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銷售子彈以阻止飛彈？中-歐合作於反核武擴散與武器禁運  
**Selling the bullet to stop the bomb? EU-China cooperation on non-proliferation and the arms embargo**

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## Abstract

In the last decade, the EU-China partnership has become increasingly important, translating to the strategic issues of the twenty-first century, which include the problem of non-proliferation. As two of the world's visible international players, China and the EU both have a lot at stake in these matters. Non-proliferation also touches upon one of the bones of contention between the two : the EU embargo on arms sales to China.

This paper examines the current state of cooperation on non-proliferation between the EU and China, and the impacts this cooperation may have, notably on the EU arms embargo.

Keywords: EU, China, non-proliferation, cooperation, arms embargo



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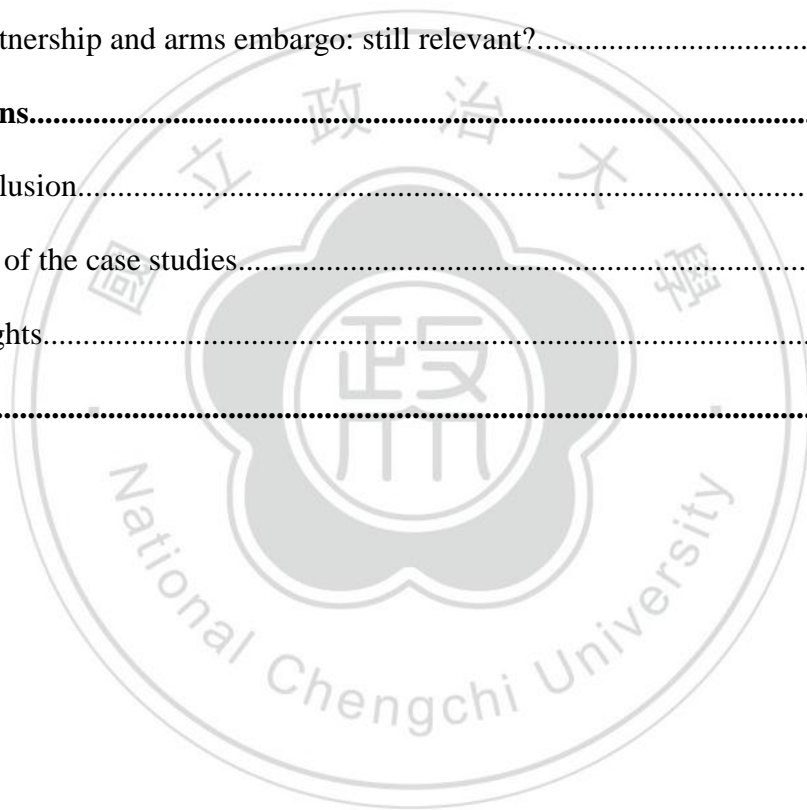
Carla Boggs

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## Chapter one

### Introduction

#### I. Background

Ever since the Cold War, if not before (as evidenced by the first plan to dismantle the US nuclear arsenal in 1946) the issue of non-proliferation has weighed heavily on the minds of many of the world's leaders. While nuclear weapons have probably helped avoid certain wars, as advocated by proponents of deterrence theory, there remains the argument that prevalence of nuclear weapons would make nuclear war more likely; if everyone has a deterrent, what happens next?

The more weapons of mass destruction exist, the higher the risk of their actually being used one day, and the easier it may be to acquire some for nefarious purposes, state-sponsored terrorism being just one.

In the current global context, with Iran and North Korea both likely already possessing nuclear weapons, or significantly on the path to acquiring them, it seems that we are seeing a new wave of nuclearization. While the Non Proliferation Treaty (NPT) is derided as being biased towards Western industrialized nations, it has still helped limit a global rush to possess nuclear weapons, with only nine states in the world possessing nuclear weapons. Currently, five states are the «legal» nuclear states (China, France, Russia, the UK and the US) while the four states who have not signed the NPT (India, Israel, Pakistan, North Korea) are now nuclear nations (although they do not necessarily admit to it). Iran on the other hand is a signatory to the treaty but violates its regulations.

Since the end of the Cold war, China and the European Union have both had an increasingly high profile presence and influence in the international community; while China notionally opened up to the world over thirty years ago, it kept a low profile for most of that time and only in the last decade or so has become a more prominent and involved international player. The global financial crisis

drastically changed the international community's landscape, and emerging relatively unscathed, for now at least, has allowed China to become more confident and has given it more leverage in its relationships.

The European Union, although currently encountering fiscal difficulties, has been going through the process of becoming a more integrated entity in the last few decades, with notably the implementation of a common currency, as well as the recent creation of the foreign policy council and the European external action service – all these point to the Union's determination to manifest itself as a single united actor in the international community. Whether the unification process will continue though is a matter of conjecture, the current 'delicate' state of the Union rendering predictions of greater cohesion and unity more unlikely than otherwise. Analyzing the EU's foreign policy is always difficult, since it is not a cohesive, unified state actor, and its external goals are not as straightforward as those of a traditional nation-state, as various foreign policies compete.

In the early 2000s China began to see the European Union as a possible buffer against the United States, especially since the Iraq war debacle and the vehement opposition from many EU members. For China, whose expectations of growing multipolarity in the international system after the Cold War were cut short by continuing American dominance, support for a more multipolar world was exceedingly welcome.

These events are likely what led to the Strategic Partnership between the two, beginning in 2003, which marked the beginning of their relationship at a more security-oriented level. China has come to realise that non-proliferation serves some of its interests, which has led it to increase cooperation in these matters; the EU has been working on limiting proliferation more and more over the last two decades. While the EU has been pushing for more sanctions against Iran, which would necessarily involve China's help to be really effective, China has been impeding the process, and can be argued to have been rather successful in this matter, much to the EU's apparent displeasure.



## II. Purpose of the research

The purpose of the research will be to appraise the current state of cooperation between the two entities in the matter of nonproliferation, and to ask whether further cooperation on these matters, especially regarding the case of Iran, might have any effect on the EU's stance on the arms embargo.

Currently non-proliferation is a 'hot media' issue, with the Iran situation being given extensive coverage and the world tensing up to see what will happen (while North Korea in the last few years has already shown itself to be an erratic, unpredictable player). Both these situations need to be dealt with by the international community, and in the meantime the "normal", day-to-day processes of non-proliferation in the world are concurrently ongoing.

The two actors this research intends to deal with both have very different positions on these issues. The European Union is more of a civilian power, one that uses "soft power"<sup>1</sup> to enhance its image and get what it wants, which allows it to be a somewhat non-confrontational actor in the security field.

China, conversely, as evidenced by its South China Sea policy, appears to be in favour of pursuing hegemonic ideals and building up its military power; in the meantime it has projected itself as favouring non-intervention in other sovereign states.

Possible rationales for this position may relate to a history of antagonism and low grade conflict with neighbouring states. China's nationalist ideology has been explicitly built upon a foundation of both exceptionalism and humiliation, the latter extrapolated from a history of intervention of foreign powers, often known as "Century of Humiliation" that China claims stripped the country and people of its rightful place as the 'Central Kingdom' and usurped its rightful global and historical hegemonic status. The past offenses heavily influence present perceptions, and intervention in other

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<sup>1</sup> Soft power lies in the ability to attract and persuade – the term was coined by Joseph Nye in his 1990 book, *Bound to Lead: The Changing Nature of American Power*

countries might open it up to the possibility of being intervened in.

The EU and China have been positioning themselves as global actors over the last decade or so, and in this way have constituted subjects of interest for much scholarly activity; however, relations between the two are rarely subjected to the same level of scrutiny.

Cooperation between the EU and China on non-proliferation could be prove to be powerful, as China wields significant financial and political clout in a developing world that does not necessarily trust the European Union, often because of its close relationship with the United States and a long history of colonial exploitation.

The primary objective would be to find out what is the current state of cooperation in non-proliferation between the European Union and China, while also examining at the implications that cooperation in this security field might have upon EU arms sales to China, if not the status of the arms embargo itself.

The lifting of the arms embargo is, according to certain analysts, one of the carrots the EU can dangle in front of China to persuade it to their way of thinking; as the arms embargo stems from some of the same premises as the European stance on non-proliferation - limiting the possibility of dangerous weapons getting out – there may be a link.

It is conceivable that China might work harder at cooperating with the EU in matters of non-proliferation if the lifting of the arms embargo were offered as a counterpart.

Having the arms embargo still in place does strike a blow at the country's international reputation (placing it in the same category as places like Sudan, Burma or Zimbabwe). China itself has argued that this is a way to keep it out of the great power club, by refusing it the same status as other members of the international community.

The current agreements and negotiations on nuclear non-proliferation at the global scale are mostly overshadowed by the drama and urgency surrounding the case of Iran (and, to a lesser degree at the moment, North Korea), but will likely shape the future of non-proliferation in the world. The EU is

an important force behind many of these agreements, and if it can persuade China to get on board this will have an indisputably important impact on future negotiations, agreements, and developments in this field. As one of the world's rising powers, China's influence is immeasurable, especially amongst so-called developing countries, that seem most likely to either seek nuclear weapons or proliferate.

Therefore, it is legitimately useful to examine what China and the EU have in common in this matter, and if, or how, the EU can persuade China to accept, if not understand, the importance of these matters, and anchor its support for them.

The matters outlined above led to the consideration of the following question:

-What is the current state of cooperation on non-proliferation between the EU and China?

While the world looks on at what is happening in Iran one hears more about diminishing, if not eliminating, the risk in this case rather than concerning oneself with proliferation at a worldwide level. The EU is at the forefront of this issue; however, its role in these matters is often overlooked. China, in the meantime, is becoming ever more important in the international community, but has remained rather silent in these matters (be it concerning Iran or even North Korea), or on proliferation issues as a whole.

The implication is that analysing the current state of the cooperation on proliferation between the two might provide some clues as to the likeliness of the EU lifting the arms embargo.

### **III. Literature Review**

It is notable that the literature on the relationship between China and the EU has a different tone depending on the year it was written. Up until around 2007 – 2008, they tend to have a generally more positive slant, especially when it comes to integrating China into the international system.

The theory of engagement is a popular one, with the EU necessarily having to engage China so as to make the Asian giant a fully-fledged, responsible member of the international community, thus

creating more uniformity and stability of structures in the international system – since a commonly expressed idea is that engaging China will make it a more democratic country. These articles tend to paint optimistic views of the relationship, believing that the EU's influence will lead to a relatively “better” China that will help limit proliferation as well as threats posed by would-be nuclear countries (Barysch, Grant, & Leonard, 2005, Odgaard & Biscop, 2006)

The concept of the EU having a normative role is corroborated by the EU's use of conditionality in its relationship with third countries; the EU makes efforts to disseminate its values and norms while seeking to extend its reach, behaviour which can be considered imperial in nature (Smith 1997, Zielonka 2008). Trying to impose the EU's values around the world has been successful in and around Europe, but has had limited results at best in the rest of the world; yet the EU in this way still manages to remind its partners of its values and sets itself up as a model.

The idea of other countries influencing one's behaviour for good is a popular one amongst China scholars, many advocating for the international community to engage China as much as possible and thus cement its rise as a "responsible great power". The more China is part of the international community, the more likely it is to be a responsible member of said community, while reaping the benefits that come with this participation. (Xia 2001, Gill 2007, Zoellick 2005).

The EU's position as a civilian power is a well-documented one, and many perceive it as a weakness; the EU is increasingly irrelevant to China, and that its promotion of “soft” policy issues is failing. The EU has little to no means of persuading China to do something it does not wish to do. However, China recognizes the benefit of soft power policies for its own means, and can learn from Europe in this respect. (ECFR policy report 2008)

The EU's "softness" can be an asset; although the EU may not be the most effective security actor - its “hard” security presence in Asia all but nonexistent - its “soft” security presence likely does far more good than the other ever could, especially since modern threats are less likely to be purely military (organized crime, terrorism, environmental degradation, proliferation). “Security is now generally interpreted as meaning more than stability or non-war[...]security as now defined in

Europe is not just about the avoidance of war and violence by the application of military instruments.” (Deighton, 2002, pp. 727) but also includes a wide range of issues that include dealing with the conditions that create insecurity. (Deighton 2002, Berkofsky 2010, Kirchner 2006, Witney 2008)

At the very opposite end of the spectrum, Godement and Fox (2009) mostly criticize the EU's policy of “unconditional engagement” towards China. China's foreign and domestic policies have however evolved in ways that contravene/undermine EU values. According to the authors, an increasingly assertive China ignores global issues and undermines western efforts on matters such as Iran, while stating the necessity of EU unity to demand reciprocal engagement from China. The different values held by either side tend to mar the relationship; the Chinese also dislike what they see as attempts by the EU to “teach” them about human rights, democracy, and other values close to Europe's heart, which is both legitimate but also a sign of “Chinese leaders' ideological burden” (Ting 2008, Shambaugh, Sandschneider & Hong 2008).

The EU and China's commonalities as foreign policy actors are noted (Balme 2008), although some argue that both the EU and China are “unfinished” international actors, the EU because of its divided nature, China because of its institutional issues. However their relationship is first and foremost an economic one; China at times has used the EU as a foil for Washington, for the sake of getting its own way, while the EU is uneasy about China's regime but eager for the economic opportunities it offers (Möller 2002).

It seems pretty much agreed that China looks to the EU as a fellow proponent of multipolarity/multilateralism, although the two terms are not mutually interchangeable. China angles towards a more multipolar world, where many states are powerful and do not interfere in each other's affairs, while the EU tends towards multilateralism, which would more likely involve a high level of cooperation amongst states and the absence of one singular international power. The EU is seen as inherently multilateralist by many, but in fact is not as multilateralist as it would seem;

however it has higher stakes at play in the event of a decay of multilateral institutions (Jørgensen 2006).

The advent of US hegemony in the 90's came as a shock to Chinese leadership; since EU leadership tends to be more in favour of a more balanced international order, based on multilateralism and international institutions, it has a certain appeal for China. The EU and China cooperate on issues from WMD and nuclear proliferation, terrorism, security of energy supply, the environment, health security, illegal immigration, etc. The EU offers the possibility of being an alternative to the US, hence the Chinese interest. (Casarini 2009, Ting 2008).

The EU proposal considering lifting the arms embargo in 2003 was the impetus for the rest of the world to start considering it as a foreign policy actor in the world, as opposed to a mere collection of states. The establishment of a strategic partnership with the EU is a move set to enhance China's international status while at the same time signifying the debut of a multipolar world order. These motivations, and the prospect of lifting the EU arms embargo are what leads China to cooperate in the field of non-proliferation – not European influence (Casarini 2009, 2006)

The change in China's approach to international affairs has been visible to everyone. China's approach to bilateral relations, multilateral organizations and institutions, and security issues reveals China's new, involved, flexible attitude. This evolution is indicative of attempts to enhance China's image, economic interests, and security, as well as seeking to balance US influence. China has been replacing its "century of humiliation" victim mentality with the belief that it is a major power, and this has translated to its presence on the international scene. The Chinese are certain of their rise, but also assert that it will not be disruptive, acknowledging the necessity for a peaceful external environment so that they may deal with their internal issues. (Medeiros&Fravel 2003, Gill 2007). The authors appear to take for granted China's mantra of 'peaceful rise' even as China modernises its military and increases its military spending, and may have played down the Chinese scope of 'internal affairs' as demonstrated by China's recent claims to all of the South China Sea and the increasing belligerence it has demonstrated towards Japan, South Korea, Vietnam and the



Philippines at sea. Furthermore, China has not rescinded its 'legal' mandate to annex Taiwan by force.

There have been new changes to China's attitude; the 2008 financial crisis was for Chinese policy-makers a structural change in the global distribution of power that has led to China's greater assertiveness on the international stage (snubs for EU powers, more violations of human rights, increasing economic ties with North Korea, slowed down international efforts to contain Iran, preventing effectiveness of Copenhagen Climate Change Summit, expanding relations with Iran, North Korea, Sudan, Myanmar, more loudly protective of its sovereignty, threatens to sanction US firms involved in arms sales to Taiwan, challenges to US/foreign ships that enter its Exclusive Economic Zone while entering other countries'). China appears less willing to undertake new legal commitments with the international community. China still needs the international system itself (monetary standards, trading system, security and access to resources, possibly future agreements to control climate change and preserve water resources), tangible assets (raw materials, technology, access to markets, security), and maybe international recognition as a sign of legitimacy to its own people. It seems doubtful that China is now a "responsible stakeholder"; although the consensus seems to be that China will in all likelihood be a peaceful great power, playing by Confucian values, this is not a given. (Godement 2010, ECFR policy report 2010)

Authors go back and forth on the relationship between China and the EU. Some view the emergence of a EU-China strategic partnership as a challenge to US unilateralism. Actual cooperation between the EU and China has not always been clearly visible, although they are coming to a similar position on Iran, opposed to the American one. (Scott 2007).

Others refute the idea that China and the EU are balancing the US; there is no conclusive evidence of it, and the EU's odd situation as an international actor makes it difficult to adapt. The state of disarray of the Strategic Partnership between the two, as well as the failed lifting of the arms embargo indicate that the relationship is characterised more by bargaining than balancing. China's relationship with the EU is part of China's reassurance strategy, and since the failure to lift the arms embargo China has drawn back, preferring to focus on bilateral relations with individual Member

States. Although the relationship is no longer a minor one, there are still frequent divisions in EU member states' attitudes, despite them appearing to have lessened over time. (Narramore 2008, Wong 2008)

While the expansion of EU-China relations is undeniable, since 2005 and the EU's failure to lift the arms embargo, the relationship has hit many obstacles, the embargo being important to Chinese pride. The EU's divisions and inability to create a common foreign policy have contributed to making its relationship with China more complicated; China sees the EU as weak, an economic partner above all, and as useful to counter the US. While China has often declared the importance of its relationship with the EU, it tends to become major during times of tension with the US; when Sino-US relations are warm, the EU gets demoted. China often focuses on individual member states to get what it wants, which underscores the limits of the Strategic Partnership. (Cabestan 2010, Balme 2008, Dejean de la Batie 2003, Berkofsky 2010)

The EU's divisions have created a lot of discussion on its current state. For some the early 2000s exposed cracks in the EU; while divisions were certainly there, there were no new divergences created and the existing ones did not worsen (Hill 2004). For others the Common Foreign and Security Policy (CFSP) and the issues of integration that lie behind it are seen as failures; the interests of EU member states are unlikely to converge enough in future years that a common foreign policy becomes a concrete thing. (Gordon 1997)

When it comes to non-proliferation, China and the EU have had divergent approaches, with China maintaining its traditional suspicion towards international organizations well into the eighties.

While the EU was tailing American efforts for many years, around 2003 - coincidentally the year the US invaded Iraq, and the EU and China signed their Strategic Partnership – the EU started taking precedence faced with a unilateral US (Sauer 2004) which is evidenced by the EU's non-proliferation clause, a conditionality clause for the EU's dealing with third countries; China has agreed to the inclusion to this clause in a 2005 Partnership and Cooperation Agreement (PCA) (Grip 2009).



China's importance in the field of non-proliferation is undeniable; its power to block or promote arms controls efforts is more than consequent. Although China has seen benefits in participating in non-proliferation and export control covenants it will seek to enhance its weapon capacity if it sees itself as target of a containment strategy. External pressures and the desire to improve China's international image are directly linked to its increasing acceptance of non-proliferation norms and participation in international agreements (Garrett and Glaser 1995, Zhu 1997, Yuan 2002, Gill & Medeiros 2000). Others remain dubious of the influence of Western diplomacy in this case, and anxious about China's export control regimes (Davis 1995, ECFR policy report 2008). China is cooperating on non-proliferation only as much as it needs to.

China's prior suspicion over non-proliferation issues at the international level stems from various factors that have affected many other countries. The inherent problem of the NPT is allowing five legal nuclear states while prohibiting all others. The NPT is however considered one of the main obstacles to the spread of nuclear weapons; the NPT being a legal barrier against the spread of nuclear weapons, it has a normative role – making non-proliferation the norm- as well as being a confidence-building instrument for non-nuclear and nuclear countries alike (Simpson 1994, Scheinman 1995). It is probable that certain nations have become far more wary since the first Gulf War set a precedent, wherein the case of an aggressor condemned by the United Nations Security Council (UNSC), under suspicion of having a secret nuclear programme for military causes, it is permissible to mount an outright attack, which is something likely to be relevant in coming years – and the 2003 Iraq war, as well as the drama surrounding Iran today, will have done nothing to alleviate tensions (Müller, Fischer, and Kötter 1995).

Finally, when coming to one of the major issues between the EU and China, the arms embargo seems to be clearly lacking, so China's issue with it might be more to do with image than anything else. The arms embargo is ineffective because it is applied state by state, there is no defined list of what can or cannot be sold, and it is not legally binding, so member states can continue selling sensitive technology to China, although the embargo has led to some restraint. China's image is affected by the arms embargo, since it puts it on the same level as countries such as Zimbabwe or

Sudan; lifting it would be a further step towards China's acceptance in the international system. The deficiencies of the arms embargo are somewhat offset by the European Code of Conduct, which regulates certain of the more worrying technologies; even if the embargo were to be lifted, sales would still be limited (Kreutz 2004, Niblett 2004, Austin 2005).

