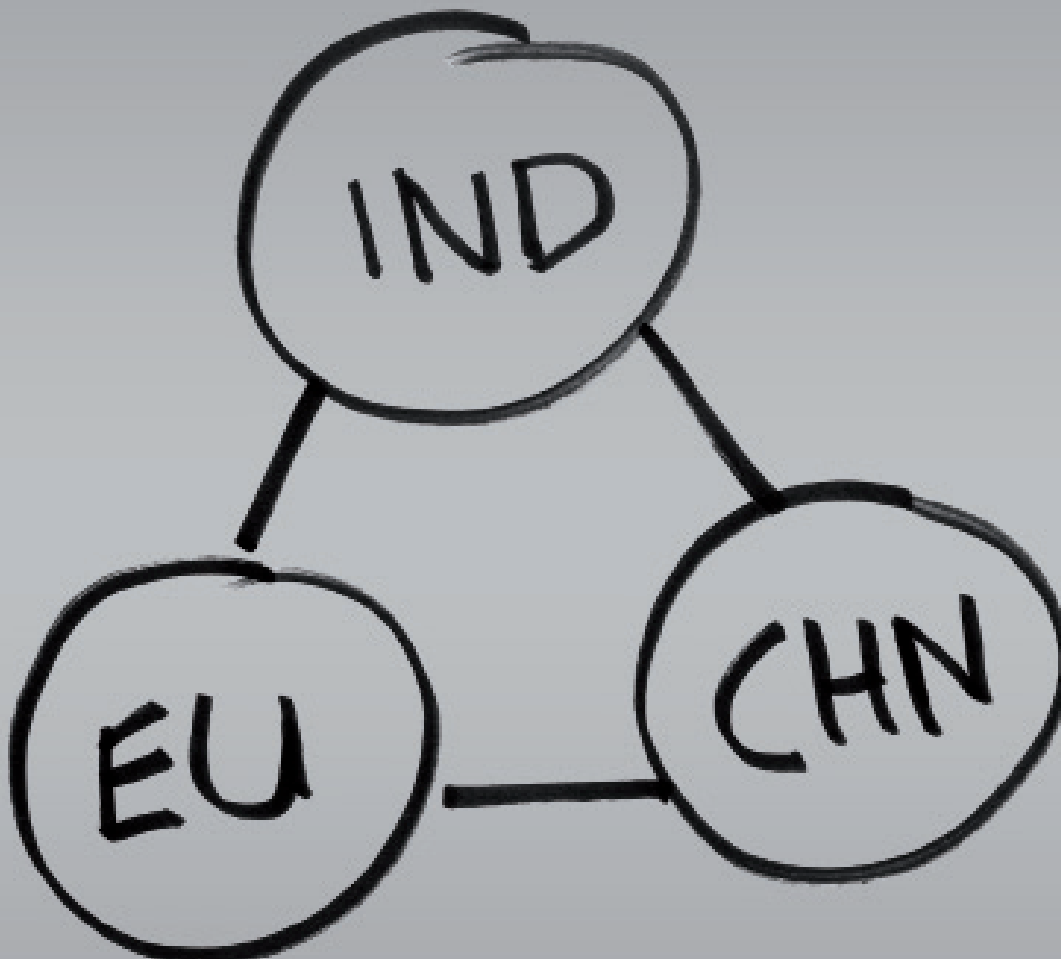


MAPPING CHINA'S PLACE IN MULTILATERAL EXPORT CONTROL REGIMES

Policy Implications for the European Union

Jizhou Zhao

NFG Working Paper No. 2/2013



NFG Working Paper Series

Series Editor: May-Britt U. Stumbaum

The NFG Working Paper Series serves to disseminate the research results of the NFG Research Group on „Asian Perceptions of the EU“. It seeks to enhance academic exchange with scholars working in Asia and Europe as well as strengthen the research on Asian perceptions of the European Union as a security actor. The NFG Working Paper Series provides a platform for academic analysis, policy papers and other theme-related publications. The NFG Research Group „Asian Perceptions of the EU“ is an Associated Project of the KFG Research College „The Transformative Power of Europe“ and funded by the German Ministry of Education and Research.

All NFG Working Papers are available on the NFG website at www.asianperceptions.eu or can be ordered in print via email to justyna.ellis@fu-berlin.de.

Copyright for this issue: Jizhou Zhao

Editorial Team: Garima Mohan, David Neubauer

Zhao, Jizhou, 2013: China's Non-proliferation Controls: A Policy Overview, and Implications for the EU. NFG Working Paper Series, No. 02, January 2013, NFG Research Group „Asian Perceptions of the EU“
Freie Universität Berlin.

ISSN (Print) 2194-184x

ISSN (Internet) 2194-1858

This publication has been funded by the Federal Ministry of Education and Research.

Disclaimer:

The NFG „Asian Perceptions of the EU“ cannot be held responsible for the errors in this NFG Working Paper or for any consequences arising from the use of information contained in this Paper. The views and opinions expressed are solely those of the authors and do not necessarily reflect those of the NFG.

Freie Universität Berlin

NFG Research Group „Asian Perceptions of the EU“

BMBF-Initiative „Europa von Außen gesehen“

Ihnestr. 26

14195 Berlin

Germany

Fon: +49 (0)30- 838 59462

Fax: +49 (0)30- 838 57096

www.asianperceptions.eu

katharina.arseven@fu-berlin.de

SPONSORED BY THE



Federal Ministry
of Education
and Research

Mapping China's Place in Multilateral Export Control Regimes

A Policy Overview, and Implications for the EU

Jizhou Zhao

Abstract

The post- Cold War international security environment has changed dramatically however, the proliferation of Weapons of Mass Destruction (WMD) continues to be one of the major global challenges and threats to security. In 2003, the European Union declared in the European Security Strategy (ESS) its aim to promote “effective multilateralism”, and established a strategic partnership with China. Focusing on major current multilateral regimes in export controls, this policy paper uses China as a case country and provides an overview of the development of China's export control policies. It then discusses the implications of promoting European norms and paradigms such as multilateralism to China, especially in the area of international export controls.

The Author

Jizhou Zhao is a Research Fellow in the NFG Research Group ‘Asian Perceptions of the EU’, an Associated Project of the KFG ‘Transformative Power of Europe’, based at the Free University of Berlin. His research interests include the European Union's foreign, security and defense policy with special focus on the CFSP (ESDP/CSDP), and China-EU relations.

