing verification mechanisms and systems. We will also support the establishment of additional international verification instruments and, if necessary, the use of non-routine inspections under international control beyond facilities declared under existing treaty regimes.

8. The best solution to the problem of proliferation of WMD is that countries should no longer feel they need them. If possible, political solutions should be found to the problems which lead them to seek WMD. The more secure countries feel, the more likely they are to abandon programmes: disarmament measures can lead to a virtuous circle just as weapons programmes can lead to an arms race. To this end, we must actively foster the establishment of regional security arrangements and regional arms control and disarmament processes. Our dialogue with the countries concerned should take account of the fact that in many cases they have real and legitimate security concerns, with the clear understanding that there can never be any justification for the illegal development of WMD. We will encourage these countries to renounce the use of technology and facilities which might cause a particular risk of proliferation.
9. We are aware that finding political solutions to all of the different problems, fears and ambitions of countries in the most dangerous regions for proliferation will require persistent efforts. Our policy is therefore to contain proliferation while dealing with its underlying causes.
10. Positive and negative security assurances can play an important role: they can serve both as an incentive to forego the acquisition of WMD and as a deterrent. These security assurances need to be further explored.
11. Proliferation of WMD is a global threat, which needs a global approach. However, as security in Europe is closely linked to security and stability in the Mediterranean, we should pay particular attention to the issue of proliferation in the Mediterranean area.
12. An common approach and co-operation with key partners such as the US and the Russian Federation is essential in order to effectively implement WMD non-proliferation regime, and constitute an important ground for reinforcing transatlantic relations.
13. Our strategy against proliferation will therefore be based on the following key elements:
 - Pursuing universalisation of disarmament and non-proliferation agreements while stressing the importance of effective national implementation thereof;
 - Ensuring compliance with non-proliferation commitments by making best use of, and, when appropriate, strengthening international inspection/verification mechanisms;
 - Strengthening export control policies;

- Introducing a stronger non-proliferation element in relationships with some partners;
 - Having a focused dialogue both with countries suspected of proliferation activities and with those whose co-operation is vital to effective policies against proliferation;
 - Expanding co-operative threat reduction initiatives and assistance programmes;
 - Ensuring that appropriate resources and support are allocated to international organisations and arrangements active in non-proliferation such as the IAEA, the OPCW, the CTBTO PrepCom and the HCOC;
 - Promoting close co-ordination with the United States;
 - Pursuing an international agreement on the prohibition of the production of fissile material for nuclear weapons;
 - Considering, in case political and diplomatic measures have failed, coercive measures, including as a last resort the use of force in accordance with the United Nations Charter.
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