However, many disagree with this analysis, contending that since EU member states have interpreted the embargo loosely and thus continued selling sensitive technologies to China, it is likely that sales will accelerate after the embargo is lifted, especially since defense-related sales have increased of late, which might affect the balance in the Taiwan strait. The European Code of Conduct does little to reassure them, which can be considered also vague and not legally binding, much as the embargo itself (Kogan 2005, Archick, Grimmett & Kan 2005, Brookes 2005)

#### **IV. Research hypotheses and analytical framework**

Corresponding to the research question, the main hypothesis is:

-The more China's power has grown, the less it has cooperated with the EU; so, although cooperation on non-proliferation accelerated in the major part of the 2000s, it slowed down with the new, assertive China of 2008. As a second part to this hypothesis, it is postulated that although the more cooperation there is on non-proliferation, the more likely it will affect the arms embargo in positive ways, this will not be sufficient to lift it.

As to the theoretical framework, complex interdependence theory shall be used to explain EU-PRC relations, especially as pertaining to cooperation on non-proliferation and its possible impacts on the arms embargo.

Complex interdependence theory is a structural theory of international relations that believes in political bargaining when there is an asymmetrical power distributions – asymmetries in interdependence are what will provide sources of influence for the various actors; states and their fortunes are tied together. Complex interdependence is, according to its creators, an «ideal

construction» (Keohane & Nye, 1977); in this theory, multiple channels of contact connect societies, there is no hierarchy of issues, and the probability that military force will be used is extremely limited, since it becomes more costly. The theory recognizes five major political processes: actor's goals, instruments of state policy, agenda formation, linkages of issues, and the roles of international organizations.

This theory is used to explain China-EU relations, since China and the EU are very unlikely to ever employ military force against each other, due to both distance and their different links (especially of the economic variety) and thus negate one of the traditional aspects of international relations (security). Complex interdependence would seem to better characterise a relationship that is not quite that of rivals nor exactly partners.

In Keohane and Nye's analysis, interdependence is viewed in terms of two concepts: sensitivity, which encompasses the degree to which a country would be affected by the actions of another; vulnerability, the other side of the coin, is the degree to which a country may be able to protect itself from the effects of events that have passed elsewhere, via a change in its policy.

In fact, this would seem to translate as mutual dependence. In any case, power remains the primary resource when it comes to political bargaining; Keohane and Nye define power as “control over resources, or the potential to affect outcomes”<sup>2</sup>. As noted before, asymmetries in influence are what will create power for the actors; these asymmetries may be in one area or in many different ones.

It is unarguable that China and the EU are sensitive to each other; in our current, globalized system, two such major players would find it quasi-impossible not to be. Neither has clear power over the other, especially of the military kind, and both have advantages – and thus influence – over the other in different areas.

Keohane and Nye warn against an overly optimistic interpretation of their work as a statement to the effect that complex interdependence will create a 'better' world; according to them, “we must therefore be cautious about the prospect that rising interdependence is creating a brave new world

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<sup>2</sup> Keohane, R.O. and Nye, J. (2001) Power and Interdependence, p.10

of cooperation to replace the bad old world of conflicts”.<sup>3</sup> These words seem almost premonitory; in any case, they also represent the relationship between China and the EU, as evidenced most often by trade conflicts, as well as the European outcry at the repression of Tibetan dissidents in 2008, or even their different stances when it comes to dealing with Iran.

The three main characteristics of complex interdependence are as follows: first, the existence of multiple channels of communication and contact amongst societies; this increases the range of policy instruments and modifies, if not limits, governments' control over foreign relations. In this way, diplomacy is no longer the only channel through which international interactions happen.

While more difficult to apply in the case of the EU, since it is not a nation-state in itself but a collection of them, it is however arguable that contact with different EU member states can challenge outside countries' vision of the EU itself; that multiple channels of communication exist between the EU and China is pretty much a given, through for instance exchange students, tourists, academics, etc.

Second, state policy goals are not set in fixed hierarchies, but instead may be exposed to trade-offs. Military security no longer dominates the agenda; in the words of Keohane and Nye, “Different issues generate different coalitions, both within governments and across them, and involve different degrees of conflict....[many issues arise] from what used to be considered domestic policy and the distinction between domestic and foreign issues becomes blurred”.<sup>4</sup>

Third, military force becomes mostly irrelevant; its use is rendered unfeasible. Conflict arising from interdependence will be different from traditional conflict, so military force is not the solution; once more this brings things such as trade disputes to mind.

As mentioned before, the theory contains five main processes. First, the goals of the actors; these are determined in different ways, since power is not the same everywhere. Complex interdependence recognises the differences in power structures and of actors in different areas. In

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<sup>3</sup> Keohane, R.O., and Nye, J. (1977) *Power and Interdependence*, p.8

<sup>4</sup> Keohane, R.O., and Nye, J. (2001) *Power and Interdependence*, p. 21

sum, the EU and China will mostly have different goals and needs. When considering the EU's goals towards China, one can assume that these are mostly economic in nature, nurturing the economic relationship between the two, as well as bringing China further into the international system so that it can fulfill its assertions of being a “responsible stakeholder”. This translates over to the matter of non-proliferation, since as an integral member of said international system it is expected that China should fall in line with the current European/American views on the matter, which basically consist of limiting proliferation as much as realistically possible. When it comes to China's goals vis-a-vis the EU, these would also be primarily economic in nature, since the relationship has long been a primarily economic one, and the EU as a whole is China's first trade partner – these economic goals also include the recognition of China's Market Economy Status. Other goals would include the lifting of the arms embargo, as part of the enhancement of China's international status, since much of China's diplomacy is geared towards this.

Second, the roles of international organizations; these will likely differ according to regime (regimes being explicit and implicit rules and patterns of regularized, cooperative behaviour in world politics – Keohane, 1984). Regimes may include institutionalized and/or state-backed international organizations, and may guide the behaviour of those actors through the norms they offer. The EU is evidently more comfortable with international organizations of any stripe – its existence alone being the product of international cooperation first and foremost – and is as a rule a strong proponent of international law. China however is still fiercely protective of its sovereignty, and in this respect is less amenable to the role of international organizations in its own policy-making.

Third, instruments of state policy; under complex interdependence, these will necessarily include the manipulation of transnational actors and international organizations, as well as the use of economic power, diplomatic resources, and technological knowledge distribution, to name but a few. Both actors will resort to the international organizations, bilateral exchanges, transnational actors and companies, while the EU is more likely to make use of NGOs and China is more likely to make use of state organizations.

Fourth, agenda formation: since different issue areas and fields will be different in terms of structure, and hierarchy of goals and power, factors that will influence agenda formation will have to be very different. For instance, national interest/advancement for China, or international regimes for the EU.

Fifth, linkage of issues; strategy and bargaining become more important, since “If force were readily applicable and military security were the highest foreign policy goal, [...] variations in the issue structures of power would not matter very much. But when military force is largely immobilized, strong states will find that linkage is less effective.”<sup>5</sup> Because military power is less important – and its use often too costly – actors must find different ways to ensure their strength. In the case of China and the EU, this might include for instance trade issues, or the blocking of imports/exports. With the lessening of military force, other issues gain importance, which changes the distribution of power. An actor's international position, its domestic stability, as well as elite attitudes and beliefs towards both the need for multilateralism and the connections between various issues are all likely to have an influence. Issues China and the EU have in common include non-proliferation, terrorism, international governance, climate change, etc.

One may question the presence or not of an asymmetry in interdependence between the two. China and the EU's goals tend to differ, evidently, so the existence of said asymmetry would not come as a surprise. However, it is difficult to say that either country has the definitive upper hand over the other. Currently, China would appear to be in a stronger position economically, and has been for the last three or four years, while the EU has been floundering amongst its numerous economic woes trying to save its weaker members (this may be changing as we speak with the latest European plan). On the other hand, the EU has the advantage of long-standing economic stability, values that are widely accepted, and a strong soft power capability. When military power is not an option, this is a distinct benefit. In this respect, the relationship is not so clear-cut; mutual dependence may be the best way to describe it.

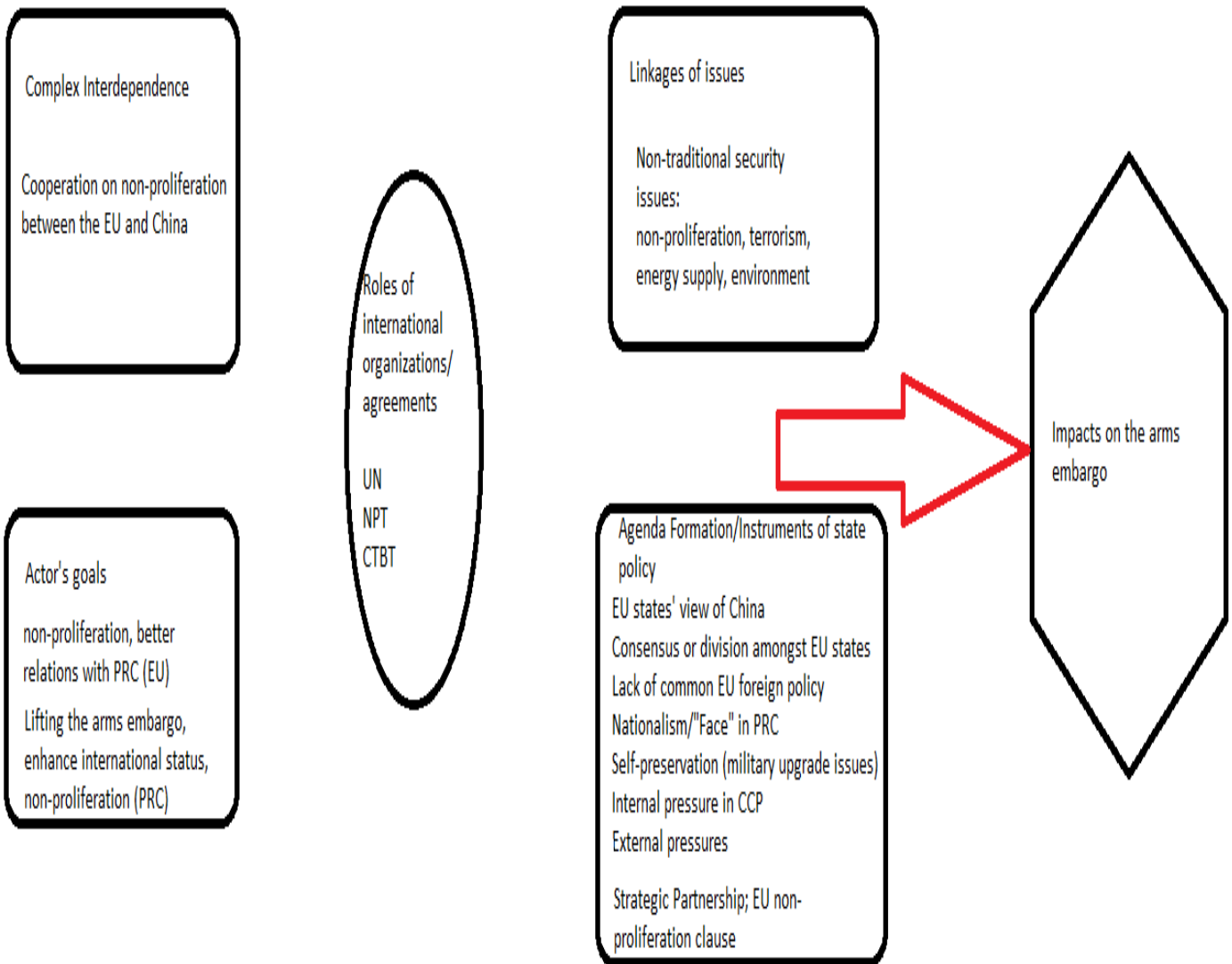
As do most theories, complex interdependence has its own limitations; however Keohane and Nye

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<sup>5</sup> Keohane, R.O., and Nye, J. (2001) *Power and Interdependence*, p.31



warn against taking the theory as reality; it is an ideal construct, and thus most situations will not fit it perfectly.



## **V.Methodology**

This research's proposed methodology deals primarily with archival research, primary and secondary sources, mainly newspapers, official reports, scholarly articles and books; it also proposes studying the current case of Iran, as well as the case of India, to examine whether or not there is any cooperation between the EU and China on this matter, and whether it can be extrapolated.

For the newspapers involved, the intent is to focus primarily on at least three or four different ones from several countries, such as Le Monde, Libération, and Le Figaro from France, The Guardian, the Independent, the Financial Times and the Telegraph from Britain, the Wall Street Journal, the Washington Post, the New York Times, and the Los Angeles Times from the US, the People's Daily, Epoch Times, Shanghai Daily, and Xinhua from China; Der Spiegel, Deutsche Welle and Bundesregierung Deutschland from Germany, as well as international news agencies such as Reuters and Agence France Presse; and possibly other countries later on.

## **VI.Chapter Overview**

Chapter two will provide a background to the study, so as to explain certain positions and clarify further chapters. Chapter three is a case study of the issues with Iran, and China and the EU's relationship to it; Chapter four is also a case study, this time of India, considering the difference in the Iranian and Indian experiences of proliferation as well as its impact on non-proliferation and European and Chinese attitudes towards it. Chapter five covers the EU-China Strategic Partnership; its meaning, current relevance, and influence on their approach to non-proliferation and the arms embargo; and finally, Chapter six will provide the conclusions of this study.



## Chapter two

### Overview and external factors

While this thesis concerns itself with the bilateral relationship between the EU and China as far as it pertains cooperation on non-proliferation, the existence of other players cannot be denied, and thus we shall herein include factors that may influence the relationship but that will not be explored in detail. Furthermore, this chapter shall include a brief introduction for the case studies of Iran and India, so as to give readers some background without overloading the chapters themselves, and will expand certain concepts.

#### **I.The US in the EU-China relationship**

The most important unexplored factor to consider here is the role of the US. In this study, as we are concentrating on the bilateral relationship between the EU and China, we have chosen to set aside, inasmuch as that is possible, the role of the US in these matters. We have considered that including the US would, realistically, make the study too vast, and impossible to realise in our time frame.

That said, we wish in this chapter to explain a little about the American role, so as to not be accused of negligence.

As the world's prime power, the US cannot be ignored, and has moreover been at the forefront of creating many of the world's international institutions and agreements, amongst them the NPT. The EU-China relationship has warmed up only when the EU-US and/or US-China relationships have stalled, as happened in 2003 after the fallout of the second Iraq war, at which point China and the EU signed their Strategic Partnership Agreement, and came closer together. One could construe the interest Beijing expressed as to the EU as a “variable” of its relationship with the US. In this way, what Beijing is concerned with when it comes to the EU is the promotion of multipolarity (changed

into multilateralism to suit European sensibilities), access to the vast European market, access to European technology, and preventing Taiwan from making progress on the international scene. The US's turn towards more unilateralist policies in the early 2000s can be construed as part of the reason why the EU became more focused on non-proliferation then, taking over from the otherwise-occupied America; the EU's preference for multilateral institutions and practices also made it a prime candidate for the fight against non-proliferation, by nature a collective endeavour. American influence has been understood by certain analysts to be an important part of China's sudden reversal on non-proliferation matters in the nineties; the US successfully convinced China to stop providing Iran with nuclear technology and conventional weapons in the nineties, at which time China was generally clearing up its act with regards to non-proliferation; it joined the NPT in 1992, joined the CTBT in 1996 (although it has not ratified the treaty – neither has the US) and set about ordaining export controls, all of which proclaimed China's new, compliant attitude towards non-proliferation. While, as mentioned before, American influence has been portrayed as being a major part of this reconversion, this change of heart is also understood as being part of China's 'peaceful rise', an attempt at convincing the entire international community that China plays by the rules and should not be feared. Furthermore, the benefits of non-proliferation for itself personally are not lost on China as the only legal Asian nuclear state, even if India's status is currently similar. However, it is arguable that the US's most important place in the current EU-China relationship is in the matter of the arms embargo. While no-one expects the EU-US relationship to falter in favour of either the EU-China or US-China relationships, the arms embargo is a matter where China could reasonably expect the EU to act without American input – which is what the EU thought to do. However, the lift, announced in 2004, never happened, mostly due to US refusal of the idea.

## **II.Iran's nuclearization**

As of late, the most pressing subject when it comes to non-proliferation would be what is currently happening with Iran. While the EU has been at the forefront of trying to deal with the issue – which

is the fear of Iran illegally obtaining nuclear weapons, illegally since Iran is as of now still a signatory of the Non Proliferation Treaty – China has been stalling efforts towards this goal, mainly by refusing to condone sanctions on Iran. Since 2003, the EU has been the main actor when it came to either negotiating with or pushing sanctions on Iran, while China has been either abstaining from voting or blocking sanctions, although has did supported some UN sanctions (as an aside, China proliferated to Iran in the nineties, until the US put a stop to it). China's general distaste for sanctions is usually suspected to stem from its traditional suspicion of Western countries, legacy of the «Century of Humiliation» and from the fear that it might one day be the next target. The US has refused to deal with Iran while it does not accede to certain preconditions, which might explain the EU's leading position in this case. China and the EU have found themselves at similar positions on the matter, though, since they are both proponents of diplomatic solutions and firmly opposed to the use of force. However, the EU recently decided to set an embargo on Iranian oil – possibly spurred by the attacks on the British embassy in Tehran in 2011 - starting in July 2012, so that countries that buy a lot of Iranian oil may have time to adapt. China has been vocal in its criticism of the measure; China needs Iranian oil. However, this move should enable China to demand cheaper prices from Iran as a consequence, since Iran will have to make up for losing one fifth of its oil demand – the EU – and is currently involved in a dispute over price/payment with Iran, planning on cutting crude oil imports by half in March 2012.

The EU is pushing for China to recognize the threat it believes Iran poses to the world; with both the EU and the US at its heels, China may come to a change of heart. It is possible that it is using the price dispute as a way to limit its consumption without alienating the Iranians politically, or losing face; it would seem that of late it is acting slightly more in EU interests.

It does bear mentioning here that according to recent reports, Iran may not actually be developing nuclear weapons, but only civil nuclear energy, as it has claimed.

Iran fits in with the three preponderant reasons to acquire nuclear weapons: security, prestige, and domestic interests. While many have called Iran «irrational», especially in the US and Israel, it would seem fairly logical for the country to seek nuclear weapons; after all, it is situated in one of

the most volatile regions in the world, surrounded by the US (with whom it has had no relations since 1979) in the West (Turkey, Iraq), East (Afghanistan, Pakistan) and in the South (Persian Gulf States allied with the US, US fleet in the Persian Gulf). The Bush administration also categorized Iran as a member of the infamous «axis of evil» which created more external pressure on the state. Countries with nuclear weapons, such as, for instance, North Korea, or Pakistan, do not get attacked, while countries without them (Afghanistan, Iraq) do.

Iran has been attacked by a neighbouring state before; the Iran-Iraq war lasted eight years, killed hundreds of thousands of Iranians, and then-American-backed Saddam Hussein used chemical weapons against the Iranians, which was Iran's first impulse to restart its nuclear programme<sup>6</sup>. Iran has no regional allies other than Syria, currently in the midst of a civil war of sorts, with its government roundly condemned for the brutality of its repression. Israel also reinforces Iran's sense of insecurity, while bringing to mind the double standards applied when it comes to nuclear weapons.

Nuclear weapons also bring with them additional prestige; one need but look at the Indian example. With nuclear weapons, Iran might get to be the main regional power in the Middle East, especially as Iraqi power was waning through the nineties, coming to an end after the US invasion, thus signaling the termination of the traditional Iraqi – Iranian balance of power in the region. A nuclear Iran would plausibly be more aggressive, since the nuclear deterrent would mean it had less to fear. Moreover, nuclear weapons tend to be seen as prestigious by domestic public opinion. Iran also has several internal groups that have parochial interests in acquiring nuclear weapons, that include scientists, universities and the military to name but three.

These facts make Iran likely more determined to acquire nuclear weapons than the EU/US are to stop it. After all, the cases of Israel, India, and Pakistan suggest that other countries will come to accept this fact. If Iran were to obtain nuclear weapons, it is unlikely that it should pose a threat to the EU.

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<sup>6</sup> Sauer, T. (2008): Struggling on the World Scene: An Overambitious EU versus a Committed Iran, *European Security*, 17:2-3, 273-293, p. 282

However, if one looks at its past, Iran has never used chemical weapons, even in retaliation for Iraq's chemical attacks against itself, which does speak favourably of its capacity for self-restraint. It seems unlikely that Iran should seek to hide its nuclear capacities if it already has them; Israel (Iran's primary regional rival) and the US (Iran's primary adversary) are both already nuclear powers, so the benefits of hiding nuclear know-how, such as not spurring ones adversaries into seeking nuclear power (which is what India tried to do) do not apply here. Iran is already paying the costs of nuclear opacity (sanctions, counterbalancing coalition, the possibility of preemptive/preventive strikes being talked about) while it does not profit from the benefits of being a nuclear power (nuclear deterrence, the prestige, etc.). Furthermore, in the past, Iran has tested weapons such as ballistic missiles, and has a record of always testing its most advanced weaponry. If Iran were close to attaining, or had attained nuclearization, there would be little to no reason for it to hide it. In this regard, perhaps it is simply biding its time; or perhaps it is seeking to establish a nuclear option, in which it would have the capacity to quickly assemble a nuclear weapon if necessary, but not actually possess one, much like Japan.

There has been a lot of skepticism expressed about Iran's desire for civilian nuclear energy, since it would seem that such a resource-rich country should not need nuclear energy to preserve its exports as Iran asserts. Iran has one per cent of the world's population, eleven per cent of proven global oil reserves, and sixteen per cent of the world's natural gas resources. However, Iran's energy growth has exceeded its supply growth, which would lead to a decline of oil exports<sup>7</sup>, thus making its leaders politically vulnerable since Iran relies on proceeds from oil exports for about eighty per cent of its revenues. Iran's population has more than doubled since before the revolution, going from 30 million in 1971 to 78 million today; however, its oil production is still at 70% of pre-revolutionary levels. In the meantime, domestic consumption has risen by 75% since 1990, which reinforces the fact that Iran needs nuclear energy, or some alternate source of energy.