Contact: jizhou.zhao@fu-berlin.de

Keywords

China, European Union, multilateral regimes, export control, China-EU relations

Abbreviations

AG	Australia Group
BWC	Biological Weapons Convention
CACDA	China Arms Control and Disarmament Association
CASS	Chinese Academy of Social Sciences
CBW	Chemical and Biological Weapons
CCP	Chinese Communist Party
CFSP	Common Foreign and Security Policy
COCOM	Coordinating Committee on Export Control
CSDP	European Common Security and Defence Policy
CWC	Chemical Weapons Convention
EEAS	European External Service Agency
ESDP	European Security and Defence Policy
ESS	European Security Strategy
EU	European Union
GDP	Gross Domestic Product
GNP	Gross National Product
IAEA	International Atomic Energy Agency
MFA	Ministry of Foreign Affairs
MTCR	Missile Technology Control Regime
NPT	Nuclear Non-Proliferation Treaty
NSG	Nuclear Suppliers Group
PRC	People's Republic of China
SIPRI	Stockholm International Peace Research Institute
UN	United Nations
UNSC	United Nations Security Council
WA	Wassenaar Arrangement
WMD	Weapons of Mass Destruction
ZAC	Zangger Committee

Table of Contents

I.	Introduction	6
II.	Major International Non-proliferation Regimes	8
III.	China's Policy in Non-Proliferation Controls: an Overview	12
IV.	Implications of China's Participation in Multilateral Non-Proliferation Regimes for the EU	18
V.	Conclusion	26
	Bibliography	27
	Appendix: China's Non-proliferation and Export Control Laws and Regulations	31

I. Introduction¹

The international security environment has dramatically changed with the end of the Cold War. However, with the deepening processes of globalization and the increasing flows of trade, technology and people across national and regional borders, the post-Cold War world has witnessed new, less visible and global challenges to security. Therefore, the traditionally clear border between internal and external security is increasingly blurred, as any single country or region would be unable to tackle on its own these complex security problems which are different from massive visible threats like wars and military attacks. For instance, the proliferation of Weapons of Mass Destruction (WMD) including nuclear, biological, chemical weapons and missiles is one of these more complex security challenges that have called for more efficient international cooperation by countries and regions, within the framework of the current multilateral export control regimes.

The risk of proliferation of WMDs is widely recognized as one of the threats to international peace and security. On April 28 2004, the United Nations recognized the important role of export controls in preventing WMD proliferation by adopting the UN Security Council Resolution 1540 on ‘Non-proliferation of weapons of mass destruction’ (UNSC Resolution 2004). In December 2003, the European Security Strategy (ESS) was adopted in which the EU aimed to respond to the new security environment after the Cold War and in particular the September 11 attacks. The ESS, the first official document of its kind, stated that Europe was faced with “new threats which are more diverse, less visible and less predictable”(Council of the European Union 2003: 2); among the five key threats listed in the ESS, the proliferation of WMDs ranked second after terrorism and was considered to be “potentially the greatest threat to our security” (Council of the European Union 2003: 3). Five years later in 2008, the EU issued its report on the implementation of the ESS and proliferation of WMDs ranked as the top one of the global challenges and threats in the report; and the risk “has increased in the last five years, bringing the multilateral framework under pressure” (Council of the European Union 2008: 3). Therefore, current major international export control regimes face the challenge of curbing, managing or at least slowing the spread of WMDs and delivery systems.

That partly explained why the EU in 2003 aimed to promote “an international order based on effective multilateralism”, meaning “the development of a stronger international society, well functioning international institutions and a rule-based inter-

¹ A draft of this working paper was presented at the Asia-Pacific Association for EU Studies (EUSA-Asia Pacific) Annual Conference for 2012, „EU’s Unknown Asia: New Horizons and New Beginnings“, Singapore, 4th- 5th of June 2012. The author would like to thank Dr. May-Britt U. Stumbaum, Head of the NFG Research Group “Asian Perceptions of the EU”, for her insights and feedback for this working paper; many thanks also to Prof. Dr. Ting Wai, Department of Government and International Studies, Hong Kong Baptist University of China, and Dr. Wenwen Shen, Research Fellow of EU-Asia Centre at Brussels.

Thanks also to Katharina Arseven, and my other NFG colleagues- Florian Britsch, Olivia Gippner, Garima Mohan, Dominique Marr and Julia Teebken for their support. Last but surely not the least, the author would also like to thank the two anonymous peer viewers of this working paper for their comments and suggestions.

national order” (Council of the European Union 2003: 9). To achieve these goals, the EU is committed to upholding and developing international law, with the United Nations Charter as the fundamental framework for international relations and wants “international organisations, regimes and treaties to be effective in confronting threats to international peace and security” (Council of the European Union 2003: 9). The ESS stated that “it is a condition of a rule-based international order that law evolves in response to developments such as proliferation” (Council of the European Union 2003: 10). At the same time, the EU believed it needs to “work with others” to pursue its objectives “both through multilateral cooperation in international organisations and through partnerships with key actors”, as it stated that “international cooperation is a necessity”(Council of the European Union 2003: 11; 13). Besides the “irreplaceable” transatlantic relationship, the ESS stated that the EU in particular “should look to develop strategic partnerships with Japan, China, Canada and India as well as with all those who share our goals and values” (Council of the European Union 2003: 14).

As China grows in global influence, it is important for the European Union to forge a close and cooperative relationship with it. The EU and China had jointly launched a comprehensive strategic partnership in 2003. However, when their bilateral relationship was established in 1975, the People’s Republic of China (PRC) has just acquired its seat in the United Nations (UN) and membership of the United Nations Security Council (UNSC) relatively recently in 1971, and was still out of many other important international organizations and regimes. Since its adoption of the reform and opening-up policy (Gaijie Kaifang Zhengce) in the late 1970s, China’s relations with the world have gradually undergone historic changes. For example, in 1984 China joined the International Atomic Energy Agency (IAEA) and in 2001 China’s final access to the World Trade Organization (WTO) indicated its increasing integration in international society. As of 2011, China follows the US as the second largest world economy in terms of its total GDP (The World Bank 2011). As an emerging power both economically and militarily, China seems willing in its official statements to play its role as a ‘global responsible power’ in contributing to peace and stability in the region and the world at large.

To promote the norms such as “effective multilateralism” mentioned in the ESS, the EU should and must take into consideration China’s policy in areas like international non-proliferation. So, what developments has China made in its non- proliferation control policies in the past few years? What implications could there be for the EU which is pursuing a goal of promoting effective multilateralism in international non-proliferation and export controls?

This policy paper first gives a brief introduction of current major multilateral export control regimes, and then provides an overview of the development of China’s export control policies, including its participation in these regimes as well as its national legal system. Based on these, this study finally discusses and explores the implications for the EU as a promoter of effective multilateralism when it engages China in international non-proliferation controls. This study is also expected to contribute to current research on the EU’s common foreign policy in engaging an emerging China and in developing the EU-China strategic partnership in the particular policy area of non-proliferation.

It argues that China as an emerging power has gradually changed its attitudes to, and participated in, some of the current major multilateral regimes of non-proliferation controls such as the IAEA. Besides these gradual and yet important developments, China has also established its national law system and policies and worked along with the international society in this area- for instance, by establishing a bilateral dialogue with the EU in this

area. However, China's interpretations of and attitudes to current major multilateral non-proliferation regimes might still be partly shaped by its lasting belief in bilateral diplomacy; while on the other hand, to China the EU might not have acted as a (successful) promoter of European norms such as "effective multilateralism" in international non-proliferation controls area. Some implications for the EU and its future policy to China in the multilateral non-proliferation controls would include overcoming the Eurozone sovereign debt crisis- which adversely impacts Chinese perceptions of the EU, and enhancing the bilateral dialogue mechanism for non-proliferation within the established structures of the EU-China partnership, as well as working with others like the US to improve the EU's role in multilateral export control regimes in which China has and is willing to participate. With gradual and considerable progress made in the past, China's participation and more importantly its role in international non-proliferation will test the EU's efforts and capabilities in ensuring multilateral regimes are more effective.

II. Major International Non-proliferation Regimes

According to Richard H. Ullman, national security in the Cold War times was primarily defined "in excessively narrow and excessively military terms", which however "conveys a profoundly false image of reality" (Ullman 1983: 129). It is true, because if the states concentrate on military threats while ignoring other dangers, their security as a whole would be adversely affected; on the other hand, a narrow understanding of security might cause militarization in international relations and only increase world insecurity in the long run. Thus, a narrow understanding of the security concept seems to be both misleading and dangerous. After the end of the Cold War, the changing global security environment demanded a redefinition of the concept of security, which to some extent indicated an expansion and broadened understanding of the challenges and threats the world faces today. Therefore, security is not only defined in the traditional military sense, but is also closely related to non-traditional threats such as climate change, terrorism and proliferation of WMDs. Besides, nation states are no longer the only actors involved in security with a resurgence of non-state actors including international organizations and individuals.

The Copenhagen School developed an analysis of security studies, and examined the distinctive character of security in five sectors including "military, political, economic, environmental and societal"(Buzan et al. 1998: Preface,vii.). Their research thus rejected traditional understanding of security, which was often restricted to one sector. The wider understanding of the security concept include both the traditional and non-traditional threats to the post- Cold War world, and this was also reflected in the 2003 ESS which considered proliferation of WMDs as one of the major global threats (Council of the European Union 2003: 2; 3). As the world is linked more closely, strengthening international cooperation and thus seeking common security for all calls for international cooperation in non-proliferation.

As of today, there are a number of multilateral non-proliferation regimes whose participants (mainly States) work together to organize their non-proliferation systems. For example, the International Atomic Energy Agency (IAEA) was set up in 1957 to promote

safe, secure and peaceful nuclear technologies. Among many such regimes, the Treaty on the Non-Proliferation of Nuclear Weapons (commonly known as the Non-Proliferation Treaty or NPT) entered into force in 1970 aiming to promote non-proliferation, disarmament, and the right to peacefully use nuclear technology. Extended indefinitely on 11 May 1995, the NPT with 190 parties including all the five UNSC permanent members, was considered “the most universal disarmament and arms control agreement” (UNODA 2012). Due to the nature of actual or potential military applications and economic gains, proliferation of WMDs might be due to a country, an organization, or even individuals. This causes national and international concerns about the declared or suspected end use or the end user of the WMDs, and even of conventional arms. Also, dual-use technologies which can be used for both civil and military purpose might be applied as the means of WMD delivery. Effective controls in non-proliferation thus have a constructive impact upon addressing these various threats, and are compatible with the common interest of the international community.

The NPT performs a vital function in helping ensure the peaceful use of nuclear material and equipment. At the same time, some additional measures have been adopted to strengthen the NPT and the broader nuclear nonproliferation regime in managing the acquiring of the capability to produce nuclear weapons. According to the time of their establishment, some other export controls regimes are as follows:

1. The Zangger Committee (ZAC) established in 1971 “essentially contributes to the interpretation” of article III, paragraph 2, of the NPT, which “offers guidance to all parties to the Treaty” (ZAC 2012b). It stipulates and updates the conditions and procedures for controlling export of nuclear material, equipment and technology to non-nuclear-weapon states yet to accede to the NPT. And if the IAEA safeguards are applied to the recipient facility, nuclear items may be exported according to its “Trigger List” (because such exports trigger the requirement for safeguards).

On October 16, 1997, China joined the Zangger Committee currently with thirty-eight member states and the European Commission as a permanent observer (ZAC 2012a). The Committee has enabled it to work with other major nuclear non-proliferation regimes, the Nuclear Suppliers Group (NSG), in which the Chair of the Zangger Committee participates as an observer.

2. The Nuclear Suppliers Group (NSG): established in 1974, it aims to prevent the export and re-transfer of nuclear materials or technology for peaceful purposes from being misused, such as for nuclear weapon development. According to its “Nuclear Transfer Guidelines” and “Nuclear Dual-use Material Trigger List”, each respectively as Part 1 and Part 2 of IAEA Document INFCIRC/254 (NSG 2012a), the Group works to ensure coordination among major nuclear suppliers, and strengthen their nuclear export control mechanisms; on the other hand, it requires importing states to accept the IAEA’s full-scope safeguards. By doing so, the AG thus will contribute to preventing or controlling the proliferation of sensitive nuclear items and technology.

Currently the NSG has forty-six participating governments, of which China became a member in 2004. The European Commission is another observer of the Group apart from the Chair of the Zangger Committee (NSG 2012c). The NSG holds annual plenary meetings to review the Guidelines and Trigger List, which however are implemented by each Participating Government “in accordance with its national laws and practices” (NSG 2012b).

3. The Australia Group (AG) was established to prevent the direct or inadvertent proliferation of Chemical and Biological Weapons (CBW). With Australia acting as permanent chair, all states participating in the Group are parties to the Chemical Weapons Convention (CWC) and the Biological Weapons Convention (BWC). The AG has established its “Common Control Lists” (AG 2012b) and “Guidelines for Transfers of Sensitive Chemical or Biological Items” (AG 2012c), and therefore the member countries can coordinate their national export control measures to fulfill their obligations in non-proliferation of CBWs.

Since 1985 when the Group was established, the European Commission has been a participant. China ratified the CWC in 1984 and then the BWC in 1997, however it is not a member of the AG currently. The AG holds annual meetings to exchange information and intelligence on export control and discuss implementation and enforcement measures, including AG’s common control lists. However, participants in the Group “do not undertake any legally binding obligations”, therefore “the effectiveness of the cooperation depends solely on a shared commitment to CBW non-proliferation goals and the strength of their respective national measures” (AG 2012a).

4. The Missile Technology Control Regime (MTCR) was established in 1987, and currently has thirty four member countries. It focuses on controlling the transfer of missile equipment, material, and related technologies for systems capable of delivering WMDs. To achieve such goals, the MTCR Guidelines and other regulations provide guidance and reference for member countries, and those non-members who unilaterally follow the Guidelines, to coordinate their national export licensing efforts to prevent WMD proliferation (MTCR 2012a).

As a multinational export control regime for missiles and missile-related technology used for the delivery of WMDs, the MTCR’s decisions regarding whether to admit a new partner are based on consensus of its member states. Also, this regime does not offer an observer category (MTCR 2012b). Therefore, so far neither the European Commission nor China has been an observer or member of the MTCR.