Iran envisions itself as a regional great power, and in this vein does not see why it should not use its

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<sup>7</sup> Liu, J. and Wu, L. (2010) Key Issues in China-Iran Relations, *Journal of Middle Eastern and Islamic Studies*, Vol.4, n°1, p. 50

influence in the region to its advantage, much as other powers do in theirs. Moreover, its position was only strengthened by the overthrow of the Taliban and the fall of Saddam Hussein, both major enemies of the Iranian regime. From this point of view, its acquisition of nuclear weapons would be justified, if only as proof of its status.

In the meantime, Iran knows it has little to fear from the West, militarily at least, for now; while a US or an alliance military threat might be an effective one, it is not really credible; it will not be seen as legitimate by the international community and will likely provoke violent reactions, particularly in the Middle East; Iran can also retaliate by firing intermediate ballistic missiles against Israel, by destabilizing Iraq, by using its influence with Hamas or Hezbollah, or by destabilizing exports if it seeks to close the Strait of Hormuz as it has been threatening to do lately. Furthermore, the US is still occupied with Afghanistan, and Iraq to a lesser degree, so another war would be extremely improbable, while the EU as a civilian power seeks to limit the use of force.

### **III. The US factor in the Iran crisis**

This brings us, once more, to the role of the US. While this thesis is concentrating on the bilateral EU-China relationship, it is difficult to completely exclude the US from this analysis. As the world's prime power, the US's influence is necessarily far-reaching, especially when it comes to its traditional allies, like the EU, and possible contenders for superpower status, such as China. This is evident in the case of Iran, since the US's prior refusal to involve itself with Iran in any way is part of why the EU obtained a leading role in the matter; that and the fact that other countries feared that the US would try to push for a military option through international organizations, and thus welcomed the advent of the E-3 when it started<sup>8</sup>. The US's heavy involvement in the Middle East over the last decade also contributes to making it a prime character in the evolving Iranian drama, since the US is Israel's main backer, and Israel is Iran's main enemy in the region, having already

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<sup>8</sup> Harnisch, S. (2007): *Minilateral Cooperation and Transatlantic Coalition-Building: The E3/EU-3 Iran Initiative*, *European Security*, 16:1, p. 6



sworn it will never accept a nuclear Iran, backing Iranian dissident groups who assassinate Iranian nuclear scientists, and contemplating the possibility of bombing Iranian nuclear facilities. The EU, China and Russia have all spoken out against Israeli aggression, but the US still makes it possible. Moreover, the US's presence all around Iran, as mentioned before, only serves to reinforce Iran's sense of insecurity; if Iran is indeed pursuing nuclear weapons, this would be one of the main causes. It is impossible to stop proliferation without first identifying and solving the problems that cause nations to seek a nuclear option, and insecurity is a prime reason.

The US has long been using its influence to push for starker sanctions on Iran; it has long maintained that it will not negotiate with it unless it stops all enrichment, and it is supposed that US involvement in the early 2000's is what led the EU to adopt a harder position. So far it would seem that the US has not managed to influence China as much as it would like, but China still does not want to run afoul of the US, which is probably part of why China has been trying to keep the Iranian file out of the UNSC; this way, it avoids having to deal with the issue.

Having long ago characterised Iran as being part of an “Axis of evil”, during the Bush administration, the US has little legitimacy when it comes to dealing with it. However, American influence and power endure, and so remain a primary concern for all involved in international issues.

#### **IV. India's nuclearization**

India's case is being considered here because of the stark difference in treatments of itself and of Iran. The EU and the members of the UNSC have spent the last ten years seeking to stop Iran from obtaining nuclear weapons, while in contrast India performed its nuclear tests, and six years later signed a strategic partnership with the EU; eight years after its tests, it signed a civil nuclear deal with the US that implicated the rest of the nuclear nations, since it made it possible for them to trade in nuclear supplies with India. This made it the first legitimated non-NPT nuclear nation.

Ever since 1998, India has been seeking recognition from the major powers of its nuclear legitimacy, through its record of non-proliferation of nuclear technology and of export controls - that it claims

are «spotless» - through its democratic political system and thus civilian control over strategic assets and the military, and finally through its declared willingness to abide by all nuclear regimes and their stipulations as a way to show India's commitment to playing a greater role in the global system. India's claim is that it gets to be an exception precisely because of its record on non-proliferation, and that it should be a part of the solution to proliferation issues since it has never been part of the problem.

India's nuclearization was not illegal, as India never did agree to join the NPT, on the basis that the treaty is discriminatory against non-nuclear, particularly non-Western nations. This criticism seems to be mostly based on the fact that the five nuclear nations as of late seemed to have taken no steps towards disarmament, as is their legal responsibility under the treaty, while some are even apparently developing new nuclear weapons.

As befits a 'peaceful' nuclear power, India's nuclear doctrine is based on two things: first, "minimum deterrence", that is, the possession of no more nuclear weapons than is necessary to prevent an attack on itself; and second, "no first use" policy, which is the pledge by a nuclear power to only use nuclear weapons as a means of warfare in case of first attack by an opponent.<sup>9</sup>

Even so, India needs better technology, particularly for its civilian nuclear facilities; and India's vision of itself as a major power, who has been kept out of the circles of power due to Western interference, can only rejoice at the acknowledgment of its own importance that was the Civil Nuclear Deal it signed with the US in 2006.

The US involvement with India was the entire impetus for India being recognised as the equal of the legal nuclear powers, even though it is not a member of the NPT. It is likely that the US's main reason for offering this deal was to secure a firm ally in Asia, just as the US is turning back towards the Asia-Pacific region as part of its periphery, to deal with the rise of China. Moreover, India's huge market, as well as its traditional status as a leader of developing countries could only add to its appeal. However, no-one else could have offered this deal to India, since no other country would

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<sup>9</sup> Salma Bava, U. (2007) India's Role in the Emerging World Order, *FES Briefing Paper 4*, p.4



have been strong enough to pull the rest of the legal nuclear countries along with it. This fact alone emphasizes how important the role of the US has been when it comes to India and the nuclear issue. The deal also allows one to question how committed the US is to non-proliferation in reality. If we compare India to Iran, India suddenly detonated nuclear weapons, while Iran announced it had been constructing civilian nuclear plants, and ten years later is still not in possession of nuclear weapons, if it was ever pursuing them, which is not definite. In the meantime, India was barely sanctioned, while Iran has gone through ten years of negotiations and sanctions. One can but wonder at the vast difference in treatments.

## **V. Conclusion**

As a conclusion, we would also like to expound somewhat on the EU itself. The European Union is a difficult entity to grasp, and many refute its claim to 'actor-ness', to its position as an international actor. However in this case we are using the EU itself as a single entity for analysis, considering that as a unitary actor, when/if it comes together the Union as a whole has a far greater influence than any of its individual countries could currently hope for individually. When it comes to its relationship with China, an united Union will have a better chance of making itself heard, and thus attaining its objectives. A stronger EU is however not in the interest of either China or the US, both of which comprehend the implications of a more united EU.

## Chapter three

### Case Study: Iran

When it comes to non-proliferation, Iran is probably the first case that will come to mind. While most of the world is wary of Iran acquiring nuclear weapons, the EU has taken the lead when it comes to dealing with the issue, with other main actors being the US, China, and Russia; while China and Russia are heavily involved, their perception of the issue tends to skew away from the Western powers', which causes friction; looking at the case of Iran may allow some insight on the China-EU relationship. Furthermore, it is arguable that EU-China cooperation could be a powerful step towards resolving the issue.

#### I. Iran and the EU

The EU first got involved in the Iranian issue when in 2002, Iran announced the construction of further nuclear power plants; under the NPT guidelines, Iran has the right to establish and maintain a nuclear programme for civilian purposes, but also has the obligation to inform the IAEA of any civilian development programmes and yet did not until they were well underway, which led to the suspicions of the international community that the programme was rather meant for the development of weapons of mass destruction, and thus began the whole Iranian crisis.

Allowing every signatory of the NPT to pursue civilian nuclear activities has been decried as a loophole liable to be exploited by malicious states, the most egregious example of which being North Korea; however, no-one knows Iran's exact intentions.

The EU has taken the lead when it comes to the Iranian crisis. The EU has supported, sponsored, and pushed for resolutions at the IAEA, referring Iran to the UNSC, and imposing UNSC sanctions on the export of nuclear materials and dual-use goods to Iran. The E3 (France, UK, Germany) and the EU have also been instrumental in working with China, Russia and the US to offer Iran

international support as well as cooperation for its plans for light water reactors, and providing it access to international facilities for uranium enrichment, so as to certify transparency in Iran's nuclear programme and remove the need for independent facilities in Iran that might be used for non-civilian nuclear purposes.

The EU has gained acceptance from the US, China, and Russia as an international actor for its role in this case; this is evidenced by the UNSC members' (or P5) willingness to delegate the role of primary negotiator to the EU.

Before the current embargo, as well as the dialing-up of sanctions since 2006, the EU was the main destination for Iranian oil and trade (accounting for about a third of its exports until 2009<sup>10</sup>), which would imply that the EU will suffer economic penalties by cutting ties with Iran; some of the EU's weakest countries – notably Greece and Spain – are heavy buyers of Iranian oil, which is why the EU has set a July deadline for the embargo to officially begin. Considering that sanctioning Iran economically is ultimately also going to cause problems for the EU, currently in bad shape, one might wonder what is it that the EU fears so much. It is doubtful that Iran would ever use a nuclear device to attack the EU; it is doubtful that Iran would use nuclear weapons first at all. So if it is admitted that a physical attack is unlikely, other factors come into play. It is possible that the EU is finally serious about non-proliferation; Iran has neither Israel's American support, or India's economic weight, or either country's democratic institutions; Iran however does have a huge supply of natural resources, which would make it believable that principles and values are what is driving the EU's determination here. This hypothesis would also fit in with China's lack of enthusiasm for stopping Iran's nuclearization, since it does not share these values.

More likely would be that the EU's various countries and their different interests in the Middle-East fear the disruption a nuclear Iran might cause. No-one wishes to see a nuclear escalation in the world's oil-supplying region, and many fear this will be the likely outcome of a nuclear Iran. In the EU, the prevailing fear would be that a nuclear Iran may lead to a nuclear domino effect in the

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<sup>10</sup> Oezbek, E. (2010) The EU's Nonproliferation Strategy: Iran as a Test Case, *Strategic Assessment, Volume 13*, No. 2, p. 74

Middle East, markedly for Egypt, Turkey and Saudi Arabia (even if Israel's acquisition of nuclear weapons did not). It is also dreaded that Iran might share nuclear technology with Syria, its only ally in the region. A nuclear Middle East would be a threat to the stability of the international community, since it would exponentially increase the risk of both nuclear terrorism and nuclear escalation. Israel, for one, has already stated that it would never accept a nuclear Iran.

Cynics might point to French nuclear exports, and the risk of an Iran with nuclear know-how jeopardizing French trade in that field. France is one of the most vehement proponents of sanctions against Iran in the EU, along with the UK whose relationship with Tehran has been tenuous at best since the fifties; with two of the EU's strongest countries, and its two nuclear countries both pushing for tough measures on Iran, the EU's dedication to the matter seems more clear.

Finally, the EU has been seeking to prove itself as a strategic, global actor for some time now; the Iranian issue is already ten years old, and to fail now would signify a loss of prestige in the eyes of the international community.<sup>11</sup> It has just managed to assert itself as the leader here, and has proved itself by juggling the issues of Russia, China, and the US, two of which are prominently against sanctions (and yet sanctions have still been passed at the UN level) while the third had refused to deal with Iran since the end of the seventies. Giving up on this issue would deal a major blow to the EU's image as a global actor, rather than just a huge trade bloc.

Iran and the EU first normalised relations in 1991, after the Iraqi invasion of Kuwait. In 1992, the two developed a 'Critical Dialogue' which ended five years later, in 1997, due to the 'Mykonos Crisis' when a German court ruled that the Iranian authorities were involved in the assassination of three Kurdish dissidents and their translator in a Berlin restaurant in the early nineties<sup>12</sup>. This led to the recall of EU member states' ambassadors from Tehran, the suspension of all bilateral ministerial-level meetings, reaffirmed the EU policy not to supply arms or dual-use goods to Tehran, and led EU member states to cooperate so as to ensure Iranian intelligence personnel was incapable

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<sup>11</sup> Arfazadeh Roudsari, S.(2007) Talking Away the Crisis?The E3/EU-Iran Negotiations on Nuclear Issues, *EU Diplomacy Papers*, p. 21

<sup>12</sup> Dryburgh (2008): The EU as a Global Actor? EU Policy Towards Iran, *European Security*, 17:2-3, 253-271, P. 258

of entering the EU. The same year, the more reform-minded Khatami was elected president of Iran, and in 1998 -only a year later - the EU and Iran entered a new 'Comprehensive Dialogue' that discussed issues such as weapons of mass destruction – which shows the EU interest in this field already then – as well as energy, trade and investment cooperation. All this ended, obviously, in 2002.

## **II.Threats and resolution**

Western threats against Iran tend to ring hollow to its ears; after all, the sanctions against India and Pakistan were never very important (the EU-India strategic partnership was signed in 2004, only six years after India's nuclear test) and now India has even been offered fissile nuclear material and know-how.

The US and Israel have only worsened matters, by persistently overestimating Iran's nuclear accomplishments and progress rates. Throughout the nineties, US and Israeli intelligence officials projected that an Iranian bomb could emerge around the year 2000; when the year 2000 came and went, they started projecting a new target date of approximately 2010; when deadline passed, the projection became 2015 at the earliest.<sup>13</sup>

While a military threat would possibly be effective, threats do not always function in the way they are supposed to; in this case for instance, a military option would likely only speed up Iran's efforts to achieve weaponization, so that it may defend itself from attack. In any case, the EU alone has no real credibility as a military power – even though if it brought together several member states' armies it could be a potent threat – and has mostly spoken against the use of force to solve the Iranian issue, which is where it comes together with China. The EU's pursuit of 'effective multilateralism' necessarily precludes the use of force to achieve its goals.

On the other hand, economic sanctions would also likely be effective, but they carry the drawback

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<sup>13</sup> Gratias, M. and Hymans, J.E.C. (2011) *Iran and the Nuclear Threshold: Where is the line?* Convention of the International Studies Association Montreal, Canada, p. 2

of penalizing the rest of the world at the same time, even if both the EU and the US are going forward with them. Sanctions that would really cripple the Iranian economy, such as the US's ban on dealings with Iran's central bank, or the EU's ban on Iranian oil, will penalize the Iranian population, which might either bring on a revolution, or just bring the country together against the West. Starving the Iranian population is only going to incense developing countries, and create more loss of legitimacy for the EU.

In favour of the EU and China's strong anti-military intervention stance, Iran has provided more access and cooperation than would be expected if it were launched in a full-fledged effort to develop nuclear weapons, if North Korea is any example. It has allowed more than 2000 person-days of inspection since 2003, including access to military sites, as well as the taking of environmental samples, and the sharing of confidential procurement information and individual interviews, none of which were required under any treaty or international agreement. It also implemented the Additional Protocol as if it were ratified.<sup>14</sup>

Notwithstanding these marks of goodwill, cooperation with the IAEA has still been spotty at best. One may only speculate as to why it has been so cooperative in some areas and yet so unforthcoming in others. The evident explanation is that it is hiding something, and yet Iran's pursuit of nuclear weaponry is not so clear-cut.

The EU's success with Iran has been mitigated, to say the least. This maybe attributed to several factors; a bad assessment of its chances of success when the crisis first began, overestimation of its own influence, underestimation of Iran's determination, internal divisions, bad tactics.

After the Iraq crisis, the EU was divided and weakened; the Iranian case seemed tailored to show the EU's capacities as a strategic actor, and to counter the American unilateralism en vogue at the time. The EU wanted to show that its theories of “effective multilateralism” could work, and that it could do more than only criticize the US. Iran was a better case than North Korea, better left to

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<sup>14</sup> Fitzpatrick, M. (2006) Assessing Iran's Nuclear Programme, *Survival*, vol. 48, no. 3, p.12



China. The EU was also the natural choice for this case, since the US refused to resume diplomatic relations with Iran, China – at the time at least – did not play a mediating role in the international system, and Russia was not considered trustworthy enough. Non-EU states, excepting the US, also favoured the E-3 mediation in this matter over IAEA or UNSC involvement because many were concerned the US would seek to use or even bend the rules of these organizations so as to impose a sanctions-based strategy even before diplomatic means were exhausted. The E-3 was seen as somewhat of a safeguard against US pressure, bringing together both opponents and proponents of the Iraq war, nuclear and non-nuclear states, supporters and skeptics of civilian nuclear technology.<sup>15</sup> Moreover, in 2002 the EU's relations with China were deepening; the two signed their Strategic Partnership Agreement in 2003. It is conceivable that the EU thought it could bring China definitely on board to solve the crisis, only to be disappointed, which would have been bad tactics on its part.

### **III. International cooperation: European needs and Chinese reluctance**

As noted before, the Iranian crisis debuted in 2002. In 2003, the IAEA inspectors visited Iran and confirmed the existence of nuclear facilities; the EU then suspended the Trade and Cooperation Agreement (TCA) negotiations with Iran. In November of the same year, Iran submitted a “full” declaration about its nuclear programme to the IAEA; after negotiations in Tehran, the E-3 ministers signed an agreement through which Iran agreed to suspend its enrichment programme in exchange for further negotiations, agreed to sign the Additional Protocol and to adhere to the Protocol in the meantime.

2003 seems to have been somewhat of a watershed year for the EU, since that same year it also implemented the European Security Strategy (ESS) and adopted the EU Strategy against the Proliferation of Weapons of Mass Destruction (which advocates effective multilateralism, the

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<sup>15</sup> Harnisch, S. (2007): *Minilateral Cooperation and Transatlantic Coalition-Building: The E3/EU-3 Iran Initiative*, *European Security*, 16:1, p. 6

promotion of stable international and regional environments, and cooperation with partners), and entered in a Strategic Partnership with China. The EU implemented its Non Proliferation Clause the next year.

In 2004, the E-3 and Iran entered into the “Paris Agreement”; the EU promised to resume the TCA negotiations as soon as Iran confirmed the suspension of its nuclear activities. The agreement included the renewal of the suspension of the Iranian nuclear programme, and under Chinese and Russian pressure, the IAEA board of governors agreed that the suspension could be voluntary instead of legally binding.

This would seem to have been a major step forward; however, before this the IAEA warned that the Iranian declaration on its nuclear activities was incomplete, and that Iran was not fulfilling its obligations, even though in early years it seemed to be cooperating.

Unfortunately, the EU went from mediator to coercer sometime around the end of 2004, at which time it closed the option of limited enrichment for Iran under American pressure<sup>16</sup> ; then, in 2006, the EU drafted the resolution that would move the Iranian file to the UNSC. Furthermore the ideas offered by groups such as the International Crisis Group (ICG), MIT experts or the Atlantic Council, who all proposed technological solutions that would accept limited uranium enrichment or multilateral fuel production inside Iran, were ignored. It is unclear why these proposals were not considered, but one may suspect US involvement, or simple over-confidence on the EU side, believing that Iran would give in after UNSC sanctions, since they had managed to get China and Russia on board this time.

In 2005, Ahmadinejad won the Iranian elections, rejected the EU proposals, and started to convert uranium, an act which was seen as the transgression of a «red line» by the EU. At this point, the EU succeeded in convincing China and Russia not to veto the IAEA resolution that would formally state Iran was in non-compliance with IAEA statutes and that warned Iran that it had until the next

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<sup>16</sup> Sauer, T. (2008): Struggling on the World Scene: An Overambitious EU versus a Committed Iran, *European Security*, 17:2-3, p. 288



meeting of the IAEA to fulfill its obligations, otherwise its file would be transferred to the UNSC. This is the moment at which the EU resolved to only resume negotiations with Iran if it suspended its enrichment programme completely.

After its file was sent to the UNSC in February 2006, Iran suspended its voluntary cooperation with the IAEA, accelerated its enrichment programme and announced that it had succeeded in enriching uranium up to 3.5 per cent. In May, the EU succeeded in persuading the US to negotiate with Iran, something unheard of since 1979, although only on the condition that Iran first suspend its enrichment programme; the EU also managed to convince the US, China and Russia to agree on a new common package for Iran, that included a UNSC resolution that would open the door for sanctions if Iran did not agree.

In October, the DPRK carried out a nuclear test, which likely made all players more nervous. It is possible that this influenced China in favour of UNSC resolutions on Iran, so as to show the DPRK that it was not completely averse to them, and that certain things would not pass. The ministers of every EU member state then agreed to continue talks on Iran inside the UNSC about sanctions against Iran, even though China and Russia were still opposing economic sanctions and military action.

At the end of 2006, UNSC resolution 1737<sup>17</sup> was finally passed; it contained limited economic sanctions, a ban on the trade of nuclear-related materials, and the assets of ten Iranian companies and twelve individuals were frozen; although they voted in support of it, the text was watered down under Chinese and Russian pressure.

China and Russia, but China especially, oppose sanctions because they are strongly in favour of non-interference in other countries; it is postulated that this is because they fear that one day these sanctions might be turned against them. China has dealings with many countries that may not appreciate China standing with the EU (and the US) opposite a peripheral, resource-rich country such as Iran, in which case this could hurt Chinese trade. In any case, Iran itself is a manna for energy-hungry China.

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<sup>17</sup> <http://www.un.org/News/Press/docs/2006/sc8928.doc.htm>

In 2007, the EU Common Positions 2007/140<sup>18</sup> and 2007/246<sup>19</sup> implemented UNSC resolution 1737 as well as stronger sanctions, by banning trade with Iran in all nuclear and missile-relevant commodities contained in control lists of the NSG and the MTCR; it also restricted the financing of activities to support Iran's development of uranium enrichment capacities, and froze the assets of corporate and governmental entities and individuals involved in Iran's nuclear and missile development programmes.

In December, the US National Intelligence Estimate (NIE) about Iran's nuclear programme was released, and concluded that Iran had probably stopped its military programme in 2003<sup>20</sup>. This report did nothing to convince the EU that Iran was definitely not pursuing nuclear weapon status.

In 2008, the IAEA report about cooperation by Iran was overall positive, to the exclusion of three items, only one of which had a direct connection to nuclear activities ( green salt).

These two reports however, or possibly Iran's obstinacy, may have persuaded the EU to soften their stance, since in 2008 Javier Solana and representatives from the UK, France, Russia, Germany and China presented new proposals to Iran, similar to the 2006 proposals, as well as a «freeze for freeze» offer, through which Iran could keep enriching uranium but would halt the further installation of centrifuges for a while, and the international community would not impose further sanctions. Solana threatened further EU sanctions if Iran turned the offer down; Iran refused the offer (This proposal was declared still valid by an EU statement in 2010). One may wonder if at the time President Ahmadinejad was not posturing for political reasons; it is possible that in a fractious Iran, to be seen as “giving in” to the Western powers, although the terms of the deal were advantageous, would have harmed him politically. It is worth noting that this was a softening of the EU position, since it accepted some Iranian enrichment, when before that the EU had declared that to be unacceptable. This easing could have been due to the financial crisis and thus reluctance to impose further sanctions, to the realisation that Iran was not backing down, or even possibly to

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<sup>18</sup> [http://trade.ec.europa.eu/doclib/docs/2010/august/tradoc\\_146395.pdf](http://trade.ec.europa.eu/doclib/docs/2010/august/tradoc_146395.pdf)

<sup>19</sup> [http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l\\_106/l\\_10620070424en00670075.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l_106/l_10620070424en00670075.pdf)

<sup>20</sup> Van Kemenade, W. (2010): China vs. the Western Campaign for Iran Sanctions, *The Washington Quarterly*, 33:3, p.104

Chinese influence, since China was also not changing its anti-sanction stance, and was not suffering as much from the financial crisis as the EU, thus creating hopes that it might be of assistance.

2008 – after the Iranian refusal - then saw the implementation of EU Common Position 2008/479<sup>21</sup>, which included more freezing of Iranian assets, more travel restrictions; Position 2008/652<sup>22</sup> went further with visa bans on Iranian officials, restrictions on any trade with Iran, as well as calling for the inspection of Iranian cargoes, vessels, banking transfers, etc.

In 2009, Iran informed the IAEA that it planned to start its uranium enrichment to the purity of 20 per cent. UNSC permanent member representatives met in Geneva, and yet another agreement was drafted, under which a new Iranian nuclear facility would be open to inspection, and a major portion of the country's low-enriched uranium (LEU) would be exported to France and Russia for processing into higher-enriched fuel rods for the US-built research reactor in Tehran. Iran, in the throes of its «Green movement» after the contested presidential elections, once more refused. The revelation of a second uranium enrichment facility near the holy city of Qom led the board of governors of the IAEA to vote to censure Iran for its refusal to accept tighter scrutiny of its nuclear activities; this enjoyed support from both China and Russia. One may suppose that China's support stemmed from this clear flouting of the rules; China realises the disadvantages inherent to a world where nuclear proliferation is uncontrolled, so while it does not approve of sanctioning Iran, it also does not agree with Iran's acquisition of nuclear weapons. In any case, a censure apparently did not entail much punishment. Beijing however refused the Saudi-US initiative to end Chinese dependence on Iranian oil, unsurprisingly enough since it signed 14.5 billion US dollars of contracts with Iran in 2009 alone.

The punitive measures that have been forthcoming since around 2009 may be seen from the outside as undercutting the EU's soft power approach, and thus contradicting, if not hurting, its image.

However, as diverse as the EU is, there is always someone to balance the hard-liners. Europeans

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<sup>21</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:163:0043:0049:en:PDF>

<sup>22</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:213:0058:0070:EN:PDF>

tend to believe in the power of international law and so are not inclined to question Iran's right to peaceful, civilian nuclear energy; what the EU member states are concerned about is Iran's non-compliance with its commitments and obligations as an NPT signatory, particularly as regards Iran's poor record of cooperation with the IAEA and its disinclination to ratify the Additional Protocol; basically, the EU needs credible explanation for Iran's activities and rock-solid guarantees that its activities are intended for peaceful purposes. This is where China and the EU meet, since they agree on this point. It is also possible that China sees itself as balancing the Western powers, since it has been attached to a narrative of Western aggression against developing countries – not unjustifiably – for some time now.

However, the threat of force and/or sanctions only serves to reinforce President Ahmadinejad and other hard-liners, by drawing public attention together against the threat of external aggression, and away from whatever internal issues the country might be having. In the long term, international exchanges between Western countries and Iran might be the most effective thing; a change of regime might alleviate concerns about the nuclear program, if not stop it altogether.

#### **IV. European individualities – and achievements**

EU member states have oft demonstrated that individual interests dominate collective concerns, and Iran has been no exception. As a general rule, EU countries do not regard Iranian nuclearization as a matter of life or death in the way Israel or the US do, especially Eastern/Central European countries who live under the shadow of Russia. In 2009, Greece, Cyprus, Malta, Spain, Austria and Sweden all opposed the stricter sanctions proposed by the E-3. Cyprus, Malta and Greece all stood to lose revenue if UN sanctions were extended to shipping lines, while Austria, Belgium and Sweden are long-standing supporters of multilateralism and dialogue, and tend to resist more coercive measures as a general rule, unless they come from the UN. Sweden is also a strong proponent of total disarmament, and has called for the legal nuclear powers to reduce their own nuclear weapons.

Denmark, Spain, Italy, Austria and Germany all have had strong interests in Iranian trade, especially

oil (like most countries who deal with Iran).<sup>23</sup> The German market at the time was the second most important for Iranian goods after China.

Harsh sanctions are never likely to be a popular policy choice when European economies are already severely hit by the global financial crisis; many also fear that European companies will simply be replaced by Chinese or Indian ones.

France, the UK and the Netherlands have been the strongest proponents of sanctions, especially since 2009. UK-Iran relations have long been strained, the tension going back to the 1950s; Iran has been very aggressive – rhetorically – towards the UK, and the attack on the UK embassy in Tehran at the end of 2011 did nothing to help matters; the UK even unilaterally froze 1.59 billion US dollars of Iranian assets.

France invested itself in the Iranian issue because it allowed it to see itself as an important power on the world stage. Franco – Iranian relations have also been tenuous, mostly because of the good relations France entertained with Iraq in the eighties and nineties. France is also a leading exporter of nuclear energy and technology; therefore, it has an economic interest in ensuring that the Iranian case does not negatively affect its exports in this domain, particularly in the Middle East.

The EU's efforts have not yet been a complete failure; after all, the EU managed to take the lead and dealt with the US, Russia and China, which demonstrated some capacity for global actor-ness.

EU achievements include the delay of development of nuclear technology in Iran; ensuring that Iran sticks to its obligations under the IAEA's Additional Protocol and thus cooperation with its inspectors; brokering a broad international coalition that includes developing countries and enjoys cautious support from China and Russia; and getting the US to move beyond its isolationist policy to support European diplomacy. At the end of the day, the hallmark of European success in this matter is that so far no-one has come up with anything better.

After all, the EU did sign two agreements with Iran which led to the temporary suspension of its

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<sup>23</sup> Oezbek, E. (2010) The EU's Nonproliferation Strategy: Iran as a Test Case, *Strategic Assessment, Volume 13*, No. 2, p. 73

programme, and forced it to sign and adhere to the IAEA Additional Protocol, which meant that the IAEA had more leverage to check upon declared and undeclared installations in Iran. This however only lasted until 2006 when the Iranian file was sent to the UNSC. These agreements also pushed Iran to provide more information about its nuclear activities.

The problem is that the EU did not do enough for Iran in the wake of these positive steps, and later pushed for Iran's file to be moved to the UNSC. The result was that the EU didn't sign any agreements with Iran between 2004 and 2008, while the IAEA signed an agreement with the country in 2007.

The latest UN sanctions, dating from 2010 (UN resolution 1929, which was somewhat of a follow-up/renewal of resolutions 1737 in 2006, 1747 in 2007, and 1803 in 2008) embargo eight categories of heavy military equipment, expand penalties against Iranian companies, including those associated with the Islamic Revolutionary Guard Corps, restrict the sale and transfer of missile technologies, prohibit Iranian investment in nuclear industries, including uranium mining, and call for more stringent measures on Iranian shipping, financial, commercial and banking activities. The resolution states that Iran is required to “cooperate fully with the IAEA on all outstanding issues [...] ratify promptly the Additional Protocol, and [...] suspend all reprocessing, heavy water-related and enrichment-related activities”. These sanctions could be lifted if the IAEA Board of Governors certifies that Iran has fully complied with its obligations under relevant resolutions of the UNSC and has met the requirements of the board.

In 2010, an IAEA report was published detailing Iran's potential for producing a nuclear weapon, including further fuel enrichment and plans for developing a missile-ready warhead.<sup>24</sup>

In April, France, Germany, the UK, Russia, China and the US negotiated a sanctions package against Iran that included a comprehensive arms embargo, a check on investments in the energy domain, financial curbs, granted power to seize Iranian smuggling ships and imposed penalties on Iran's Revolutionary Guards. Former French President Nicolas Sarkozy also made a trip to China that month to try and repair Sino-French ties and to gently push China on the Iranian case. China

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<sup>24</sup> <http://www.iaea.org/Publications/Documents/Board/2010/gov2010-10.pdf>



then called for increased diplomatic efforts and an early agreement for an internationally-backed nuclear fuel proposal for Tehran. This makes China's renewed investment in the Iranian matter, as well as its cooperation with the EU, quite clear. Chinese officials have been actively involved in nuclear diplomacy; joining other powers, as at the May 2006 Vienna meetings, consulting with the EU and US high-ups, consulting with their Iranian counterparts, etc.

The same year, Iran announced its nuclear negotiators would return to talks with the E-3+3/ P5+1 (France, UK, Germany, Russia, China, US).

## **V.Looking East: Iran and China**

China has been one of Iran's main supporters at the UNSC. Beijing's calls to avoid sanctions against Tehran have been but one example of the deeper relations between the two countries, as is Iran's bid to join the Shanghai Cooperation Organisation set up by China.

In recent years, Iran has been encouraged to «Look East»<sup>25</sup> (reminiscent of India's «Look East» policy), due to Western pressure and sanctions. This has opened both trade and strategic opportunities for China there. US companies are prohibited from doing trade with Iran, and things have only got worse recently, with EU companies also retreating from the country, opening the breach wide for China (and India). In 2006, Iran became China's first source of imported oil; China also gained a spot in the Iranian arms market during the Iran-Iraq war. Two major deals, one in 1992, the other in 1996, made China Iran's second supplier of conventional arms (after Russia) between 1995 and 2005. However, these made up only eighteen per cent of the total value of Iran's arm imports; nothing China has sold to Iran has affected the conventional military balance in the region. It is China's contributions in the form of scientific expertise, as well as dual use technologies, that have proved the most useful.

There are three broad areas of concern when it comes to China and Iran's military/weapons cooperation. First, China's assistance in the development of Iran's asymmetric capacity, specifically of the kind that might interfere with Gulf shipping and/or disrupt/damage American naval

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<sup>25</sup> Calabrese, J. (2006) China and Iran: Partners Perfectly Mismatched, *Middle East Institute*, p. 4

operations; in 1987, China sold Iran Silkworm antiship missiles. Second, China's sale to Iran of battlefield and cruise missiles, as well as production technology. This has since stopped because of US pressure; in 1987 China pledged to abide by the 1987 Missile Technology Control Regime (MTCR) guidelines, in 1989 it banned the export of ground to ground missiles as well as all MTCR class missiles, and in 2000 it issued export control laws governing missile technologies.

Third, China's trade and cooperation with Iran in the domain of nuclear technology. China allegedly trained Iranian nuclear scientists in the eighties, and helped build the nuclear research facility at Isfahan, although this also ended in the nineties faced with US pressure. Nonetheless, the issue since 2002 is the political support China has offered Tehran, in the face of increasing international pressure.

Chinese nuclear diplomacy abides by three principles: no intervention in the domestic affairs of another country, no nuclear proliferation, and no disruption of energy supplies from the Middle East. China unsurprisingly emphasizes Iran's right to civilian nuclear energy under the NPT and publicly contests Iran's acquisition of nuclear weapons. As they maintain that negotiations via dialogue and consultations are the only way to solve this issue, they are quick to praise any Iranian cooperation; in the past, it has also expressed support for EU (and Russian) diplomatic initiatives; in 2006, China agreed to UNSC resolution 1696<sup>26</sup>, that gave Iran one month to suspend all enrichment-related and reprocessing activities; after Iran failed to halt uranium enrichment China finally voted with the majority of the IAEA Board of Governors in favour of referral to the UNSC, and fell in line with the majority once more at the UNSC for the passing of resolution 1737 that officially sanctioned Iran. Resolution 1737 blocked the import/export of sensitive nuclear materials and equipment, while also freezing the assets of persons and entities supporting Iranian proliferation-sensitive nuclear activities or the development of nuclear weapon delivery programs. Once more, Iran did not comply, so in 2007 UNSC resolution 1747<sup>27</sup> banned Iranian arms exports, and froze the assets and restricted the travel of additional individuals engaged in the country's proliferation-sensitive nuclear activities.

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<sup>26</sup> <http://www.un.org/News/Press/docs/2006/sc8792.doc.htm>

<sup>27</sup> <http://www.un.org/News/Press/docs/2007/sc8980.doc.htm>

Beijing however will not endorse economic sanctions, for fear of jeopardizing itself or opening the door to any possibility of the use of force. It also insists that Iran should be dealt with in the framework of the IAEA, possibly either to avoid the Western bias of the UNSC, or the stronger sanctions that would be suggested by a referral to it. Either way, this is evidently aimed at keeping Iran out of the UNSC and thus both protecting its economic assets in the country, and avoiding running afoul of the US.

While Iran, considering China, has the one aim – winning Beijing's support and thus dividing the major powers – China's considerations in this matter are far more varied. China first seeks to protect its energy interests in the country. It is also opposed to what it deems «power politics», the use of sanctions or force, which increases its sympathy towards Iran, already present since Iran is a developing country faced with Western pressure, which is something China tends to identify with. China also believes, as do Russia and certain members of the EU, that too much pressure on Tehran is likely to backfire. China moreover wants to cultivate the image of a «responsible stakeholder» in the international community and needs to keep a stable relationship with the US. Additionally, China has come to accept global arms control and non-proliferation norms (particularly for the advantage they give China itself), and so does not approve of an Iran with nuclear weapons. China opposes Iran's objective of acquiring nuclear weapons for fear of its destabilizing effects in the region, but still wants to ensure unfettered economic cooperation with the country for its own economic development and therefore its own stability. Finally, Beijing wants to ensure that its support for Tehran does not jeopardize its relations with Iran's Arab neighbours (possible profitable relationships) which is why it issued a communiqué in support of a nuclear-free Middle East. If China sides with Western powers against Iran, this has a great possibility of damaging its relations with other developing countries and energy partners, such as Sudan, Venezuela or Angola, which would damage both its economic relations and China's perception of itself as a leader of the developing world. China also needs good relations with the EU to expand trade and investment, obtain market-economy status, and persuade it to lift the arms embargo enacted in 1989.

Furthermore, going against the EU (and the US) in the matter of Iran could tarnish China's international image, precisely when it is trying to position itself as a responsible great power. The energy cooperation between the two countries mostly consists of the export of large quantities of crude Iranian oil to China. In April 2007, China replaced the EU as Iran's largest petroleum trade partner<sup>28</sup>; Iran was the third largest oil exporter to China in 2009 after Saudi Arabia and Angola – this would make Iran account for about fifteen per cent of China's annual oil consumption. The Iranians have often been unimpressed by Western economic sanctions since according to them, there are always secondary markets for Iranian resources, namely China or India. The Iranian energy industry badly needs foreign investment and technology, but China's total investments are dwarfed by Iran's investment needs. Furthermore, China's investment in overseas oil is extremely diversified, not concentrated in Iran; as of late it has been shifting towards Africa and Central Asia<sup>29</sup>, away from the Persian Gulf and the risks, as well as the uncertainties, associated with deeply anchored American military power, local instability, and the maritime transportation of oil. China is also not as useful as Iran would need it to be as a supplier of advanced energy technology, since Chinese firms are lagging behind their Western counterparts. Trade with Iran is only a very small part of China's overall trade, but China is Iran's second largest trade partner. If trade with Iran is however such a small part of Chinese trade, it must be that economic matters are not China's main motivator in siding with Iran, which would be surprising. Furthermore, as one of Iran's largest trade partners, China has far more clout than it used to with Iran.

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<sup>28</sup> Liu, J. and Wu, L. (2010) Key Issues in China-Iran Relations, *Journal of Middle Eastern and Islamic Studies*, Vol.4, n°1, p. 45

<sup>29</sup> As EU bans Syrian oil, China, India likely to fill void, *The Globe And Mail* (2011, September 4) <http://www.theglobeandmail.com/news/world/africa-mideast/as-eu-bans-syrian-oil-china-india-likely-to-fill-void/article2153476/> accessed May 12, 2012

China, Kazakhstan Sign Loan-for-Oil Deal, *Wall Street Journal* (2009, April 18) <http://online.wsj.com/article/SB123996097676128865.html> accessed May 12, 2012

Nigeria, China Sign Major Oil Deal, *Wall Street Journal* (2010, May 15) <http://online.wsj.com/article/SB10001424052748703460404575243892823004542.html> accessed May 12, 2012

China does not want to have to take a stand; the best way for it to avoid this is to keep the UNSC from taking action in the first place. The best way to attain this objective would be to get Iran to be more cooperative and open with the IAEA. Beijing does seem to find it difficult to believe that Iran will actually pose a threat.

## VI. Latest developments

Recently things have been developing fairly fast. In January 2011, Iran invited Russia, China, Egypt, Cuba and then-President of the EU Hungary to tour its nuclear sites, much to the displeasure of the E-3<sup>30</sup>. A few months later, China and Iran further deepened their economic cooperation by signing four billion US dollars worth of infrastructure projects in the fields of energy, water, mining and the environment.<sup>31</sup> In November, the EU, Russia and China together warned the Israelis on Iran; all three have been very clear when it comes to their disapproval of the use of force in this matter.

Much has already happened in 2012 when it comes to the Iranian case; attitudes have hardened, especially from the EU and the US. In January, President Obama blacklisted Iran's Central Bank; an Iranian nuclear scientist was murdered, probably by Israel; the man was the fifth Iranian scientist to be murdered since 2007. China once more condemned and opposed Iran's pursuit and/or possession of nuclear weapons<sup>32</sup>, and cut its imports of Iranian oil in half, due to a dispute on prices<sup>33</sup>. The EU agreed to an embargo on Iranian oil, which China criticized but is likely to profit from, since it will

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<sup>30</sup> Iran invites EU, Russia and China to tour nuclear sites, *The Telegraph* (2011, January 3) <http://www.telegraph.co.uk/news/worldnews/middleeast/iran/8237927/Iran-invites-EU-Russia-and-China-to-tour-nuclear-sites.html> accessed April 21, 2012

<sup>31</sup> Iran, China ink \$4 bn in infrastructure deals, *AFP news* (2011, July 16) <http://sg.news.yahoo.com/iran-china-ink-agreements-totaling-4-bn-133722029.html> accessed April 24, 2012

<sup>32</sup> China begins to turn against Iran, *The Telegraph* (2012, January 19) <http://www.telegraph.co.uk/news/worldnews/middleeast/iran/9025789/China-begins-to-turn-against-Iran.html> accessed May 1, 2012

<sup>33</sup> China extends Iran import cuts, supply talks to resume, *Reuters* (2012, February 6) <http://www.reuters.com/article/2012/02/06/china-iran-oil-idUSL4E8D65CW20120206> accessed March 29, 2012



drive Iranian prices down as they seek new clients.<sup>34</sup> The EU sought to persuade China and India to join the Iranian oil embargo; both these countries in the meantime have been busy diversifying their oil sources in the face of sanctions that make it more difficult to do business with Iran.<sup>35</sup>

In February, the EU once more pushed China for support on Iran talks; Angela Merkel called upon China to ask Iran to open its nuclear programme to more transparency. EU sanctions against Iran hinder Japanese and Chinese Oil Tanker insurance<sup>36</sup>, and China, Japan and India, who together make up approximately forty-five per cent of Iranian crude oil exports, debated reducing their oil imports from Iran<sup>37</sup>. In the meantime, China extended its Iran oil import cuts while the supply talks are to restart; China and Iran were going into their third month of disputes over payments and prices, which may be a face-saving way for China to quietly support Iranian sanctions. So far, this issue has not yet been resolved, which might have been the turning point in persuading Iran back to the negotiating table in April. China has been buying up additional oil cargoes from Saudi Arabia, Iraq, Russia, Australia and West Africa, thus making it less likely to become the main buyer of surplus Iranian crude.