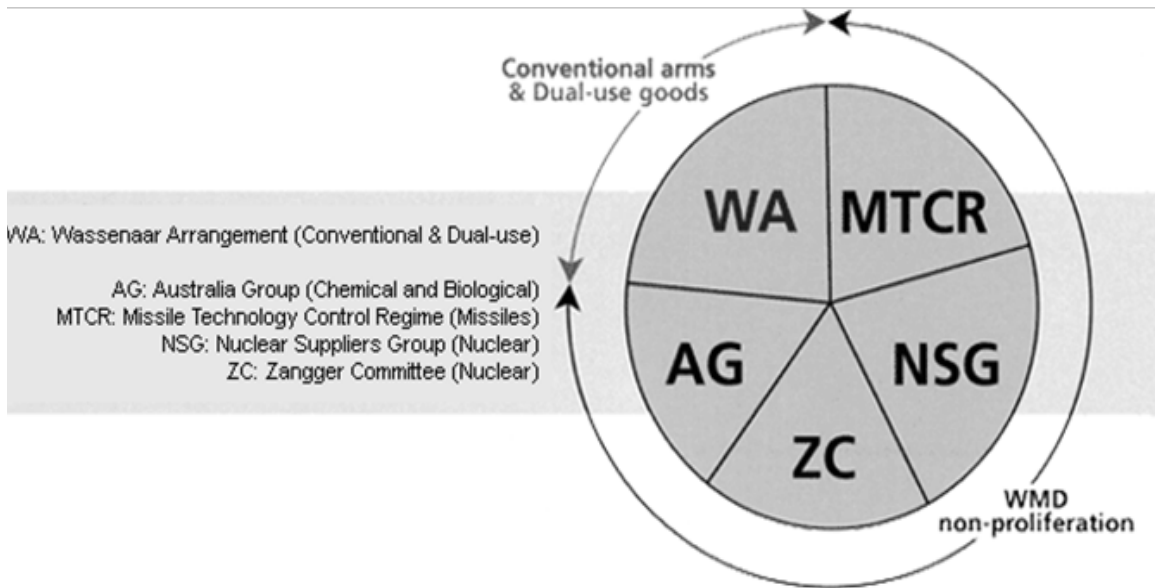
5. The Wassenaar Arrangement (WA) is the successor of the Coordinating Committee for Multilateral Export Controls (COCOM), which was set up by the Western bloc to enable an arms embargo on the former Warsaw Pact countries during the Cold War, and ceased to exist in 1994. Established in 1996, the WA aims to function “by promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies” (WA 2012a). In this sense, it is different from the above mentioned four regimes in controlling the proliferation of WMDs, and focuses on a special area of non-proliferation.

As a multinational export control regime, the Arrangement has established and updated a series of Guidelines and Procedures, including the Initial Elements (WA 2012c), and its “Control Lists of Dual Use Goods and Technologies and Munitions List” (WA 2012b). But on the other hand, transfer of any item listed in the WA’s documents depends solely on the practice of each member state. Another point to notice is that till today, China and the European Commission have been out of this Arrangement which includes forty one member states.

From a brief introduction above, since the 1970s many international regimes such as the NPT and the IAEA have been established and maintained. Among the five regimes mentioned in this paper, there are four aiming to manage or reduce WMD prolifera-

tion- both the Zangger Committee and the Nuclear Suppliers Group focus on controls of nuclear related technology, while the Australia Group works for controls of chemical and biological weapon technology, and the Missile Technology Control Regime aim to control missiles and other deliveries for WMDs. The Wassenaar Arrangement is significant on controls of conventional arms and dual-use goods and technologies. Therefore, the Arrangement can assist and complement the other four major international export control regimes in the field of international non-proliferation (see below Table I: Tasks of the Five International Regimes in Non-proliferation Controls).

Table I: Tasks of the Five International Regimes in Non-proliferation Controls



(Source: “Overview” of the Wassenaar Arrangement. <http://www.wassenaar.org/introduction/overview.html>; Accessed May 19, 2012.)

However, the above mentioned five regimes in arms control and nonproliferation of WMDs have at least two disadvantages, among others: First, the number of participating parties in these regimes is still limited, compared to the total number of states in the world. For example, among the five regimes the MTCR with thirty- four members has the smallest number, while the NSG is the largest with only forty- six members. For other non-participant countries, they either choose to or are kept out of these international cooperation forums. This, to a large extent, endangers the nature of these regimes as multilateral ones. Secondly, the effectiveness of these regimes depends greatly on their participating governments who choose and decide to implement these regimes’ guidelines and regulations, modified according to individual national interest and thus formulate different national security strategies. For example, the WA has no binding force to determine whether a country can transfer or deny transfer of the items listed in its documents. This means that transfers of arms and dual-use goods and technologies depend solely on the WA member states, which might be more concerned trade and accruing economic gains than regional and world security.

Thus, related to these two problems, one can argue that these multilateral regimes have

the following features. First, they exist mainly as informal intergovernmental forums or groups consisting mostly, if not exclusively of countries, whereas non-state actors like international organizations and NGOs are not included in the membership. Even if the European Commission participates in some of them, either as a member (for instance the AG), or an observer (in the ZAC and the NSG), the EU as a whole has no seats in the MTCR and the WA. Actually, many EU member states like the UK, France and Germany have joined these regimes as individual countries. This may well again indicate the inter-governmental nature of these regimes rather than being multilateral in a broader sense. The second feature of these regimes is that almost all of them were set up during the Cold War period, with the WA set up in 1996 as the successor of the COCOM established shortly after the end of World War II. This might partly explain why during the Cold War China as one of the socialist countries did not join these regimes. Ideological affiliation impacted the inclusivity and nature of these regimes, as China saw it. However, after the Cold War China as one of the five UNSC Permanent Members possessing WMDs has only joined two of the five current major international export control regimes, namely the ZAC and the NSG. If China remains or is kept out of the other three, would it impact their ability and effectiveness to act as ‘multilateral’ regimes in promoting regional and world security? Also, could there be joint international efforts of controlling proliferations of WMD and dual-use products and technologies without Chinese participation?

A clear picture of the features of these regimes might be shown in Table IV in Part III below. This study plans not to dwell on the regimes and their arrangements per se, which deserve a separate and detailed study. Instead, it proposes to take a closer look at the development of China’s non-proliferation policy and controls and then place it in the context of the China-EU strategic partnership before assessing the implications of the above on the EU’s policy of effective multilateralism with respect to China.

III. China’s Policy in Non-Proliferation Controls: an Overview

This part provides an overview of China’s export control policy after its Opening-up and Reform Policy of the late 1970s. Drawing on current studies by Chinese and foreign scholars and research institutions, this paper intends to focus on two things: first, China’s participation in and involvement with current major international non-proliferation regimes; and second, the development of China’s national legal basis for non-proliferation. Therefore, some of the Chinese government reports will be used as references for this trace study, such as the White Papers on China’s National Defence and its non-proliferation policy. In doing this, this study expects to trace gradual changes in China’s attitudes to, and compliance with, the existing international regimes and regulations for controlling WMD proliferation, for arms control as well as delivery technologies.