US officials declared that the murders of Iranian scientists have been carried out by Israeli-trained and financed Iranian dissident groups.

During the EU-China summit, the two agreed to work together more on Iran, Syria, Burma and in the G-20.<sup>38</sup> Iran refuses inspectors access to its military site of Parchin.

In March, polls discovered a drop in support for the nuclear program amongst the Iranian public;

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<sup>34</sup> Chinese Traders Poised to Profit from Iran Oil Embargo, *Wall Street Journal* (2012, January 26) <http://blogs.wsj.com/chinarealtime/2012/01/26/with-eu-embargo-on-iran-oil-chinese-traders-set-to-seize-opportunity/> accessed March 29, 2012

<sup>35</sup> China buys Russia, Vietnam oil, as Iran supply cut, *Reuters* (2012, January 3) <http://www.reuters.com/article/2012/01/03/russia-crude-china-idUSL3E8C31W120120103> accessed March 29, 2012

<sup>36</sup> EU sanctions against Iran hinder Japanese, Chinese Oil-Tanker Cover, *Bloomberg* (2012, February 24) <http://www.bloomberg.com/news/2012-02-24/eu-s-iran-sanctions-curb-cover-on-crude-tankers-japan-china-insurers-say.html> accessed May 1<sup>st</sup>, 2012

<sup>37</sup> La Chine, l'Inde et le Japon réduiraient également leurs importations de pétrole iranien, *Le Monde* (2012, February 21) [http://www.lemonde.fr/proche-orient/article/2012/02/21/la-chine-l-inde-et-le-japon-reduiraient-egalement-leurs-importations-de-petrole-iranien\\_1646459\\_3218.html](http://www.lemonde.fr/proche-orient/article/2012/02/21/la-chine-l-inde-et-le-japon-reduiraient-egalement-leurs-importations-de-petrole-iranien_1646459_3218.html) accessed May 1<sup>st</sup>, 2012

<sup>38</sup> European Commission (2012) *L'UE et la Chine renforcent leurs liens*, February 16, 2012 [http://ec.europa.eu/news/external\\_relations/120216\\_fr.htm](http://ec.europa.eu/news/external_relations/120216_fr.htm) accessed April 29, 2012



the EU tightened sanctions against Iran in response to serious human rights violations in the country, and in response SWIFT stopped services to hundreds of Iranian firms and individuals blacklisted by the EU over Tehran's pursuit of nuclearization.<sup>39</sup> The US then exempted Japan and ten EU nations from financial sanctions, since they have significantly cut their purchases of Iranian oil (the EU oil embargo comes into effect on July first); China, India, the Republic of Korea and Turkey are still possibly targets for these financial sanctions<sup>40</sup>. In the meantime, Saudi Arabia declared it was prepared to raise its output of oil if necessary.

Iran after all opened the military site of Parchin, but only offered single-access. The UK, France, China, Germany, Russia and the US agreed to resume talks with Iran, and the Chinese ambassador to the EU once more declared China's opposition to the use of force against Iran.

Finally, in April, US officials declared that they could agree to limited uranium enrichment (up to five per cent) if Tehran takes other major steps to restrict its ability to develop a nuclear bomb, such as unrestricted inspections as well as strict oversight and safeguards. Iran imposed oil «counter-sanctions» on the EU, cutting exports to Spain; however, Spain's biggest refiner declared it had already replaced Iranian crude with Saudi Arabian oil<sup>41</sup>. India replaced China as Iran's premier oil client, before sanctions this summer make payments, insurance and supplies more uncertain.<sup>42</sup> The first meeting between Iran and the P5+1/E-3+3 happened in Istanbul; Lady Catherine Ashton, the EU's High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission declared the talks «constructive and useful»; the next meeting was scheduled for May twenty-third, 2012.<sup>43</sup> This meeting only led to the scheduling of the next

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<sup>39</sup> SWIFT to cut services for Iranian firms blacklisted by EU, *China Post* (2012, March 16) <http://www.chinapost.com.tw/international/middle-east/2012/03/16/334811/SWIFT-to.htm> accessed April 29, 2012

<sup>40</sup> US exempts 11 states from Iran sanctions; China, India exposed, *Reuters* (2012, March 21) <http://www.reuters.com/article/2012/03/21/us-iran-usa-sanctions-crude-idUSBRE82J11M20120321> accessed April 29, 2012

<sup>41</sup> Iran imposes oil «counter-sanctions» on EU, *Reuters* (2012, April 10) <http://uk.reuters.com/article/2012/04/10/uk-iran-spain-oil-idUKBRE83913P20120410> accessed April 27, 2012

<sup>42</sup> India replaces China as Iran's top oil client, *Reuters* (2012, April 12) <http://in.reuters.com/article/2012/04/12/india-iran-oil-idINDEE83B0DS20120412> accessed April 27, 2012

<sup>43</sup> Ashton: Iran nuclear talks 'constructive and useful' *CNN* (2012, April 15) [http://edition.cnn.com/2012/04/14/world/meast/iran-nuclear/index.html?hpt=hp\\_t3](http://edition.cnn.com/2012/04/14/world/meast/iran-nuclear/index.html?hpt=hp_t3) accessed May 1<sup>st</sup>, 2012

meeting in Moscow on June 18, which was apparently negotiated through three separate meetings between the High Representative of the EU and Iran, China and Iran, and Russia and Iran.<sup>44</sup> The Iranian side wanted a lifting of sanctions, while the E3+3 sought certainty about Iran's peaceful aspirations.<sup>45</sup> The election of France's new president has also led to questions about the French perspective on the matter, although for now it seems unlikely that President Hollande will veer from Nicolas Sarkozy's course.<sup>46</sup>

## VII. Conclusions

It would seem that things are finally moving forward in the Iranian case, and that the next few months should see some evolution – whether good or bad. With the US and the EU both having imposed serious sanctions, either Iran will give in or it will go forward with its nuclear aspirations; from now on, there are few more sanctions that can be used to threaten Iran, and the use of military force is not an option for the EU, and should not be a realistic one for the US.

It would also appear that China and the EU have been able to collaborate in this matter, even if at times their views have been widely divergent. It does seem plausible at this point that China's price dispute with Iran may be manufactured so as to save face, but still hinder Iran's nuclear ambitions.

Interestingly enough, things could have been different for Iran if the line of demarcation between nuclear weapon states and non-nuclear weapon states had not changed; through the eighties, the basis for a nuclear weapon state was whether or not it had conducted a successful explosive nuclear

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<sup>44</sup> Iran nuclear programme talks salvaged from collapse, *The Guardian* (2012, May 25) <http://www.guardian.co.uk/world/2012/may/24/iran-nuclear-programme-talks-salvaged> accessed May 27, 2012

<sup>45</sup> Iran nuclear talks continue into second day, *The Guardian* (2012, May 24) <http://www.guardian.co.uk/world/2012/may/24/iran-nuclear-talks-continue> accessed May 27, 2012  
Nucléaire: après négociations à Bagdad entre les grandes puissances et l'Iran, *Le Monde* (2012, May 25) [http://www.lemonde.fr/international/article/2012/05/24/nucleaire-apres-negociations-avec-l-iran\\_1706803\\_3210.html](http://www.lemonde.fr/international/article/2012/05/24/nucleaire-apres-negociations-avec-l-iran_1706803_3210.html) accessed May 27, 2012

<sup>46</sup> Le Monde (2012) Nucléaire Iranien : la France ajuste sa position de manière tactique, May 23, 2012 [http://www.lemonde.fr/proche-orient/article/2012/05/22/nucleaire-iranien-la-france-ajuste-sa-position\\_1705274\\_3218.html](http://www.lemonde.fr/proche-orient/article/2012/05/22/nucleaire-iranien-la-france-ajuste-sa-position_1705274_3218.html) accessed May 27, 2012

test; since the nineties, it has been whether or not the state in question has accumulated sufficient fissile material for such a test. The example of Japan is often brought up as an idea of what Iran may be seeking, since Japan has sufficient quantities of fissile material, but is still non-nuclear; however, the new metric makes it a nuclear weapon state.<sup>47</sup>

Expanding the issue to Iran's human rights abuses might also serve to both legitimize the issue, and bring certain developing countries on board, such as Brazil for instance.

If Iran achieves nuclear weapons capacity, it will cost the EU's credibility as a global actor a great deal, especially due to the lack of consistent negotiating positions it has exhibited. What is possible for the EU to do, as a primarily economic power, is to credibly raise the costs for proliferating states, which is what it is seeking to do at the moment with the embargo on Iranian oil it has enacted. The EU should also probably seek to bolster missile defense, build alliances with Arab states and work on creating structures that would reduce the risks of a nuclear Middle East. This will only work if Israel is called out for its nuclear status; EU states have increasingly raised the issue of Israel, and at the NPT conference in May 2010, a Final Outcome document was adopted that includes an Action Plan for the Middle East, calling for Israel's accession to the NPT and placement of its nuclear facilities under IAEA safeguards.

The EU's diplomatic coalition needs strengthening; it needs to definitely rule out the use of force, which would reassure developing countries and make them more amenable to help. In the long-term, there should be consideration of containment plans for the future, just in case, as well as a push for the creation of mutual security frameworks in the Middle East, which would then hopefully void the need for WMDs. It seems probable that there will be no real security in the area until there is a regional forum involving all parties.

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<sup>47</sup> Gratias, M. and Hymans, J.E.C. (2011) *Iran and the Nuclear Threshold : Where is the line?* Convention of the International Studies Association Montreal, Canada, p. 4

## Chapter four

### Case study: India's nuclear proliferation

After examining the case of Iran, it becomes apparent that India's acquisition of nuclear weapons in the late nineties is often pointed at as a hallmark of Western hypocrisy in these matters. This begs the question of why, exactly, such a huge disparity exists between the West's handling of the Iranian and Indian cases. India's nuclearization serves as a justification for Iran and its supporters, since although India never signed the Nuclear Non-Proliferation Treaty (NPT) and yet still acquired nuclear weapons, it has had to face little to no sanctions. This parallels the way India itself used the case of Israel in its time. Nowadays India is seen as an ally of the US, with which it has even signed a nuclear deal, the completion of which caused the US – with the rest of the international system following its lead - to push for a change in the rules so as to accommodate India outside of the NPT. Moreover, in the meantime European (and American) defense companies are tripping over themselves in their haste to sell arms to India, which runs contrary to their treatment of both Iran and China.

#### **I. India's emergence and the EU**

The EU's interest in India stems mostly from the economic opportunities, particularly in the lucrative fields of civil nuclear activities or conventional weapons system that the emerging power, with its fast-paced economic growth and increasing presence on the world stage, offers, much as China does. This has been compounded by the strategic partnership agreements India has entered in with both the EU and the US in the last decade. India's on-going bid for a permanent seat on the United Nations Security Council (UNSC), as well as its more proactive role in the World Trade Organization (WTO) also exemplify its emergence as a world power, and the fact that it has started to be taken more seriously by the EU and the rest of the world. Both things have led many to wonder whether India wishes to change the status quo or simply be a part of it, particularly as India

is also somewhat of a leader in the developing world.

The change in the perception of India and its global status amongst the rest of the world, in the EU and China, is best shown through its nuclearization. The 1998 nuclear test signaled a new assertiveness in Indian foreign policy, that allowed it to flout international norms and expose itself to the censure of other nations, even if India itself deemed the censure illegitimate or unfounded; one could consider it to be one of the earlier signs of a more emancipated, more powerful India. It was obviously a turning point in the nation's self-perception, and in the perception of India by other countries. India bet – correctly – that in the long run, the benefits would outweigh the disadvantages. India's nuclear test was the first step towards a more powerful India, especially on the international stage; its nuclearization could not fail to put it on the map, for developed and developing countries alike. There is evidence that the EU, for instance, started taking India seriously as a global actor only after the 1998 test.<sup>48</sup>

European elites easily find common ground with India, since the country has a long history of democracy and of fighting internal terrorism; when it comes to India's nuclearization, the country views itself as a responsible nuclear power, claiming that, contrary to Pakistan, it has not been the source of nuclear proliferation; this only serves to reinforce the common ground between them, and diminishes the doubts certain countries might have had when it came to India's acquisition of nuclear power. In the same way, the events of 9/11 signaled a new era for India on the international stage; the War on Terror opened a new era for traditionally cold US-Indian relations, while at the same time enabling India to mold the international nuclear norms towards something rather more favourable to itself, as evidenced by the US-India Nuclear Deal of 2006, that the EU apparently did not oppose.

India's nuclear ambitions came to fruition in 1998. At the time, the international community widely

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<sup>48</sup> Novotny, D. (2011) The EU's place in India's Foreign and Security Policy, *EU External Affairs Review*, July 2011, p.97

condemned the country's sudden acquisition of nuclear power, and the nuclear tests it performed (as well as those of Pakistan, which quickly followed suit). United Nations Security Council Resolution 1172 was passed, prohibiting the export of materials, equipment, or technology that could assist either the Indian or the Pakistani nuclear programmes<sup>49</sup>, effectively cutting India off from most technological improvements in these matters until the US deal came up.

Most EU member states terminated aid with India under NPT rules, including Denmark, Sweden and Germany who all suspended aid; at the same time, the European Parliament severely indicted both India and Pakistan for their tests, calling for them to refrain from further tests and immediately join both the NPT and the CTBT. However, there were in actuality few concrete measures taken to sanction India's actions, and the condemnation was short-lived.<sup>50</sup>

Additionally, countries such as France and Spain only condemned the test without further comments, since to them India not being part of the NPT meant that it did not have to refrain from pursuing nuclear weapons, although it 'should' have.

The Western condemnations and sanctions of the tests were largely unconvincing, much as they are to developing countries now in the case of Iran; India and other developing countries (and even some European ones) deemed them hypocritical since Israeli nuclear weapons had previously been all but ignored. In the same way, India is now oft-used as an example of Western double standards when discussing the Iranian case. At the time it was felt that the Israeli case was the first sign of the loss of legitimacy of the NPT, especially for Muslim nations. Having Western powers simply ignore the existence of Israeli nuclear weapons was another type of double standards in international law.

From then on, Western nations had little moral legitimacy left, particularly when the US did not ratify the Comprehensive Test Ban Treaty, which cemented the perception of many countries that the US saw itself as being above the rule of international law. The fact that none of the five legal nuclear countries, two of which are part of the EU, took no visible steps towards disarmament, only

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<sup>49</sup> <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N98/158/60/PDF/N9815860.pdf?OpenElement> accessed May 5<sup>th</sup>, 2012

<sup>50</sup> Baroowa, S. (2007) The Emerging Strategic Partnership between India and the EU: a Critical Appraisal, *European Law Journal*, Vol. 13, No. 6, November 2007, p. 737



reinforced this.<sup>51</sup>

## **II. India's nuclear legitimacy and the impacts of its recognition**

The EU's perception of India is likely enhanced by the fact that India is a democracy, and thus its military, nuclear, and other strategic assets are under civilian control, much as in the EU itself. Moreover, India has harmonized its export control lists with those of both the Nuclear Suppliers Group (NSG) and the Missile Technology Control Regime (MTCR), thus fulfilling the obligations of UNSC resolution 1540, adopted in 2004, which "imposes binding obligations on all States to adopt legislation to prevent the proliferation of nuclear, chemical and biological weapons, and their means of delivery, and establish appropriate domestic controls over related materials to prevent their illicit trafficking."<sup>52</sup> (The resolution was later extended via Resolutions 1673 in 2006, 1810 in 2008, and 1977 in 2011, the latest extending it until 2021). All these efforts have served to convince the EU that India is a responsible nuclear holder, although China at least would probably disagree, even as it goes with the majority to allow India recognition as a semi-legal nuclear power. Much as the five legal nuclear powers are supposed to be under the NPT, India also claims that it remains committed to complete disarmament, although as of now this shows no sign of happening, either for the legal nuclear powers or the 'illegal' ones, which assuredly casts a shadow on any of their non-proliferation efforts. Furthermore, as India admittedly does not believe in the legitimacy of the non-proliferation system as it is, it is doubtful that it may be proactive on this issue. One might even question if it wants to be. While India can no doubt see sizable benefits to limiting proliferation – its issues with neighbouring countries are well-documented – as a non-NPT member who has won the recognition of the international community as far as nuclear matters are concerned, India can only be unconvincing if it seeks to argue that other countries should not pursue the attainment of nuclear weapons.

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<sup>51</sup> Meier, O. (2006) The US-India Nuclear Deal: The End of Universal Non-proliferation Efforts? *Internationale Politik und Gesellschaft*, Issue 4-2006, p. 31

<sup>52</sup> <http://www.un.org/en/sc/1540/>

Faced with India's claims of a spotless proliferation record, one might point out several flaws in India's non-proliferation record; first, and foremost, its illicit procurement system for its own nuclear weapons system would be the most obvious one; second, its national export controls system is poorly implemented, if not lax; third, it has a procurement system that may unknowingly transfer sensitive information about uranium enrichment; and finally, India only allows international inspectors access to fourteen of its twenty-two facilities, which while easily explained through the prism of military security, does nothing to improve its credibility when it claims a spotless record. None of these things have stopped the Western world from embracing India in recent years. One would think the EU might worry about its export controls and the possible transfer of sensitive information, but few seem to be concerned. This might be due to the fact that India and Western countries have «ideational proximity», since India is the world's largest non-Western democracy, which makes it more likely for it to share values with the West than many non-democratic countries (China being a notable example); the shared values, as well as the long history of colonialism that the UK shares with India are a likely cause to why the EU is more likely to make allowances for India. India and the EU also have in common their diversity, even if evidently their situations are far from being the same, and both have to deal with the issues that arise from this diversity. While the EU and its various member states condemned and sanctioned India for the tests in 1998, this was short-lived; the 2006 deal with the US was the last nail in that coffin, as well as a victory for India. The deal signaled the end of India's «technology drought» since the 1998 tests; it also legitimated India's nuclear program, and gave it international recognition. The access to more advanced technology was the most important gain for India here, along with legitimation of its nuclear status. In any case, the one was unlikely to come without the other, since the EU countries in the NSG, as well as China, Russia and the US, were never going to sell more advanced technology to India while it was still an international pariah when it came to nuclear matters. For the EU, a strong, confident India might prove to be an alternative to China in the future. In return, the deal also demanded several things from India, most importantly the separation of India's nuclear facilities along civilian/military lines, as well as bringing India's civilian facilities under

international safeguards, and limiting India's rights to transfer nuclear technology, but at the end of the day, India managed to have the international rules bent for its sake, which constitutes a definite victory for it. As mentioned before, when it comes to bringing India's facilities under international safeguard, this implies giving access to international inspectors; India however declares it will open fourteen of its twenty-two nuclear facilities to inspectors, but retains the right to choose which facilities, which does not speak well for India's transparency and following of international rules in these matters, although one could probably argue that this is about military secrecy (the deal making India separate its nuclear facilities into civilian ones and military ones, which apparently was not the case before). After all, it is doubtful that the legal nuclear powers would simply open their own facilities to international scrutiny, other than under the aegis of scientific cooperation.

From the European perspective, furthermore, one may argue that this deal strikes a brutal, if not fatal blow to the international non-proliferation regime, since in essence the deal signifies that Western countries (particularly the US) get to decide what is «good» or «bad» proliferation and act accordingly, which also means that international law, in this matter at least, is not the rule and can be bypassed. This negates any legitimacy the rules may have. It also signifies that the pursuit of nuclear weapons can pay internationally; after all, if the acquisition of nuclear weapons has no cost, only benefits for India, why should it not be the same for Iran? Why should countries abide by the NPT when they can follow India's example? If India can become one of America's strategic partners less than ten years after acquiring nuclear weapons without being part of the NPT, as well as signing a civil nuclear deal – when sharing civil nuclear technology with non-NPT members is illegal -- the entire basis of the NPT becomes less credible, and thus less likely to be seen as law. The double standard just further weakens the NPT, already delegitimated by the lack of motivation of nuclear countries in fulfilling their disarmament obligations, especially the US, who furthermore has refused to ratify the Comprehensive Test Ban Treaty (CTBT) and has been developing new nuclear weapons. In the meantime, they continue to decry other countries seeking nuclear power, and the Iranian case only serves to underscore this fact. The US-India deal would also weaken the NSG, in that its export guidelines are binding on all members equally, and this proposal would make them

voluntary, at least when it comes to dealing with India.

There are also fears that this deal may trigger a new arms race in the region, between India, China, and Pakistan, which would threaten world stability, particularly with Pakistan being a known proliferator. Since the deal will also further Indian military nuclear uses, by providing the country with more enriched uranium than it has now, an arms race is not implausible. India is still far behind China in terms of military might, but India trying to bridge that gap would likely only spur China to keep it as wide as possible. China already seeks to keep India locked into South Asia, and keeping up military pressure, so as to ensure India has to devote resources to its own military (that might be better spent elsewhere) is a tried and tested way to maintain dominance.

China is already wary of the containment possibilities that an alliance with India would provide the US; if EU-India trade were to accelerate, possibly at China's expense, this could only worsen the situation. Its relations with India have long been fraught, due to their ongoing border dispute, and the 1962 war that China won did nothing to help matters. India, while concerned about China, also has to deal with its ongoing rivalry with Pakistan, that China has helped arm in the past, and who has proliferated in the past.

### **III. The China factor**

Considering this possibility, it is interesting to note that India used the «China threat» as an excuse for its sudden nuclearization in 1998. This evidently did not go down well with the Chinese, and Sino-Indian relations, never very smooth, stalled that same year. China had long enjoyed the advantage and prestige of being the only Asian nuclear power, and seeing old rival India come to the same point was unsettling. It is indisputable though that India was right to concern itself about China, since China had long supported the Pakistani nuclear weapons programme, and did its best to limit India's; both these actions were taken by China in an effort to keep India from being a threat to

itself, so as to remain the sole great power in the Asian region.<sup>53</sup>

In 1998, the US also enlisted Chinese support to deal with the fallout of the proliferation debacle that was India's acquisition of nuclear weapons, thus treating China like the responsible, trustworthy partner, and India like a rogue state.

However, neither the Sino-American partnership nor the American isolation of India lasted very long; the US soon engaged India again, which prompted China to also mend its ties with the country for fear of being left out and thus disadvantaged if a strategic alliance were to form. China feared then – as it does now – a US-India alliance that would set out to contain China; the 2006 US-India nuclear deal made it very unhappy indeed for this reason, and rightly so, since it would appear that a lot of the US's courting of India is based on the appeal of having Asia's second giant on its side so as to possibly contain China. China's increasing assertiveness in the global system, especially in its own region, has created grave doubts about its claim to a “peaceful rise” amongst other countries, particularly its neighbours. While China has maintained that the American-Indian nuclear cooperation must absolutely conform to the rules of the global non-proliferation regime, this is likely more because it fears being contained than because of an attachment to the non-proliferation regime itself (although it does see the benefits to limiting proliferation, particularly since this allowed it to be the only nuclear power in Asia for a long time). It does not seem to have persuaded the EU to this point of view, however, whether it would have helped or not.

While China and India are worlds apart on many, if not most issues, they at least have in common a shared «sense of inferiority to the power of the Western alliance»<sup>54</sup> which motivates much of their national identities and foreign policies, and would seem to influence both of their policies on Iran, for example. This would explain both countries' staunch defense of non-interference. This proximity though has not brought them closer; India seeks to come out from under China's shadow and recognition in its own right, while China strives for preeminence in the Asian region.

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<sup>53</sup> Novotny, D. (2011) The EU's place in India's Foreign and Security Policy, *EU External Affairs Review*, July 2011, p.96

<sup>54</sup> Garver, J. (2001) *Protracted Contest: Sino-Indian Rivalry in the Twentieth Century*, Washington: University of Washington, p. 353

#### **IV. India – EU relations**

While China uttered the loudest condemnations of Indian nuclearization, one may see exactly how very short-lived any actual condemnation was from the EU, since the first EU-India summit took place in Lisbon in the year 2000<sup>55</sup>. Since then, there have been regular annual summits, culminating in the 2004 Strategic Partnership Agreement. The Partnership Agreement includes multilateral cooperation in the international sphere, with emphasis put on conflict prevention, anti-terrorism, non-proliferation, the promotion of democracy and the defence of human rights; a strengthened economic cooperation (the EU is India's largest trading partner); cooperation in development so as to enable India to achieve the Millennium goals as set up by the United Nations; intensifying the mutual intellectual and cultural exchanges; and finally, improving the framework of Indo-European relations.<sup>56</sup>

The Strategic Partnership Agreement, while ambitious, so far has had few concrete achievements, other than Indian participation in both the GALILEO satellite navigation system project and the ITER international fusion nuclear research and engineering project, neither of which have much benefit when it comes to promoting non-proliferation around the world.

The next year, in 2005, the EU and India signed the Joint Action Plan, centered around five pillars: democracy and human rights, multilateralism, conflict prevention and post-conflict reconstruction, disarmament and non-proliferation, and terrorism; this was supposed to be an expansion of the relationship. However, just before the Joint Action Plan was signed, two EU countries (France and the Netherlands) held referendums in which their respective populations turned down the budding European Constitution. Therefore, the EU was incapable of ratifying it, which critically weakened the EU and prevented it from reforming its decision-making processes, which would have allowed it to become a more unified actor on the global scene. From this point, India-EU relations slightly

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<sup>55</sup> [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/er/09552.en0.html](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/09552.en0.html)

<sup>56</sup> Jaffrelot, C. (2006) India and the European Union: the Charade of a Strategic Partnership, *CERI-Sciences Po publication*, p.6



stalled; it bears noting that this made the EU unable to support India's bid for a permanent seat at the UNSC as a whole, even though individual member states may support it. The support of the entire European Union would have meant much for India.

While the EU is fragmented, and different countries have different perspectives and objectives when it comes to India, as a whole the EU does seek to further its relations with the budding Asian giant. Indian leadership however doesn't always quite know what to make of the EU; India tends to cultivate a plurality of partnerships with different EU member states, as do many third countries, the EU being somewhat difficult to deal with as a whole. This necessarily limits the perception countries may have of the EU as a single actor. Furthermore, as a country that tends to attribute a great deal of importance to hard power, and leans towards following realpolitik ideas, India can be somewhat disdainful of the EU's more idealistic notions and its ongoing support for things such as world governance based on norms, international law, and multilateral institutions. Indian elites' tendency towards hard power makes them closer to the US, which is less circumspect about the use of force than the EU would be; and Indian strategists often think that more benefits are likely to come to India from the possession of nuclear power than from the soft power attraction of being the world's largest democracy. Therefore, India turned away from the EU, and towards the US. Furthermore in 2005 the US made India the offer of a special status outside of the NPT, thus proposing a change in international rules, in a way that would allow India to be a participating member of what one may dub the “nuclear club”, and recognising India as a «responsible state with advanced nuclear technology». This offer obviously drew India closer to the US, and further away from the EU, seeing the US as the only way to achieve its goals.

The relationship with the EU is important; it is India's largest trade partner<sup>57</sup>, as well as a major source of high technology -- for things such as defence equipment, civilian planes, space cooperation, and scientific cooperation programmes -- and it also has the possibility of being a role model for a country as diverse as India, through its conflict-solving capacities for its many different

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<sup>57</sup> [http://eeas.europa.eu/delegations/india/eu\\_india/trade\\_relation/index\\_en.htm](http://eeas.europa.eu/delegations/india/eu_india/trade_relation/index_en.htm)

states. India however is not strong enough to go it alone, and it doubts, with reason, that the EU is able to offer what it needs to secure its place as an emerging great power.

In 2005, India signed its Strategic Partnership Agreement with the US, and the same year, the US offered India the possibility of the nuclear deal. While India gets the recognition it craves, and help it needs, the US gets a partner that may help it counterbalance, if not contain China in the future; all this leaves less space for the EU in India's psyche. Furthermore, in the past India has seen the EU as eager and willing to engage with China, India's more advanced but undemocratic rival, which has left a sour taste in the mouth of some Indian analysts, as a sign of Western hypocrisy once more.

While the EU touts its support of democracy, human rights and environmental protection, it has spent more time engaging China, with its less than stellar track record on all these issues, than India, which has done nothing to further the EU's case in Indian eyes. Deepening cooperation with China is likely to hurt the EU's relation with India, unless the cooperation entails bringing China closer to international norms. Additionally, if the EU as a whole had pushed for the nuclear deal, matters might be very different; however, it is unlikely that the EU would be able to bypass its values to offer such a game-changing deal, even if it had been able to come together for this purpose.

Contrasting the two different strategic partnerships serves to show the differences between EU-India and US-India relations. While the EU-India strategic partnership focuses on dialogue and cooperation, the US-India partnership is more security and challenges (geopolitical, energy, technology...) oriented. The EU partnership centers on multilateralism, and points out that France and the United Kingdom support India's bid for a permanent United Nations Security Council seat. When it comes to security, the discussion targets peacekeeping, peace-building, and post-conflict assistance, while the EU doesn't really know how to handle the nuclear issue, this being before the US deal changed matters. The US partnership on the other makes no mention at all of the UNSC bid, likely because the US sees reform of the entire UN as necessary before reforming the UNSC, as the UN's apex (although it bears mentioning here that in 2010, president Obama pledged to support

India's bid for the UNSC during a speech to the Indian parliament<sup>58</sup>). When it comes to security, the US encourages India's emergence as a force to deal with on the international scene, even when it comes to India's military dimension; and as to the nuclear issue, as mentioned previously the year of the Strategic Partnership the US offered to change the rules of the game just for India, and welcomed it as a nuclear state. However, while the US is most likely the only power that could offer this in reality, it is still referring the case to the international community, since it needs the approval of the Nuclear Suppliers Group for this to go forward. This is where the European nuclear countries' support became important for India, but French and British support for this was quasi-assured; the UK's relation with India made it unlikely to push against this action, and France would jump on the opportunity of a new market for its nuclear technology and know-how.

This is only reinforced by the fact that in 2006, two weeks before the US-India nuclear deal was finalized, India and France signed an Indo-French Joint Statement. This one contained explicit support for India's UNSC bid and an agreement on defence cooperation. At the same time, an additional document specifically devoted to the nuclear issue was signed, the "Joint Cooperation on the Development of Nuclear Energy for Peaceful Purposes".<sup>59</sup> This would imply that both parties were expecting the US-India negotiations to pave the way for the "adjustment of international civil cooperation framework with respect to India". Both knew it was going to happen.

France and India started their own strategic dialogue in 1998, and in 2002 set up a Joint Committee for Nuclear Energy; it would appear that while the EU is not ready to move strongly on sensitive issues ( as mentioned before, there is no consensus line, since the reforms on the decision-making process that were part of the Constitution were not adopted), this did not prevent certain EU member states to prepare for full-fledged cooperation with India once "international commitments and obligations" are redefined. France, being one of the leading exporters of nuclear technology in

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<sup>58</sup> Obama backs India's quest for UN permanent seat, *Reuters* (2010, November 8)  
<http://in.reuters.com/article/2010/11/08/idINIndia-52749720101108> accessed May 2, 2012

<sup>59</sup> Nucléaire Civil: l'Inde et la France coopèrent, *Le Figaro* (2006, February 20)  
[http://www.lefigaro.fr/international/2006/02/20/01003-20060220ARTWWW90537-nucleaire\\_civil\\_linde\\_et\\_la\\_france\\_cooperent.php](http://www.lefigaro.fr/international/2006/02/20/01003-20060220ARTWWW90537-nucleaire_civil_linde_et_la_france_cooperent.php) accessed May 20, 2012

the world, would have a great deal of potential profits from the possibility of trade with India. There is no possibility an EU state could have managed to redefine these rules on its own, since none of them are strong enough to pull other countries alongside themselves; indeed, only the US could have introduced this redefinition.

France's behaviour, for one, only serves to show how eager some, if not most EU states are to profit from India's booming economy; while the rest of the world, and especially Europe, lags behind, still affected by the ongoing recession, India, China and other developing countries maintain decent to impressive growth rates; it is little wonder that Western countries should try to profit from it, especially given the current economic climate.

In 2008, the EU extended its civil nuclear cooperation with India, in a move championed by former President Sarkozy of France, who was expected to sign a bilateral deal with the Indian Prime Minister. The same year, the civilian nuclear agreement was cleared by the Nuclear Suppliers Group, giving India access to dual-use technology, in return for placing fourteen of twenty-two nuclear reactors under International Atomic Energy Agency supervision as well as separating military and civilian reactors, as mentioned before. This would serve to show that even divided, the EU seeks to further its cooperation with India; after all, it would likely only be beneficial. India has since made bids to enter export control regime groups such as the Nuclear Suppliers Group, the Missile Technology Control Regime, the Wassenaar Arrangement and the Australia group.

## **V.India, conventional arms, and missiles**

Going from nuclear matters to conventional weapons, India is also the leading arms purchaser in the world<sup>60</sup>; it was already the leading arms purchaser in the developing world between 1999 and 2006

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<sup>60</sup> India now the world's biggest arms buyer, *International Business Times* (2011, March 14) <http://www.ibtimes.com/articles/122338/20110314/india-arms.htm> accessed April 30, 2012

with 22.4 billion US dollars in arms transfer agreements<sup>61</sup>, and accounted for ten percent of global arms imports from 2007 to 2011; the country is predicted to make 100 billion US dollars of arms purchases in the next decade, so obviously the US, Russia and the big arms producers of the EU are exceedingly eager to carve themselves a space in the Indian market.

In 2011, after much lobbying, India rejected an US arms deal in favour of European planes, to much American consternation; prior to that, European defence companies had – and other than this deal, probably still are – losing to the US and Russia for Asian contracts. In 2012 France's Dassault finally landed the mass order of fighter jets from India, the country having ordered a hundred and twenty-six planes for a price tag of approximately eleven billion US dollars.<sup>62</sup> Whether this means a slight shift in favour towards the EU remains to be seen. India is a huge market for conventional weapons, and establishing oneself there could be a manna for a company/country.

After this deal, news came out that President Obama was considering easing the US's arms export curbs, in view of selling more to India and Brazil particularly; currently, Russia provides approximately seventy per cent of Indian weapons. So far the EU has not announced any changes in its own rules. India not being embargoed, companies have more freedom to make ploys to crack the Indian market, although the Code of Conduct supposedly restricts sales.

In April 2012, India tested the Agni 5 nuclear missile<sup>63</sup>, which is allegedly capable of striking any part of China, which would seem to put India's "minimum deterrence" policy to rest, since this type of missile seems to be more poised for attack than for defence. In 2009, when the missile was still being constructed, Chinese reactions to the missile left Indian officials non-plussed<sup>64</sup>. Indian officials claimed that this missile was being constructed merely so as to being able to defend themselves against China's missile and nuclear capacities, which according to them, and to most

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<sup>61</sup> Grimmett, R. (2007) Conventional Arms Transfers to Developing Nations 1999-2006, *CRS report for Congress*, p. 17

<sup>62</sup> India is buying \$11 bn worth of French fighter jets, *Business Insider* (2012, January 31.) [http://articles.businessinsider.com/2012-01-31/europe/31008240\\_1\\_dassault-rafale-indian-government](http://articles.businessinsider.com/2012-01-31/europe/31008240_1_dassault-rafale-indian-government) accessed March 30, 2012

<sup>63</sup> India tests nuclear capable missile that can reach China, *Reuters* (2012, April 19) <http://www.reuters.com/article/2012/04/19/us-india-missile-idUSBRE83I03Z20120419> accessed May 1, 2012

<sup>64</sup> India surprised by Chinese fuss over Agni-V, *Times of India* (2009, October 17) [http://articles.timesofindia.indiatimes.com/2009-10-17/india/28078043\\_1\\_agni-v-requisite-operational-flexibility-dong-feng-31a](http://articles.timesofindia.indiatimes.com/2009-10-17/india/28078043_1_agni-v-requisite-operational-flexibility-dong-feng-31a) accessed May 1, 2012



analysts, are miles ahead of their own. In this way, the development of this new missile would still fit into India's nuclear doctrine, in that nuclear retaliation to a first strike will cause untold levels of damage to the assailant. Indian analysts often quote two reasons for acquiring Intercontinental ballistic missiles; first, ensconcing India even further as a global, nuclear power; the second, giving India the capacities to deal with “high-tech aggression”. “High-tech aggression” is something that has been demonstrated by the recent US wars in Iraq and Afghanistan, but it seems pretty clear that India is thinking of Pakistan and China above all, both nuclear countries. The development of Agni-5 could be construed as India's first step in a regional arms race, but it would seem to be more of an attempt to keep up with Chinese military might, rather than overcome it.

The development of a new intercontinental ballistic missile would be somewhat of a gray area when it comes to India's proliferation record. Missiles are not dealt with under the NPT, but rather under the Missile Technology Control Regime (MTCR), which has its own issues. The MTCR was created as a supporting treaty to the NPT; missile issues are increasingly tied to non-proliferation efforts, since missiles such as the Agni-5 can be used as vehicles for nuclear weapons. Established in 1987, the MTCR is a voluntary group of nations who possess missiles, with the goal of slowing the proliferation of nuclear missiles through the restriction of their exportation.

India claims that it holds itself to the standards of all non-proliferation groups and regimes, in this case including the MTCR. The proliferation of missiles and missile-related technologies are as pressing an issue as the proliferation of nuclear technology, since these are first-strike weaponry rather than deterrents. As mentioned before, India's export controls have not always been as stringent as necessary; as these export controls are applied to missiles as well, these leaves a legitimate fear of missile proliferation coming from India. If, for instance, long-standing friend Iran should acquire Indian missiles, this would only increase the sense of urgency in the international community when it comes to dealing with the Iranian issue, and possibly push Israel or the US over the brink. In 2010, India was preparing to sell its BrahMos supersonic cruise missile<sup>65</sup>, jointly built

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<sup>65</sup> India ready to export cruise missiles: official, *AFP* (2010, February 16)  
[http://www.google.com/hostednews/afp/article/ALeqM5imVY2MBIcn\\_OcvoQjOPsLtiayDvg](http://www.google.com/hostednews/afp/article/ALeqM5imVY2MBIcn_OcvoQjOPsLtiayDvg) accessed May 20,



with Russia, which only underscores the urgency of the problem.

## VI. India and Iran?

The EU has of late been pushing India to use its influence on Iran to get it to resume nuclear talks.<sup>66</sup> India is currently using the American and European sanctions on the country as an opportunity to further export there, and profit from lower oil prices, much as China has been doing.

It is true that India and Iran's relationship is a long-standing one; India's support of the Non-Aligned Movement positions on non-proliferation, as well as its own record are evident obstacles to India taking a hard line on Iran, as well as being arguments for its support of the troubled country.

The Bush administration, when they negotiated the US-India nuclear deal, declared that US-India nuclear cooperation would be the best way to bring India back into the "non-proliferation mainstream"; however, this has not translated into Indian support on the Iranian case as of now.

Although India has voted with the US and the EU on several resolutions, it still opposes Iran being declared non-compliant. India believes in Iran's right to develop peaceful and civil nuclear energy, and from its own position denies Western countries the moral legitimacy in this affair. In this, its position comes quite close to China's. India reportedly trained Iranian scientists in the nineties, and in recent years the US has imposed sanctions on two Indian scientists in 2004<sup>67</sup> and two chemical manufacturers in 2006 for nuclear-related transfers to Iran<sup>68</sup>. These should probably lead to a closer scrutiny of India's export policies and export controls; logically, if they are as spotless as India claims, this should not pose a problem.

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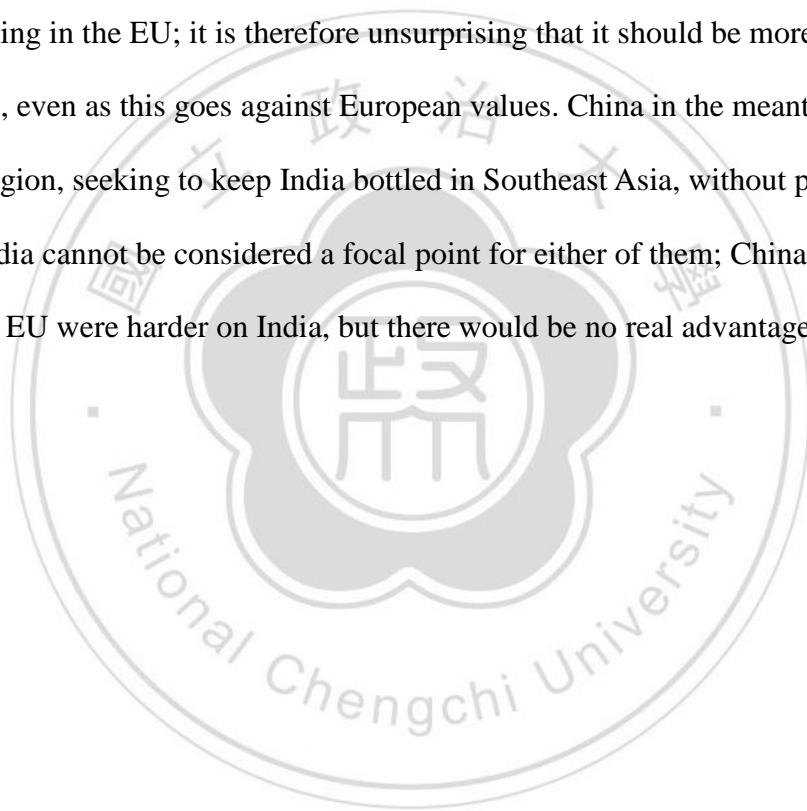
<sup>66</sup> EU asks India to help bring Iran to nuclear talks, *Reuters* (2012, February 10)  
<http://in.reuters.com/article/2012/02/10/eu-india-trade-idINDEE81906520120210> accessed April 20, 2012

<sup>67</sup> Indian scientists sanctioned for assisting Iran on nukes, *Washington Times* (2004, October 21)  
<http://www.washingtontimes.com/news/2004/oct/21/20041021-113330-3749r/?page=all> accessed April 27, 2012

<sup>68</sup> US slaps 'WMD' sanctions on firms, *BBC News* (2006, August 4)  
<http://news.bbc.co.uk/2/hi/5247350.stm> accessed April 27, 2012

## VII. Conclusion

The EU long ago stopped worrying about India's acquisition of nuclear weapons; India's democratic record and shared values with the West are likely what made the nuclear deal more palatable to developed countries; the possibility of exporting nuclear technologies, conventional weapons, etc. to India also as likely as not sweetened the deal for certain countries, especially European ones with leading defense and nuclear industries such as France, the UK, or Germany, particularly in the currently difficult economic times they are facing. Increasing relations with India is seen as a good, if not necessary thing in the EU; it is therefore unsurprising that it should be more lenient than otherwise to do so, even as this goes against European values. China in the meantime acts against India in its own region, seeking to keep India bottled in Southeast Asia, without possibility to expand further. India cannot be considered a focal point for either of them; China might be appreciative if the EU were harder on India, but there would be no real advantage to it.