1. China and Multilateral Non-Proliferation Mechanisms

Almost two decades after the People’s Republic of China (PRC) was founded, China successively developed its own WMDs like nuclear weapons. It carried out its first nuclear

test in 1964 and first hydrogen bomb test in 1967. However, China's official statement issued after its first atomic test on October 16, 1964, "The Atomic Bomb, Statement of the Government of the People's Republic of China", seems to have set the tone for China's non-proliferation policy for the following two decades. It declared China's stand against 'imperialism' and the nuclear monopoly by the erstwhile superpowers like the US and the Soviet Union, and emphasized China's rights to develop nuclear weapons. And it stated that "the status and development of China being a nuclear power would contribute to the ultimate elimination of all nuclear weapons" (Chinese government notification, 1964).

Since the 1970s, after establishing diplomatic relations with the West, particularly the US and the EU (then the European Economic Community, EEC), and the restoration of its seat in the UNSC, China has broadened its relations with the world. After its Opening-up and Reform Policy of the late 1970s, China started to cautiously and selectively enter the international non-proliferation regimes. In 1984 it joined the IAEA, which signified a major change of attitude to international nuclear non-proliferation. In 1992, China ratified the NPT, and was recognized as one of the five Nuclear Weapons States (NWS). In 1995, China declared "not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones at any time or under any circumstances" (the UN S/1995/265 1995). After signing the Comprehensive Test Ban Treaty (CTBT) in 1996, China also joined the Zangger Committee in 1997.

Its significance lies in that this is the first full participation of China in an international export control rule-making body. Since then, China has "maintained a good record of participation in and adherence to its obligations in the Zangger Committee" (CITS 2005). In 2004, China became a full member of the NSG, which marked another important step for China's international participation in non-proliferation regimes. Therefore, the accession to the NPT and other relevant international regimes showed China's greater willingness to join the international community to control nuclear non-proliferation, and on the other hand China's positive compliance with these regimes and regulations was also recognized.

In the areas of controlling the spread of biological and chemical weapons, China ratified the Biological and Toxic Weapons Convention (BTWC) in 1984, signed the CWC in 1993 and then ratified it in 1997. However, as mentioned before, China still remains outside the AG, a regime controlling the export of biological and chemical weapons. In May 2000, Sha Zukang, the then Director-General of Arms Control & Disarmament of the Chinese Ministry of foreign Affairs (MFA), argued that the CWC was "simply the first step towards the realisation of humankind's common goal of eliminating chemical weapons once and for all" (Sha 2000: 18). But, he added that "the existence of the 'Australia Group' means that, at this moment, there are two parallel export control mechanisms in the field of chemical trade"; therefore the "conflicts between the relevant provisions of the Convention and those of the 'Australia Group' inevitably causes confusion and disputes in what would otherwise be normal trade activities, results in a de facto imbalance in the rights enjoyed by individual States Parties, undercuts the authority of the Convention, discourages the participation of more countries in the Convention's regime, and compromises its universality" (Sha 2000: 17). This represented China's criticism of the AG as discriminatory in its practices and its conflict with treaty-based norms and practices in the CWC. Although in 2004, a policy statement on the website of MFA stated that "China shared the AG's non-proliferation goals" (MFA 2004), it remains a non-member of the AG till today.

In the area of controlling the transfers of missile and missile-related delivery technology, China has maintained communications with the MTCR and the relationship between the two sides has made some progress. For example, in the early 1990s, China became an ‘adherent’ to the MTCR “in response to U.S. pressure and sanctions”, but it “continued to criticize the regimes as discriminatory and for promoting double-standards” (Davis 2005: 7). Later in September 2003, however, China expressed its willingness to join the MTCR, when Chinese Foreign Minister Li Zhaoxing sent a letter to the then-Chair of the group, that Beijing would consider applying for MTCR membership. In 2004, China held two rounds of dialogues with the MTCR in February and June (MFA 2007), and in September, China applied for membership in the MTCR. However, Beijing’s bid was declined after these dialogues, and China is not a member of the MTCR yet. Neither did it join the Wassenaar Arrangement on export controls for Conventional Arms and Dual-Use Goods and Technologies, although China “is open to dialogues and exchanges with the Arrangement and its participants” (MFA 2004), and both parties have held three rounds of dialogues respectively in April 2004, May 2005 and June 2006.

In general, as shown in Table II below, during the past decades since China joined the IAEA in 1984, it has showed a more receptive attitude to international non-proliferation regimes. China’s entry to the NPT, the ZAC and the NSG before 2004, and its willingness to join the MTCR and WA around the same year, are notable developments both for these multilateral regimes and for the country’s non-proliferation policy.

Table II: China’s Profile in Major Multilateral Non-proliferation Regimes

International regimes	Signed	Ratified	Joined	Dialogues/ Year
the International Atomic Energy Agency (IAEA)			1984	
the Biological Weapons Convention (BWC)		1984		
the Chemical Weapons Convention (CWC)	1993	1997		
the Comprehensive Test Ban Treaty (CTBT)	1996			
the Nuclear Non-proliferation Treaty (NPT)		1992		
the Zangger Committee (ZAC)			1997	

the Nuclear Suppliers Group(NSG)			2004	
The Australia Group (AG)				1/2004
The Missile Technology Control Regime (MTCR)				2/2004
The Wassenaar Arrangement (WA)				3/2004-2006

(Based on source from the Arms Control Association's website at <http://www.armscontrol.org>, and "Arms Control and Proliferation Profile: China", see <http://www.armscontrol.org/factsheets/chinaprofile>, Accessed April 18, 2012; data sorted by Jizhou Zhao)

2. Development of China's National Policy in Non-Proliferation

Besides China's participation in as well as its willingness to join the above multilateral regimes in export controls, China's national policy in this regard has gone through several notable stages as well. According to an early study by a Chinese scholar, China's nuclear non-proliferation policy development experienced three distinct periods: 1) emphasis on the national right to develop nuclear weapons (1949-1959); 2) acceptance of the non-proliferation norm and independence from the international non-proliferation regime (1959-1984); and 3) gradual integration with the international community (from 1984 on) (Zhu 1997: 44-48). This last classification can be proved by the above mentioned introduction to China's engagement with multilateral regimes. However, the three periods mainly indicated China's non- proliferation policy in nuclear rather than other areas like biological and chemical exports, and they covered only the earlier developments of China's export control policy.

Comparatively, foreign studies on this appear to be more comprehensive Jonathan E. Davis argues that China's export control system has evolved in four stages: "1) de facto export control, from 1949-1979; 2) ad hoc export control, from 1979 to 1995; 3) the development of de jure strategic trade controls, from 1995 through 2002; and 4) the implementation of de jure controls and increasing interactions with the multilateral regimes, from 2002 on" (Davis 2005: 3). These findings broadened the understanding of China's overall national export control policy, by not being restricted to the nuclear non-proliferation policy. Also, the research focused more on the construction and implementation of China's relevant legal system than on China's gradual participation in some international regimes. Therefore, the research provided a valuable reference for understanding China's non- proliferation policy from different perspective.