## Chapter five

### The Strategic Partnership and its implications

In 2003, the EU and China upgraded their relationship to that of Strategic Partnership. As 'strategic' implies further security considerations, rather than simply trade and/or cultural ties, this had implications for their attitudes and cooperation on the matter of non-proliferation. At the same time, it ties in to the matter of the arms embargo, which is also a security matter.

#### I. The Strategic Partnership: build-up and execution

EU-China diplomatic relations were first established in 1975, but were mostly trade-based for the subsequent years. The European Commission only entered in a 'political dialogue' with China in 1994; this was further built upon in several later documents, notably «A Long Term Policy for China-Europe Relations» in 1995, and «Building a Comprehensive Relationship with China» in 1998.

The nineties mark not the beginning but at least the confirmation of China's incredible economic growth, and thus its increasing confidence and quest for a more multipolar world; at the same time, China was looking for ways to consolidate its economic achievements, especially when the Asian financial crisis came about. Closer cooperation with Europe and its huge market was a concrete goal, both in economic and strategic terms.

The European Commission's 1995 paper was important since it showed that the EU grasped the growing importance of China amongst the world's nations, and thus the necessity of improving its relationship with China, conveying that a solid, long-term relationship, that would echo China's position in the international system, should be established

The early 2000s saw the increasing relevance of the China-EU partnership, with 2003 being a particularly fruitful year. The Eighth EU-China Summit, happening on October 30, 2003,

emphasized 'the increasing maturity and growing strategic nature of the partnership'. The prior 'comprehensive partnership' was then elevated to Strategic Partnership.

In 2003, two policy papers were also published that were to guide the development of said Strategic Partnership; the EU's «A Maturing Partnership: Shared Interests and Challenges in EU-China Relations» and China's «China's EU Policy Paper».

The EU's policy paper, while dealing with more pressing issues such as economic ties, bilateral trade, and human rights, also partly covered the EU's strategy towards China itself, insisting that China is one of the EU's major strategic partners and that both parties concern themselves with the advent of a more democratized international system, being as they favour multilateralism/multipolarity. This marked the recognition of shared interests in the affairs of the world, rather than just of bilateral relations. Strategic relations also came to the fore in a post-9/11 world, with both the Iraq and Afghanistan wars ongoing, and the fear of terrorism omnipresent. Even if the EU has never unequivocally explained the Strategic Partnership itself, this policy paper emphasized the shared responsibilities of both China and the EU in «promoting global governance»; according to the paper, the two parties should work together to «safeguard and promote sustainable development, peace and stability.»

China's EU policy paper, even though published eight years after the first EU policy paper on China, still marked the first time the Chinese government issued policy paper targeting a particular country or region, which was taken by many to imply that the importance attached to the bilateral relationship by China was significant.

The Strategic Partnership was consequential, in that it brought about what is often referred to as a 'honeymoon period' in EU-China relations around 2003 and 2004, with for instance EU officials making 206 visits to China in 2004, which averages out to four times a week, to have discussions with their Chinese colleagues. In another example, Wen Jiabao, the Chinese Prime Minister, was the first foreign official to visit the EU in May 2004, after the EU's important eastward expansion.

While little explained, the Strategic Partnership is happening at a bilateral level, within 'mini-lateral' and multilateral structures, as well as at a global level, within multilateral, international institutions

such as the UN and the WTO. The partnership has also been extended by the EU to include so-called 'third party issues', notably the EU and China's positioning in Africa, and to research the prospects of cooperation and/or dialogue in the African continent. The advancing institutionalization of the partnership also bears noting. In this case, the EU-China bilateral relationship has the most enduring and far-reaching institutionalisation of all the EU's relations, except of that with the US. It comprises the annual EU-China summits and the concomitant political dialogues, annual/biannual meetings of the troika with Chinese leaders, gatherings between EU Heads of Mission and the Chinese Foreign Minister, conferences of political and regional directors, strategic dialogue meetings, expert level conference on issues from human rights, migration and trafficking, non-proliferation and arms exports, to more general Asian affairs, over twenty sectoral dialogues covering many areas, for instance nuclear cooperation, etc.

The Strategic Partnership thus expanded China-EU cooperation and closeness, which is why 2003 and 2004 are oft-described as a 'honeymoon period' for the two countries. While the EU's objectives when it comes to the partnership itself remain relatively ill-defined, Beijing on the other hand has always had two clear goals when the Partnership is involved, the first being the lifting of the arms embargo, the second the attainment of Market Economy Status (MES). Neither of these having materialised yet, it is understandable that China may have withdrawn from the Partnership in recent years, focusing on other partners instead.

The EU's positioning with regards to China also has to do with the European perception that engagement is the best way to draw recalcitrant countries in the international system. In this sense, closer engagement with China, through all bilateral agreements and dialogues, including the Strategic Partnership, should in effect encourage the Asian giant into becoming a 'responsible' member of the international system, and bring it closer to values held in European circles. "Peaceful Rise" and "Responsible Stakeholder" are catchphrases used in Beijing to describe China's ascent, be it economic, political or military, and China needs international support that will validate these notions. The Strategic Partnership, and thus the EU approval that it implies, support the Chinese

claims<sup>69</sup>. Moreover, the EU officially tends to neglect the idea that China's development might be seen as being threatening, with statements to the effect that China is an opportunity, not a threat (as most recently expressed by the President of the European Council, Herman Van Rompuy, in a speech during the February 2012 EU-China Business Summit<sup>70</sup>)

Traditional security issues were never really on the agenda of the Strategic Partnership, one of the pillars of the EU-China relationship being that both sides have never had to clash over conflicting interests in each others' region, unlike for instance China and the US. Even though it was feared that the Strategic Partnership foreshadowed some kind of security alliance between the two, especially when the lifting of the arms embargo came to the forefront of the EU-China agenda around 2004, as the issue of the arms embargo quietly died down, so did fears about an actual strategic partnership between the two. It would appear that 'strategic' rather stands in for 'comprehensive' when considering the multiplying numbers of 'strategic dialogues'. China and the EU, essentially, do not behave as strategic partners when it comes to international security issues. While they mostly agree on the greater goal of maintaining peace and stability at a global level, there are but few instances of their cooperation in these matters, Iran and counter-piracy being some examples of it.

In 2006, the two launched negotiations on a Partnership and Cooperation Agreement that would, according to Premier Wen, encompass the full scope of their bilateral relationship.<sup>71</sup>

## **II. The Strategic Partnership and cooperation on non-proliferation**

As mentioned before, the Strategic Partnership necessarily had an impact on cooperation on non-proliferation between China and the EU, since for all purposes it upgraded their cooperation to

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<sup>69</sup> Shambaugh, D. (2005) The New Strategic Triangle: U.S. and European Reactions to China's Rise, *The Washington Quarterly*, Summer 2005

<sup>70</sup> [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/en/ec/127965.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/ec/127965.pdf) accessed May 30, 2012

<sup>71</sup> China, EU to launch talks on framework agreement, *Xinhua* (2006, September 9) [http://news.xinhuanet.com/english/2006-09/09/content\\_5071109.htm](http://news.xinhuanet.com/english/2006-09/09/content_5071109.htm) accessed May 28, 2012



include security matters.

As mentioned before, further cooperation with the EU, and its 'civilian power' bonafides, was a way for China to legitimate its self-proclaimed 'peaceful rise' narrative and potential as a 'responsible stakeholder' in the international system. Establishing a strategic partnership with the EU would enhance China's international status, while also signifying the debut of a more multilateral/multipolar (multilateral for the EU, multipolar for China) world order. Rather than European influence in itself, this potential may be what leads China to cooperate in the field of non-proliferation – that and the prospects of lifting the arms embargo and attaining Market Economy Status at last.

Becoming more and more important in the international system – as it came closer to great power status – China's position on certain strategic issues came to be more reflecting of the policies of other powers, non-proliferation being a case in point. China's position on non-proliferation has changed drastically in the last twenty years, starting with its accession to the NPT in 1992, after the other nuclear power still holding out, France, announced its accession to the treaty in 1991.

Since then China has appeared to agree with the consensus amongst legal nuclear powers – and most countries – on the benefits of non-proliferation, and has seemingly become more prudent in exporting these technologies and materials in the last decade. In 2002 and 2003, China passed several laws concerning export controls and non-proliferation, although experts claim that its export controls are still weak.

In December 2003, the EU passed its first 'Security Strategy Report', confirming China as one of its major strategic partners. The results of this report were that the EU and China agreed to cooperate on several different global issues, which included environmental changes, money laundering, organized crimes and drug trafficking, but more importantly covered antiterrorism and the non-proliferation of WMD.

During the Seventh EU-China Summit, in December 2004, the 'Joint Declaration on Non-Proliferation and Arms Control' was signed by the two parties. This document saw China and the

EU coming together and advocating a more diplomatic, peaceable approach, as opposed to the interventionist, unilateralist American approach of the time. During the Summit, it was stated that China and the EU “recognise each other as major strategic partners in the area of disarmament and non-proliferation”. It was also noted that “both sides appreciated their respective efforts in facilitating a political resolution of the Iranian nuclear issue”<sup>72</sup> for instance, while Javier Solana declared in 2005 that in the Iranian issue “the EU and China have both expended considerable diplomatic effort to support what the other is doing. This has strengthened both our hands. This is strategic partnership in action”.<sup>73</sup> The case of Iran also featured in the EU-China 'strategic dialogue' meeting in December 2005, and has been a pressing issue ever since, as developed in Chapter Three. China and the EU have been key to the multilateral, diplomatic discussions that managed to keep open the possibility of a peaceful solution to the Iranian issue.

In the meantime, the EU and China do have regular consultations at an expert level on non-proliferation and conventional arms exports, which is encouraging. Furthermore in 2008, the EU adopted an Action Plan on chemical, biological, radiological and nuclear security, that will further curb proliferation of WMDs and the export of dual-use technologies, including to China, itself a legal nuclear country.<sup>74</sup>

In 2010, a meeting was held in Beijing during which around a hundred government officials, experts, scholars and business representatives from China and the EU came together to discuss non-proliferation export control policies, debating problems concerning export licensing and export control enforcement at the 2010 China-EU Export Controls Seminar<sup>75</sup>; thus showing both parties' interest in cooperating in these matters. The same year China released a White Paper on non-proliferation, extolling its responsible approach to non-proliferation and asserting its opposition to

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<sup>72</sup> Joint Statement of the EU-China Summit, December 9, 2004 <http://www.fmprc.gov.cn/eng/wjdt/2649/t174512.htm> accessed May 29, 2012

<sup>73</sup> Javier Solana, *Driving Forwards the China-EU Strategic Partnership*, speech given to the China-Europe Business School in Shanghai, September 6, 2005 [http://ue.eu.int/ueDocs/cms\\_Data/docs/pressData/en/discours/86125.pdf](http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/discours/86125.pdf) accessed May 29, 2012

<sup>74</sup> [http://europa.eu/legislation\\_summaries/justice\\_freedom\\_security/fight\\_against\\_terrorism/jl0030\\_en.htm](http://europa.eu/legislation_summaries/justice_freedom_security/fight_against_terrorism/jl0030_en.htm) accessed May 30, 2012

<sup>75</sup> China, EU discuss non-proliferation cooperation, Xinhua (2010, December 8) [http://news.xinhuanet.com/english2010/china/2010-12/08/c\\_13640928.htm](http://news.xinhuanet.com/english2010/china/2010-12/08/c_13640928.htm) accessed May 27, 2012

proliferation of WMDs and of their means of delivery, likely to reaffirm its commitment to non-proliferation and shore up its international image in the wake of hardening opinions on Iran.<sup>76</sup>

In 2012, the China Arms Control and Disarmament Association and the U.K. Royal United Services Institute held the China-U.K. Nuclear Strategy Research Meeting in Beijing, discussing the future of the nuclear non-proliferation treaty as well as possibilities of cooperation.<sup>77</sup>

At the Seoul Nuclear Security Summit in 2012, Beijing took a proactive approach, once more stating its commitment to non-proliferation and putting forward proposals to enhance nuclear security.<sup>78</sup> During the summit, the secretary-general of China Arms Control and Disarmament Association (organization founded in Beijing in 2001 to promote arms control, disarmament, and nonproliferation) also put forward proposals to reduce the risk of nuclear terrorism, also offering technological assistance if needed by the international community.<sup>79</sup>

### **III. The Strategic Partnership and the lifting of the arms embargo**

One of the main issues between the EU and China is the outstanding arms embargo, dating to the Tiananmen Incident of 1989. China has long been asking that it be lifted, to reflect the country's current status; after the Strategic Partnership came to be, it seemed that the arms embargo was finally going to be lifted, but the EU's failure to come together and remove it led to a definite cooling of the relationship.

The arms embargo was imposed on China after the violent suppression of pro-democracy demonstrations in Tiananmen Square in 1989. The embargo is one of the more important points of contention between China and the EU, since for China the EU is withholding what China sees as its

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<sup>76</sup> China deals with non-proliferation in «highly responsible manner»: white paper, *Xinhua* (2011, March 31) [http://news.xinhuanet.com/english2010/china/2011-03/31/c\\_13806950.htm](http://news.xinhuanet.com/english2010/china/2011-03/31/c_13806950.htm) accessed May 30, 2012

<sup>77</sup> China-UK Nuclear Strategy Research Meeting held in Beijing, *People's Daily* (2012, March 30) <http://english.people.com.cn/90786/7774740.html> accessed May 29, 2012

<sup>78</sup> President Hu elaborates on China's stand at Seoul Nuclear Security Summit, *People's Daily* (2012, March 27) <http://english.people.com.cn/102774/7770381.html> accessed May 29, 2012

<sup>79</sup> Eradicating terrorism key to guaranteeing nuclear security, *People's Daily* (2012, March 27) <http://english.people.com.cn/90780/7770928.html> accessed May 29, 2012

rightful position in the international system, by keeping at the same level as several rather less developed, violent countries, while for the EU China's lack of progress when it comes to matters of human rights and the rule of law is still a sticking point. In this sense, it is difficult to say who is at 'fault' here; one may argue that the EU is interfering with another country's affairs, which is the Chinese point of view. On the other hand in this matter the EU is only setting rules for its members to abide by, as any state does, even if the embargo may have not been the most efficient tool in dealing with this issue.

The Council's ruling did not exactly specify the exact terms of the embargo, leaving member states some leeway in interpretation. The embargo was further clarified in 1994 to exclude lethal weapons and ammunition, but did not mention dual technologies and components. The European Code of Conduct was then adopted in 1998 to serve as an indication to member states as to which weapons were banned for export, and a binding Dual-use Regulation was introduced in 2000. The Code of Conduct was not legally binding, although four of its eight criteria for banning exports were considered compulsory (these include the fact that arms sales should not be used for domestic repression, create domestic conflicts, be a component in aggression towards another state, or be in contravention of international agreements and UN embargoes). Conformity to the Code of Conduct was also the subject of annual reviews. Even so, the fact that member states preserve national jurisdiction gave them leeway in complying to the Code of Conduct. In any case, the Code of Conduct itself is more binding than the arms embargo, making it outdated.

France and Italy delivered some weapons due to contracts signed before 1989 (Crotales and Aspide missiles, and Super-Frelon and Dauphin helicopters), while Italy and the UK delivered 'non-lethal' equipment, including radars and aircraft materials.

From 1989 to 2004, China bought thirteen weapon systems from the EU, ten of which came from France. EU arms exports to China increased between 2001 and 2003, after the adoption of the Code of Conduct, from 63 to 428 million euros, even as data is difficult to obtain; these numbers show that arms sales between the EU and China have been going on (the US has not been inactive in these matters either). European leaders steadfastly denied that they intended to sell weapons to

China (for now) and maintained their stance on the outworn nature of the embargo. In any case, it is probable that China would continue supplying itself with Russian and Israeli arms, cheaper than expensive European ones, even in the event of a lift of the embargo. European weapons moreover will likely not fit in with the predominantly Russian systems currently used in the PRC, and thus might necessitate a major overhaul of China's weapons systems.

The campaign to lift the embargo was initiated first and foremost by Germany and France. The two countries promoted it primarily for economic reasons; Germany is China's biggest trading partner inside the EU, and it was believed by supporters of the lift that this concession to China would lead to China, in turn, offering European businesses better treatment when they dealt with and invested in China. France, Germany, the UK, and Italy were all interested in selling arms to China.

Germany's stealth submarines and France's Mirage fighter jets were then supposedly much sought-after by the Chinese military.<sup>80</sup> However, evidence suggests that potential arms sales were not the only factor behind the support of lifting the ban, since the embargo and the Code both gave them some elbow room to sell weapons if so desired. The potential increase in general economic relations and trade with China, especially when considering the important EU trade deficit, is what prompted their support, characterizing China as simply another market for the EU. Spain, Finland and the Netherlands also expressed support for the removal of the embargo. Supporters of the lift in any case declared that since arms sales to China were happening despite the embargo, it would be better to revise the Code of Conduct, possibly making exports to China easier to see and control; however, an agreement was never reached on this matter.

China's repeated demands that the embargo be lifted have mainly been about China's position as a rising great power, not about developing the Chinese military capacity with European weapons (China has repeatedly declared that it does not expect an increase in arms sales, were the embargo to be removed); the embargo keeps it at the same level as countries such as Myanmar (although

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<sup>80</sup> EU proposes end to China arms embargo, *Deutsche Welle* (2004) <http://www.dw.de/dw/article/0,,1170380,00.html> accessed May 30, 2012



Myanmar's position is currently improving worldwide with the small steps being taken towards democracy it has been taking, it is still under an arms embargo from the EU), Sudan, and Zimbabwe, which is a far cry from what China deems its natural place as a great power in the international system. The arms embargo is somewhat of a stain on China's reputation, while lifting it would signify that “the EU does not discriminate against Beijing but treats it on par with nations such as Russia”<sup>81</sup>

After accessing the WTO, developing political and human rights dialogues, having no resolutions brought against it at the United Nations Human Rights Council, as well as winning the right to host the 2008 Olympics and the 2010 World Expo in Shanghai, the request to lift the arms embargo makes sense from the Chinese perspective. With China's strong development continuing unabated, China's foreign policy is more confident, and vies to favour its continuation – especially that of its economic growth - above all. China's international reputation is part of its development, and as mentioned before, being set as on par with Burma or Sudan is a glitch in the process.

As the EU failed to lift the arms embargo, China drew back from the partnership, instead choosing to put some of the attention back to its relationship with individual member states. The European incoherence and difficulty in lifting the embargo made China declare (and subsequently bemoan) that the EU was not a dependable foreign and security policy actor, thus questioning the Strategic Partnership, even as Beijing exploited intra-European disputes to its own ends.

Lifting the arms embargo was more or less abandoned by the EU in 2005. The issue was still on the agenda of the Ninth EU-China Summit in Helsinki in 2006, wherein the Joint Statement of the Summit, it is stated that during the Summit, the matter of the arms embargo was again discussed, with the Chinese once more stating that the EU lifting the arms embargo would be beneficial to the relationship – although not specifying how – and the EU declaring that it realised the importance of lifting the embargo and stating that it wanted to continue working towards removing it.<sup>82</sup>

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<sup>81</sup> Casarini, N. (2006) *The Evolution of the EU-China Relationship: From Constructive Engagement to Strategic Partnership*, p.31

<sup>82</sup> [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/er/90951.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/er/90951.pdf) accessed May 30, 2012



The Joint Statement of the Tenth China-EU Summit in Beijing in 2007 also quickly mentioned the EU arms embargo, repeating the previous year's statement.<sup>83</sup> Another 2007 document referring to the arms embargo, even if not by name, is the Guidelines on the EU's Foreign and Security Policy in East Asia; the last point in the document declares that the EU needs to increase its knowledge and comprehension of the military balance in the Cross-straits relationship between China and Taiwan, as well as that of the risks to the stability of the region (including, as an example, via the transfer of dual-use or military technologies, etc.). The EU's evaluation of the situation should then factor in to how Member States decide their sales of strategic and military technologies to the region (via the use of the Code of Conduct).<sup>84</sup>

These statements mostly ended the issue. While the embargo is still an issue, neither side is willing to change its position to have it lifted. For the EU, it would mean making an exception for China that would be impossible for the rest of the world to ignore, thus undermining its credibility, since none of its requirements for lifting the embargo have been met. For China, it would mean loosening the Party's grip on certain matters, and possibly looking as if it had given in to outside pressure. In a system shored up by economic success and national sentiment, this could be fatal.

In review, the arms embargo could not be lifted without several conditions, including security in the region (from which one can infer stable cross-straits relations), improvements in the human rights in China, as set up in a 2008 resolution of the European Parliament (declaring “The EU must maintain its arms embargo on China, as long as China continues to export arms to armed forces and armed groups in countries, many of them in Africa, that fuels conflicts and perpetrate gross violations of human rights.”<sup>85</sup>).

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<sup>83</sup> [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/er/97355.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/er/97355.pdf) accessed May 30, 2012

<sup>84</sup> [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/misc/97842.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/misc/97842.pdf) accessed May 30, 2012

<sup>85</sup> Chinese policy and its effects on Africa [http://www.eu-un.europa.eu/articles/en/article\\_7841\\_en.htm](http://www.eu-un.europa.eu/articles/en/article_7841_en.htm) accessed May 30, 2012 <http://www.europarl.europa.eu/oeil/file.jsp?id=5564762>

#### IV.Strategic Partnership and arms embargo: still relevant?

After the Lisbon Treaty came into force in December 2009, the European interest in strategic partnerships seemed to re-emerge. A special meeting of the European Council was convened in September 2010, with Heads of State and Government being invited to come debate the concept. Prior to this, at the end of August, High Representative Catherine Ashton visited China for a first “Partnership” dialogue, during which HR Ashton declared

"The EU and China face common challenges and share similar goals.