According to the research goal of this paper, it is necessary to have a look at China's official declarations which indicate its commitments of adhering to and enhancing multilateral regimes of non-proliferation. Actually, in the early decades after the establishment of the PRC, China had a limited national export controls policy and regulations. For example, in December 1950 the then-Ministry of Foreign Trade issued China's first export control - related guideline, "The Provisional Rules of Foreign Trade Administration" (Duiwai Maoyi Guanli Zanxing Tiaoli). This regulation required Chinese importers

and exporters to obtain licenses from foreign trade authorities at either the provincial or central governmental level (Hu 1994: 6). Obviously, this kind of policy reflected China's concerns about trade rather than security, especially in the long periods of China's Planned Economy (Jihua Jingji).

1995 marked a milestone in China's export control developments. After the end of the Cold War, in November 1995 China issued a white paper "China: Arms Control and Disarmament", which is the first Chinese government declaration of its non-proliferation strategy. The White Paper indicated that China had officially recognized its call for a "more systematic approach to manage sensitive trade" (White Paper of China's Arms Control and Disarmament 1995). It also highlighted China's commitments to international non-proliferation regimes including the NPT, the agreements of IAEA's safeguards, the BWC and the CWC.

From 1998 till 2011, China has issued seven white papers on China's National Defence every two years (see below Table III). Non-proliferation controls took on considerable significance in these government declarations, especially after the terrorist attacks on September 11, 2001. For example, the white paper "China's National Defence in 2002" declared that China was "willing, together with the international community, to contribute to the maintenance of the legal system for international arms control and disarmament" (State Council of China 2002). Also the White Paper promulgated regulations in export controls of missile, chemical and biological dual-use technology and arms, and thus indicated the active compliance of China's export control policies with the guidelines and control lists of the AG, the NSG, and the MTCR, although in 2002 China were not members of any of these three regimes. Consensus within its policy circles seemed to grow that China's national security interests and the region's stability were increasingly converging with international nonproliferation objectives. This can be proven by the 2003 White Paper "China's Non-proliferation Policy and Measures", the first of its kind to address China's non-proliferation policy and to publicize its commitment to the world (State Council of China 2003). Possible explanations might include that China with its growing economic and political power needs to represent its image of a responsible rising power to the region and the world. On the other hand, "a developing China needs both an international and peripheral environment of long term peace and stability" (Xu 2004: 1-20).

After 2004, China has many times expressed its support to current multilateral cooperation framework like the UN's role in the field of non-proliferation. For example, "China's National Defense in 2004" declared China's support for safeguarding the extant non-proliferation regime and reinforcing the regime's "effectiveness and authority" (State Council of China 2004). After the 2005 White Paper on "China's Peaceful Development", which was revised in September 2011 (State Council of China 2011b), the White Paper on "China's National Defense in 2006" declared that "China supports the UN in playing its due role in non-proliferation" (State Council of China 2006). And "China's National Defense in 2008" stated that it "is committed to ---- consolidating and strengthening the existing international arms control, disarmament and non-proliferation mechanisms pursuant to the purposes and principles of the Charter of the United Nations and other universally recognized norms governing international relations" (State Council of China 2009). "China's National Defense in 2010" was published in March 2011, which stated China "adheres to the complete fulfilment of the UN's role" in the field of arms control, disarmament and non-proliferation, and roles of "other related international organizations and multilateral mechanisms", which "should be

consolidated and strengthened” (State Council of China 2011a).

In general, China has published many such official declarations which however need to be proven by actions. Nevertheless, this study would argue that these declarations at least demonstrate China’s increasing understanding of the value and significance of international non-proliferation norms, and its growing willingness to join in and support international non-proliferation practices. Therefore, China’s attitudes to multilateral non-proliferation regimes have undergone gradual yet dramatic changes. For example, in the earlier years China cautiously chose to join some international non-proliferation regimes like the IAEA in 1984 and the NPT in 1992. And its memberships in these regimes helped China achieve the goal of being more integrated in the international system. Since the 2000s when China joined the NSG, it gradually reduced its criticism of the regimes as discriminatory and imperialistic as well. Also, after the mid-2000s even though China appeared not so keen as before to join the AG, the MTCR and the WA, it did place more emphasis on the role of the UN and stressed the strengthening of existing regimes in non-proliferation.

But, what implications would there be for the EU in promoting effective multilateralism to the world including China, in the area of international non-proliferation?

Table III: China’s White Papers on National Defence/ Non-Proliferation (1995-2011)

Year	Institution	Title	Highlights
November 1995	Information Office of the State Council	China: Arms Control and	China: Arms Control and Disarmament first government declaration of non-proliferation strategy
December 1998	Information Office of the State Council	China’s National Defence	reaffirmed adherence to MTCR guidelines and policy on missile export controls
December 2000	Information Office of the State Council	China’s National Defence	control list updated
December 2002	Information Office of the State Council	China’s National Defence in 2002	to contribute to the maintenance of the legal system for international arms control and disarmament
December 2003	Information Office of the State Council	China’s Non-proliferation Policy and Measures	the first declaration to specially address China’s non-proliferation policy and to publicize its commitment

December 2004	Information Office of the State Council	China's National Defence in 2004	support for reinforcing "effectiveness and authority" of non-proliferation regime
December 2006	Information Office of the State Council	China's National Defence 2006	supports the UN in playing its due role in non-proliferation
January 2009	Information Office of the State Council	China's National Defence 2008	Commitment to uphold the UN Charter and other universally recognized norms governing international relations
March 2011	Information Office of the State Council	China's National Defence 2010	Adherence to the complete fulfilment of the UN's role and those of other related international organizations and multilateral mechanisms

(Sources: Websites of Chinese Defense Ministry, <http://www.mod.gov.cn/affair/book.htm> Accessed April 18, 2012; data sorted out Jizhou Zhao)

IV. Implications for China's Participation in Multilateral Non-Proliferation for the EU

As argued above China, being a permanent member of the UNSC and a nuclear-weapon state signatory of the NPT, has participated in and communicated with many of current major international regimes. During these processes, China improved its national export control policy (see Appendix) by introducing international norms and relevant regulation as well. It increased its compliance with international export controls standards, and repeatedly expressed in government declarations its commitment to adhering to and enhancing these regimes. A report in 2005 provided a fairly comprehensive introduction of China's export controls, including its legal basis, licensing system, enforcement, government-to-industry outreach and international participation (Davis 2005). And some held that China's export control system had evolved significantly since the early 1980s (Medeiros 2005). However, there was both "discernible progress and disparity" (Cupitt 2003; Cupitt/Murayama 1997: 117- 142) between Chinese export control regulations and international standards. "During the past China has strengthened its export control regime. In response, private companies have replaced state-owned corporations as the leading proliferators, thus posing challenges both to China and to the world"(Evron 2010).

Actually, a research early in 1995 examined the gap between China's declared non-proliferation policy and its "failure to put an end to controversial exports" (Davis 1995: 587-

603). An evaluation of Chinese non-proliferation export controls even argued that the Chinese export control system was still “nascent and largely obscured” (Richard T. Cuppitt/Murayama 1998). On March 19, 2012, the Stockholm International Peace Research Institute (SIPRI) published a report, which showed that China’s “decline in imports coincided with an increase in arms exports”, and “the outflow of Chinese-made weapons jumped by 95 per cent” (Holtom et al. 2012). But on March 27, 2012 China released a government report during the Nuclear Security Summit (26 – 27 March, 2012). The report dealt with China’s progress in improving nuclear security in the past two years (Xinhua Net 2012). Therefore, it is not hard to notice a gap between official statements and factual enforcements in Chinese non-proliferation policies, which would harm the effectiveness of multilateral export control regimes, such as the authority, implementation and enforcement of their regulations. Fan (2008:40) argues that major powers should “change their negative attitudes toward or export control policy against China”, and “encourage and support china’s membership in multilateral export control regime to further its nonproliferation cooperation with major powers”.

So, is the EU one of the actors promoting the norm of effective multilateralism to ensure China participates in international non-proliferation regimes? The answer may be yes, at least for many European scholars. Since the early 1970s, the EU (then the EC) was termed as a “civilian power” that “in particular would have a chance to demonstrate the influence which can be wielded by a large political co-operative formed to exert essentially civilian forms of power”(Duchêne 1973: 19). Since the EC had gained significant economic strength with the success of economic integration, it was seen by the US President Richard Nixon as one of the five major economic powers in the world. For others like Hans Maull however, a “civilian power” was not merely an economic power, but also a promoter of norms and values like democracy aiming to “civilize international relations” (Maull 1990: 129- 153). Similar arguments were developed after 2000, trying to conceptualize the identity of the EU as a “normative power” attempting to diffuse European norms and values by ways of “contagion, information diffusion, procedural diffusion, transference, overt diffusion, and the cultural filter”(Manners 2002: 244-245).

All these arguments shared an understanding that the EU enjoyed its capacity to influence others but with a preference to use civilian/ normative forms of power. Thus, these ideas in essence incorporate the “soft power” concept, which is “the ability to get what you want through attraction rather than coercion or payments” (Nye 2004: x). After the Cold War ended, the EU sought to strengthen its role on the global stage depending more on its soft power in international relations. Till 2003, the EU had already established a Common Foreign and Security Policy (CFSP) for about ten years, while the European Security and Defence Policy (ESDP; renamed European Common Security and Defence Policy, or CSDP, with entry into force of the Lisbon treaty in December 2009) as an integral part of CFSP had gone through four years since its initiation in 1999. Thus the CFSP, especially the ESDP, to some extent enabled the EU to develop and use its (limited) military power. But the 2003 Iraq War unilaterally started by the US produced many repercussions, one of them being that the EU explicitly stated to be “inevitably a global player” (Council of the European Union 2003). Instead, to address the complex post-Cold War security environment the EU not only placed great emphasis on military power and policy tools, but also claimed to enhance multilateralism by supporting the UN and other international organizations and regimes, and by establishing a number of strategic partnerships with countries including China which had been listed in the “BRICs” (O’Neill 2001).

China- EU relations were established in 1975, when the EU was being conceptualized within Europe as a civilian power with particular focus in its economic strength rather than military force, and with the US-led NATO providing security. Since the EU and China signed the Trade and Cooperation Agreement in 1985, their relations have focused more on trade and economic areas, than security. Even though the EU has kept in place the Arms Embargo to China since 1989, global security issues such as non-proliferation are not on top of the agenda for both parties. As shown in Table IV, in the five major international non-proliferation and arms control regimes, China and the EU participated in only some of them, which prevented the both parties from meeting and communicating adequately in these international forums.

Table IV: The Five Non-Proliferation Regimes and Profiles of China / the EU

Regime / Year of Establishment	Number of members/ parties	China	European Commission
ZA/1971	38 countries, plus one observer	Joined in 1997	Observer
NSG/1974	46 countries, plus two observers	Joined in 2004	Observer
AG/1985	41 parties, inc. the European Commission	--	Participant since 1985
MTCR/1987	34 countries	--	--
WA/1996 COCOM/1950-1994	41 countries	--	--

(Source from websites of the five regimes² ; data sorted out by Jizhou Zhao)

When entering this new century, the North Korean and Iranian Nuclear issues remain unsettled, while the potential combination of terrorists armed with WMDs caused great concerns in the world, especially after the September 11. The international community has deepened a consensus on achieving the goal of preventing proliferation of WMDs.

² The ZAC, <http://www.zanggercommittee.org/Seiten/default.aspx>

The AG, <http://www.australiagroup.net/en/index.html>

The NSG, <http://www.nuclearsuppliersgroup.org/Leng/default.htm>

The MTCR, <http://www.mtcr.info/english/index.html>

The WA, <http://www.wassenaar.org/>

First, on the global level, on April 28 2004 the UNSC Resolution 1540 of “Non-proliferation of weapons of mass destruction” was passed, which indicated the international community’s recognition of the importance of export controls. Second, at the regional level, the European Council adopted on 12 December 2003 a “European Strategy against the proliferation of WMD” in parallel with the adoption of the ESS. The WMD Strategy provided a full-fledged roadmap for immediate and future action in the fight against proliferation. In fact, after 2003 the EU has formulated and issued many other regulations for preventing proliferation of WMD and controlling arms transfer, as shown in Table V below.

Table V: the EU’s Strategy and Regulations in Non-proliferation and Arms Control

Year/Institution	Policy/Documents	Highlights
December 2003/ European Council	Strategy Against Proliferation of Weapons of Mass Destruction (in parallel with the adoption of the ESS)	Five priorities including:--Strengthening the international non-proliferation system; --Pursuing universalization of multilateral agreements; --Reinforcing strict implementation of and compliance with these agreements; and --Co-operating closely with key partners;
since Autumn 2004 / Non-Proliferation and Disarmament Department		Negotiations with Iran on its nuclear program Supports the High Representative of CFSP and the three EU Member States (Germany, France and the UK)
December 2006/ European Council	Concept Paper	A WMD Monitoring Centre to monitor and enhance further the consistent implementation of the EU WMD Strategy

December 2008/ European Council	“New lines for action by the EU in combating the proliferation of WMD and their delivery systems”	To increase the efficiency of the EU WMD Strategy by achieving greater coordination within it To continue cooperation with international organizations and third countries to help improve non-proliferation policies and export controls.
January 2009/ Political and Security Committee		Adopted a note on the implementation of the WMD Clause
December 2009/EEAS	the consistency of EU action in the WMD field	Guaranteed by the EEAS
December 2009/EEAS	the consistency of EU action in the WMD field	Guaranteed by the EEAS
December 2009/Deputy Secretary General Helga Schmid and Team	Negotiations with Iran on its nuclear program	Since the entry into force of the Lisbon Treaty in 2009, and the establishment of the EEAS in 2010
2010	consortium established	Made up of leading non-proliferation think-tanks established
Currently	on-going Council Joint Actions	Support to the IAEA, the OPCW and the CTBTO, and in support of the BTWC and UNSC Resolution 1540.