I look forward to working together with State Councillor Dai Bingguo in order to advance a constructive and cooperative relationship with China -- a key strategic partner for Europe in a globalised world."<sup>86</sup>

This meeting of the European Council discussed the EU's relations with strategic partners, stating in its Conclusions that the EU would seek to act in a more strategic manner, so as to increase its weight and importance on the international stage, which will necessitate clearer identification of the EU's strategic interests and how to bring them about<sup>87</sup>. It will also require more coherence and coordination inside the EU, which is probably one of the biggest hurdles for it.

The conclusion of this meeting is that the EU needed to focus more on strategy when it came to its external action; interestingly, the EU's values were not mentioned, a departure from the EU's usual emphasis on engagement and conditionality.

In 2009 and 2010, during visits, Britain, France and Germany all expressed their support of and interest in strategic partnerships with China<sup>88</sup>

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<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/1077&format=HTML&aged=1&language=EN&guiLanguage=fr> accessed May 29, 2012

<sup>87</sup> [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/116547.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/116547.pdf) accessed May 29, 2012

<sup>88</sup> British PM Brown meets Chinese state councilor on bilateral ties, *People's Daily* (2009, October 20)

<http://english.people.com.cn/90001/90776/90883/6787727.html> accessed May 27, 2012

China, Germany to hold annual consultations to deepen "strategic partnership", *Deutsche Welle* (2010, July 16)

From the Chinese perspective, the relation with Europe suffered first when the EU failed to lift the arms embargo in 2005, and second after series of disputes in 2008 and 2009 concerning matters from repression in Tibet to the continued reticence of the EU to award China Market Economy Status. In this state of affairs, China lowered its political expectations when it came to the EU. Instead, it has reinforced its bilateral relations with individual member states, especially those who have suffered the most from the financial crisis, such as Portugal, Italy, Greece and Spain (who now represent thirty percent of Chinese investment and trade facilitation in Europe) and Eastern European countries (representing ten percent of the same)<sup>89</sup> thus possibly creating a “China lobby” that will advocate for China within the EU to keep the cash flow coming.

Here one may wonder who drew back from the relationship first. As mentioned before, China was severely disappointed when the EU first failed to lift the arms embargo as it had assured it would. Distrust of the EU only increased in later years, after repression in Tibet led to condemnations from EU leaders and protests in major European cities, marring the relay of the Olympic torch going to Beijing. Beijing's anger was only increased by European heads of state meeting with the Dalai Lama – Angela Merkel in 2007<sup>90</sup> and Nicolas Sarkozy in 2008<sup>91</sup>, with the Assembly of Paris also making the Dalai Lama a “honorary citizen” of the city<sup>92</sup>. These events led to the postponement by China of the 2008 EU-China Summit in Lyon.<sup>93</sup> China often seems to fail to realise how its domestic actions influence its relations with other countries, since its own policy is one of non-interference above all. In this way, disapproval or condemnations of its actions tend to elicit very

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<http://www.dw.de/dw/article/0,,5809459,00.html> accessed May 27, 2012

Hu's visit injects new life into China-France relations, *People's Daily* (2010, November 5)

<http://english.people.com.cn/90001/90776/90883/7190167.html> accessed May 29, 2012

<sup>89</sup> Godement, F., Parello-Plesner, J., Richard, A. (2011) *The Scramble for Europe*, *ECFR Policy paper*, p.2

<sup>90</sup> Merkel Angers China on Dalai Lama, *BBC* (2007, September 23) <http://news.bbc.co.uk/2/hi/europe/7008931.stm> accessed July 10, 2012

<sup>91</sup> Rencontre Historique entre Sarkozy et le Dalaï-Lama, *Le Figaro* (2008, December 6)

<http://www.lefigaro.fr/international/2008/12/06/01003-20081206ARTFIG00696-premiere-rencontre-entre-sarkozy-et-le-dalai-lama-.php> accessed July 10, 2012

<sup>92</sup> Le dalaï-lama fait « citoyen d'honneur » de la ville de Paris, *Libération* (2008, April 21)

<http://www.liberation.fr/politiques/010127746-le-dalai-lama-fait-citoyen-d-honneur-de-la-ville-de-paris> accessed July 10, 2012

<sup>93</sup> China Condemns France over Tibet, *BBC* (2008, November 27) <http://news.bbc.co.uk/2/hi/7751889.stm> accessed July 10, 2012

strong reactions in Beijing, the worsening of its relationship with the EU being a case in point.

Numerous trade disputes<sup>94</sup> and the non-recognition of China's Market Economy Status by the EU did nothing to arrange matters. Finally, European powers were angered by what they perceived as China's blocking of any meaningful agreement at the 2009 Copenhagen Summit on climate change, as well as the snubs delivered there by China, with Premier Wen not appearing and sending second-tier officials from the foreign ministry.<sup>95</sup>

From these facts one can see that the depreciation of the relationship was a two-way matter, with both partners being dissatisfied with one another for different reasons.

In 2011, the Chinese Foreign Minister declared China's interest in strengthening the Strategic Partnership, declaring "Both sides should work together to pursue the political partnership based on mutual respect and mutual trust and deepen their win-win economic and trade partnership,"<sup>96</sup>. The same year China announced that it would work with the EU to « create conditions for the further development of defense-related cooperation »<sup>97</sup> thus extending the Strategic Partnership.

In any case, the statements following the Fourteenth EU-China Summit of February 2012 are overwhelmingly positive. In his speech, European Council President Herman Van Rompuy declared that

« Today, we had a rich and constructive discussion with Premier Wen.

We share a common determination to move the EU-China relationship forward. Our strategic partnership is a key element for the global architecture[...]

In particular, I shared with Premier Wen our deep concern on the Iranian

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<sup>94</sup> When Partners Attack, *The Economist* (2011, February 11) <http://www.economist.com/node/15502811> accessed July 10, 2012

<sup>95</sup> Copenhagen Summit: China's quiet satisfaction at tough tactics and goalless draw, *The Guardian* (2009, December 20) <http://www.guardian.co.uk/environment/2009/dec/20/copenhagen-climate-summit-china-reaction> accessed July 10, 2012

How China and India Sabotaged the UN Climate Summit, *Der Spiegel* (2010, May 5) <http://www.spiegel.de/international/world/the-copenhagen-protocol-how-china-and-india-sabotaged-the-un-climate-summit-a-692861.html> accessed July 10, 2012

<sup>96</sup> China vows to deepen strategic partnership with EU: FM, *Xinhua* (2011, March 7) [http://news.xinhuanet.com/english2010/china/2011-03/07/c\\_13765101.htm](http://news.xinhuanet.com/english2010/china/2011-03/07/c_13765101.htm) accessed May 28, 2012

<sup>97</sup> China to promote defense cooperation with EU: defense ministry, *Xinhua* (2011, 26 October) [http://news.xinhuanet.com/english2010/china/2011-10/26/c\\_131214225.htm](http://news.xinhuanet.com/english2010/china/2011-10/26/c_131214225.htm) accessed May 27, 2012

nuclear programme[...]Both the EU and China support the double-track approach aimed at finding a diplomatic solution. »<sup>98</sup>

The Joint Press Communiqué of the Summit, in the same way, declares the progress in the relationship and in the Strategic Partnership itself, as well as the EU and China's willingness to work together on issues such as non-proliferation, Iran, and others, congratulating themselves on the development of EU-China relations and of the strategic partnership, renamed 'comprehensive strategic partnership' in this case. The partners also extol the benefits of 'strategic cooperation' between themselves, declaring that it will be helpful to them but also to the rest of the world.

Despite the European Union's assurances to China that it will continue looking into lifting the arms embargo, it does not seem to be currently on the agenda. In 2006, the European Commission stated that lifting the embargo was conditional upon 'progress on China's human rights situation; working to improve cross-straits relations; and [ . . . ] improving the transparency of its military expenditure'.<sup>99</sup>

In 2008, a new Code of Conduct was finally approved, rather more restrictive when it comes to exporting weapons to non-democratic countries and high-risk zones; if the embargo were to be lifted, this new Code should not make possible a real increase in weapons sales to China. In 2008 as well the EU adopted a new Action Plan on chemical, biological, radiological and nuclear security, aimed at countering the proliferation of WMDs which should further reinforce export controls in the matter of dual-use technologies and goods, including to China, which further limits weapons sales possibilities.<sup>100</sup>

Surprisingly, in a sudden move at the beginning of 2010, the Spanish Presidency of the EU renewed interest in the issue, with the Spanish ambassador to China insinuating that the EU would reopen

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<sup>98</sup> [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/en/ec/127964.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/ec/127964.pdf) accessed May 29, 2012

<sup>99</sup> European Commission (2006) «EU – China: Closer partners, growing responsibilities» [http://trade.ec.europa.eu/doclib/docs/2006/october/tradoc\\_130875.pdf](http://trade.ec.europa.eu/doclib/docs/2006/october/tradoc_130875.pdf) accessed May 30, 2012

<sup>100</sup> [http://europa.eu/legislation\\_summaries/justice\\_freedom\\_security/fight\\_against\\_terrorism/jl0030\\_en.htm](http://europa.eu/legislation_summaries/justice_freedom_security/fight_against_terrorism/jl0030_en.htm) accessed May 30, 2012

the issue; however, the rotating presidency shouldn't have such initiative, and Spain's involvement did not make it happen. Following this, in 2011, a senior Chinese diplomat called for a lift of the ban, reiterating the Chinese position that the ban is discriminatory against China.<sup>101</sup>

It is difficult to determine the current level of involvement in the Strategic Partnership from both sides; while the EU seems to have renewed its enthusiasm, it never did withdraw as much as China did, and in the meantime, China has been promoting its ties with different member states, even as it reiterates its commitment to the partnership. New developments such as the defense cooperation may point to a new start for the partnership; China's investment in non-proliferation also appears to be coming closer to the EU perspective, thus facilitating cooperation.



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<sup>101</sup> EU arms ban against China is political prejudice: diplomat, *People's Daily* (2011, November 30) <http://english.people.com.cn/90883/7660560.html> accessed May 30, 2012



## Chapter 6: Conclusions

As we come to the end of this thesis, hopefully it has done what it set out to do, that is examine the current state of cooperation as regards non-proliferation between the EU and China, and examine the impacts, if any, on the arms embargo.

### I. Overall Conclusion

Going back to the study's main hypothesis – in short, that the more China's power has grown, the less willing it has been to cooperate with the EU in this matter (and others not examined here) – it would seem that this assumption has been correct.

Throughout the study, one can pick out a pattern; from the early 2000s, to around late 2006, cooperation between the two was increasing, starting from the build-up to the Strategic Partnership and then its signature in 2003, the EU's implementation of its Non-Proliferation Clause in 2004, and China's subsequent acceptance of its inclusion in the Partnership and Cooperation Agreement announced in 2005 all point to this increased cooperation. The EU's consideration of lifting the arms embargo in 2004 and 2005 is yet another symptom of the closing of the gap between China and the EU, as is the fact that China accepted the UN resolution against Iran in 2006, matter spear-headed by the EU.

After 2006, the relationship cooled down. This may be attributed to the fact that the lifting of the arms embargo was dropped in 2005, and hardly ever mentioned after 2006 (by the EU at least), to China's intense disappointment. Trade disputes between the two in all likelihood did nothing to help matters. This cooldown was further compounded by China's increasingly assertive behaviour, starting around 2008; violent repression in Tibet, overtures in the South China Sea, outrage at the numerous protests in European cities along the route of the Olympic flame, trade disputes, acrimony after the Copenhagen Climate Summit, all these served to widen the gap between the two entities,

which was reflected in their cooperation on non-proliferation, with Iran being a case in point. However, around 2010 things could be considered to have picked up, with a new interest in the Strategic Partnership from both sides, as well as mild advances in the Iranian situation, although China disapproved the EU embargo on Iranian oil announced at the beginning of 2012. China's recent spate of assertiveness, if not aggressiveness, has been much-observed and commented upon, and logically has had consequences for its international relations (the US's decision to turn back towards the Asia-Pacific region being one). Fear of backlash may have spurred the slight amelioration of its attitude towards the EU and cooperation on non-proliferation in the last few years, especially in light of the slowdown of its economy. It remains to be seen as to whether this will pan out.

As expected, cooperation on non-proliferation alone will definitely not be sufficient for China to persuade the EU to lift the arms embargo, although the arms embargo and the EU's failure to lift it played a prominent role in the cooling of cooperation after 2005/2006.

First of all, the arms embargo is one of the few tools for leverage that the EU has over China, and therefore will not – and should not, from a realist perspective – be given up lightly. While many argue that since the arms embargo is not half as efficient as it claims to be, it should be removed, this only serves to show that the embargo's power lies in the symbol it provides. If it were only a matter of arms sales, it is likely that China would not lobby so hard for it to be lifted; as it is, the symbol of the arms embargo serves as a reminder that China is not on a par with the EU or the U.S., although as far as other trades go, both of these were happy enough to forget the incidents that prompted the arms embargo in the first place. The U.S., after all, has no official embargo when it comes to selling arms to China, although its laws mostly prevent it from happening.

Lately the EU has turned the prospect of lifting the arms embargo into something that will be dependent on China's human rights' record first and foremost, rather than strictly an issue of weapons. This is the definite nail in the coffin of any chance that cooperation on non-proliferation may have served to incite the EU to lift the arms embargo. Focusing on human rights as a condition

to lifting the arms embargo is also fitting with the EU's ideals, and its common use of conditionality clauses in its relationships with third parties, although from its position as an economic giant China has often managed to avoid these clauses being applied to itself.

## II. Conclusions of the case studies

As mentioned previously, coming out of the Iranian case study one might observe signs of goodwill and increasing cooperation coming from China, even as it continued to assert its utter opposition to any use of force – which, coincidentally, is a position the EU agrees with. However, as of writing this, new developments have come to light, which may cast a shadow in this case, as well as possibly compromising chances of successfully persuading Iran to give up its nuclear program. Much was made over China's cut of oil imports from Iran, beginning in December 2011, over pricing disputes; this could have been a face-saving way for China to quietly support Western sanctions without jeopardizing its standing with developing countries, or its relationship with the Islamic Republic. China's support for the sanctions is extremely important, being as it is one of Iran's main oil customers. However, recent reports show that China has resolved the pricing issues, and its purchases of Iranian oil rose by fifty percent in April from March, although they were still twenty-five percent less than at the same period last year.<sup>102</sup>

This may have encouraged Iran into thinking that China would support it no matter what, and thus led to the failure of the recent nuclear talks with the E3+3, first in May, and then in June. The most recent round of talks, on June eighteen and nineteen, in Moscow, led to no real solution to the issue, with disagreements abounding ; the only outcome was to agree on meetings at expert and deputy levels, after which new negotiations may or may not happen<sup>103</sup>. If Iran's willingness to talk

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<sup>102</sup> China's Iran oil imports rebound on month, down on year, *Reuters* (2012, May 21)

<http://www.reuters.com/article/2012/05/21/china-iran-crude-idUSL4E8GL35P20120521>, accessed June 25, 2012

Berman, I. (2012) Backsliding in Beijing, *The Diplomat*, June 14, 2012,

<http://thediplomat.com/2012/06/14/backsliding-in-beijing/> accessed June 25, 2012

<sup>103</sup> Iran Nuclear Talks Fall Short, *Washington Post* (2012, June 20)

[http://www.washingtonpost.com/world/middle\\_east/iran-nuclear-talks-fall-short/2012/06/19/gJQAYO4moV\\_story.html](http://www.washingtonpost.com/world/middle_east/iran-nuclear-talks-fall-short/2012/06/19/gJQAYO4moV_story.html), accessed June 25, 2012

was spurred by the recent spate of tough sanctions, then China's reverting to its prior consumption levels when it comes to Iranian oil may prove to be the support it needs to ignore the sanctions, and thus keep the crisis ongoing.

As for the case of India, it was chosen as a contrast to both China and Iran. While neither case is an exact parallel, it is interesting to see how India's acquisition of nuclear weapons was only recently made legitimate by the international community, as well as the European rush to sell the country weapons, bolstered by the recent success of the French Rafale fighter plane in the Indian market.

India's case seems to show that shared values – ideational proximity – and, likely, especially that of democracy, will trump commercial interests – on the exterior, at least. The easy acceptance of India's transgression, and the selling-out of the NPT, are most probably because of this. The commercial opportunities it offers are also non-negligible; a possible democratic alternative to China was always going to be attractive to Western countries. Although China also accepted India's nuclear legitimacy, it did so reluctantly ; another Asian nuclear power did not fit into China's vision. This may also have affected China's relationship with Western countries, since China's relationship with the EU particularly weakened around the same time, although this is only speculation.

### **III. Final Thoughts**

This study was viewed using complex interdependence as an analytical framework. As explained in the analytical framework section, the theory comprises three main characteristics: the existence of multiple channels of communication and contact amongst societies, state policy goals are not set in fixed hierarchies, but instead may be exposed to trade-offs, and military force becomes mostly irrelevant.

Examining these once more now, they would still seem to fit the relationship between the two, as well as the particular case of non-proliferation cooperation. China and the EU have several channels

of communication and contact when it comes to non-proliferation, from official summits to conferences of experts or even the E3+3 meetings dedicated to the Iranian nuclear crisis.

Furthermore, China and the EU's policies in matter of non-proliferation necessarily differ, with the EU bargaining for China to pay more attention to the Iranian case at the moment, for instance, while both agree on the necessity of limiting proliferation at the global level. And the use of military force is definitely irrelevant in their case.

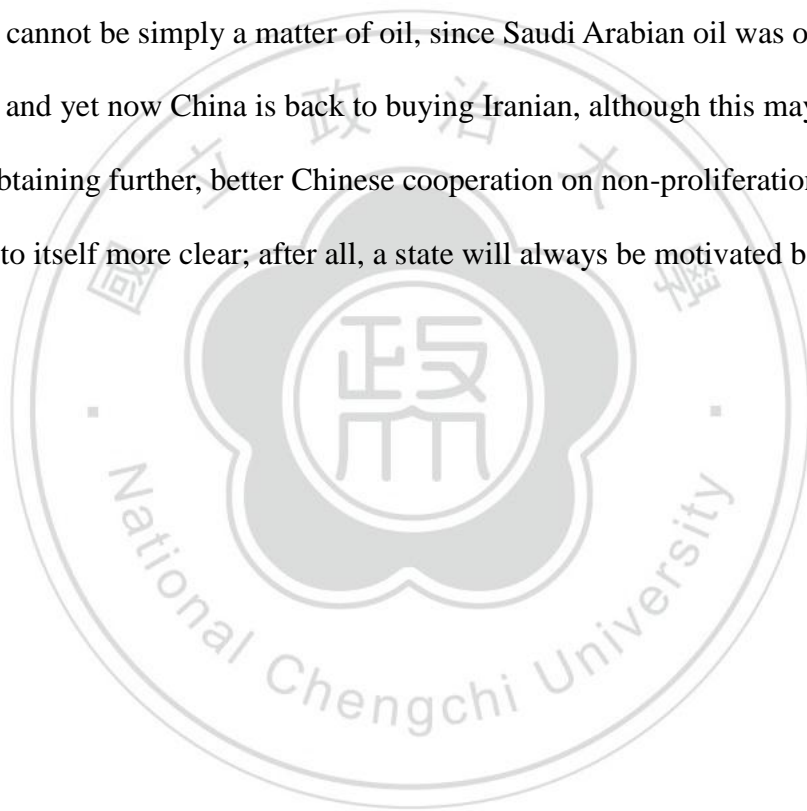
Viewing the world through the prism of complex interdependence, as the countries are increasingly linked, and thus dependent on one another, may be helpful to the comprehension of many situations, especially when keeping in mind Keohane and Nye's assertion that further interdependence will not necessarily lead to further cooperation.

From here one may ask how the EU should proceed from here – since it is the EU who is pushing for Chinese cooperation and not the opposite. To answer this one must ask what China wants from the EU, or more accurately, what kind of leverage does the EU have over China; it often seems that China has more power in this relationship. However, one might think of several things. The arms embargo being lifted would be the first of these, but this is conditional on China ameliorating its human rights record. The attribution of market-economy status is another; it bears remembering that although the EU may be in bad shape economically at the moment, it is still one of the largest markets in the world as a whole, and China's first trade partner.

As for most situations on a global scale, if the EU wants to be taken seriously, it needs to act as one, especially when dealing with the behemoth that is China. Nothing less than the EU as a whole will impress the Asian giant of its seriousness in dealing with any matter, non-proliferation included, especially when one considers China's long-standing free-riding behaviour in matters of non-proliferation.

The EU should also emphasize the benefits for China in these matters; remind it of the prestige to be gained at an international level, should it be seen as a champion of non-proliferation, or even

better as the key to the resolution of the Iranian case, were that to happen. China seems very protective of its international image, as well as preferring a realist perspective on the world, so reminding it of what it may gain by cooperating in these matters can only be beneficial. If China wants to be one of the great powers, let it take the responsibilities that come with that status. Concerning the Iranian case in particular, both the above statements stand; more particularly, the EU needs to either use its power to make China support sanctions against Iran, which seems rather unrealistic – unless, again, the EU comes together and actually poses some kind of threat to China as a whole, possibly something along the lines of trade barriers or the like – or to find out what China's price is. It cannot be simply a matter of oil, since Saudi Arabian oil was offered to China in lieu of Iranian oil, and yet now China is back to buying Iranian, although this may be a price issue. The best way of obtaining further, better Chinese cooperation on non-proliferation will always be to make the benefits to itself more clear; after all, a state will always be motivated by self-interest and survival.





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