(Source: the EEAS <http://www.consilium.europa.eu/eeas/foreign-policy/non-proliferation,-disarmament-and-export-control-/wmd?lang=en> accessed July 30, 2012)

Third, at the bilateral level, one can take China- EU strategic partnership for example. Since both parties declared a strategic partnership in 2003, China and the EU (as well as some EU member states like the UK and Germany) have jointly issued declarations

on non-proliferation and arms control, held specific seminars on export controls and conducted many exchanges. These can be partly shown in Table VI below. For example, in December 2004, China and the EU signed the “Joint declaration of the People’s Republic of China and the European Union on Non-Proliferation and Arms Control”, recognizing each other as “a major strategic partner in the area of disarmament and non-proliferation”, and identified five priority areas for specific cooperation, for example, “strengthening the international system of non-proliferation, pursuing universalization of multilateral agreements, reinforcing strict implementation of and compliance with these agreements, co-operating closely with key partners, assistance to third countries” (Council of the European Union 2004: 3). Following up this joint declaration, both parties enhanced and deepened their cooperation in their pursuit of goals mentioned in the 2004 document, and promoted close policy dialogues at some levels on export control and relevant issues. For example, From 6 to 8 December 2010, an EU–China Export Control Seminar was held in Beijing, and the participants of the seminar included Chinese representatives from government institutions, such as Ministry of Foreign Affairs, the Ministry of Commerce and the General Administration of Customs (with representatives from both Beijing and from the provinces).

Table VI: China and the EU in Bilateral Cooperations of Non-proliferation Controls

Time	Bilateral Cooperation in Non-proliferation and Arms Control	Highlights
<p>October 2003</p>	<p>China’s EU Policy Paper Strengthen international cooperation http://www.fmprc.gov.cn/eng/topics/ceupp/t27708.htm</p>	<ul style="list-style-type: none"> - Jointly safeguard the international arms control, disarmament and non proliferation regimes and step up consultation and coordination on the basis of mutual respect; -strengthen exchange and cooperation on non-proliferation and export control and the prevention of weaponization of and arms race in outer space; -jointly contribute to the resolution of the issue of anti personnel landmines and explosive remnants of war; and -enhance cooperation in implementing the international arms control treaties.

December 2003	Strategy Against Proliferation of Weapons of Mass Destruction	in parallel with the adoption of the ESS; provides a fully-fledged roadmap for immediate and future action in the fight against proliferation of WM
December 2004	Joint declaration of the People's Republic of China and the European Union on Non proliferation and Arms Control	recognising each other as a major strategic partner in disarmament and non-proliferation; identified five priority areas for specific cooperation
2005	China-EU Export Control Seminar (Beijing)	The first seminar as a step to fulfill the 2004 Joint Declaration
November 2006	China-EU Export Control Seminar (Suzhou, China)	The second one; MFA, the General Administration of Customs of China/ the EU
January 2007	China-EU Export Control Seminar on Licensing and Industry Outreach (Chengdu, China)	The first seminar to have included the government – industry outreach
August 2007	Exchange Visit to the UK	Chinese Officials and Experts in Export Controls
April 2008	China-EU Arms Control and Non-proliferation Seminar	Regional Nuclear issues, conventional arms control, etc.
September 2008	China-EU Export Control Seminar on Licensing and Industry Outreach (Zhengzhou, China)	The Second on government – industry outreach; between Chinese MFA, Ministry of Commerce (MoC) and the EU
December 2010	China-EU Export Control Seminar (Beijing)	Regional Nuclear issues, conventional arms control, etc.

(Data sorted out by Jizhou Zhao)

From the development of China-EU cooperation in non-proliferation and arms control since the establishment of their partnership, the 2004 EU-China joint declaration was a notable milestone in EU-China relations. As the joint declaration stated, China and the EU are “important forces in the field of international security, bear significant responsibility for the maintenance of international and regional peace, security and stability” (Council of the European Union 2004: 3), and should play a positive role in promoting the international non-proliferation process. Therefore, strengthening cooperation between China and the EU is not only conducive to expanding and deepening their comprehensive strategic partnership, but also to the current multilateral non-proliferation process. Based on the preliminary findings in this study on the development of China’s non-proliferation policy, and especially its international participation and cooperation in non-proliferation and arms control regimes, what roles can the EU play in promoting effective multilateralism to China in the field of international non-proliferation?

As discussed in above, there are at least three levels of international cooperation in non-proliferation and arms control. In this case, the EU perhaps could accordingly work in three aspects to engage China with building and enhancing the efficiency of multilateral regimes in the non-proliferation area. This paper would argue as follows:

1. At the global level, the EU may continue its support, together with China, of the UN to play an important role in non-proliferation. However, the EU as a whole is not a member of the UN or the UNSC, while the two EU member states (the UK and France) and China are the three of the five UNSC permanent members. So in many cases happening in the UN and among the UNSC, China will and even has too choose its EU counterparts (the UK, France) rather than the EU to communicate and cooperate with. Also, as discussed above, after the UNSC Resolution 1540 was passed in 2004, China frequently declared in its White Papers its support for enhancing the roles of the UN and major international regimes in non-proliferation. China’s willingness and commitment as such could be seen as a foundation for multilateral nonproliferation cooperation, but on the other hand, China so far has only joined two of the five nonproliferation regimes namely the ZAC and the NSG. As to the EU, it only has a membership in the AG and two observatory statuses in the ZAC and the NSG. Therefore, the EU could play a limited role in supporting the UN and the international regimes mentioned in this paper. The unequal status of the EU and China in multilateral regimes, that is, the EU as a non-state actor while China as a state especially in the specific area of nonproliferation, possibly indicates an uneasy task for the EU to influence China to participate in, and not to mention, improve the current arrangement of multilateral cooperation.

2. On the current major non-proliferation and arms control regimes, the EU (and its members states participating in non-proliferation regimes) could support China’s entry into the AG, the MTCR and the WA. China has conducted dialogues with AG, the MTCR and the WA from 2004-2006, which was also an important period of China – EU partnership. Therefore, China’s further integration with these regimes will be conducive to international non-proliferation efforts. On the other hand, what is more important for the EU’s stated goal of effective multilateralism is that it should work with others like the member states in these regimes, to help China fulfill its commitments with actual actions. This is not referring to some supervision over China’s responsibility from the EU, although it might be perceived like this by China. The enlargement or potential enlargement of current regimes in non-proliferation, with China’s often declared commitments, is the first step to promote the non-proliferation norms and regimes.

3. At the regional and bilateral levels, the EU could support China's positive and constructive role in facilitating a peaceful resolution of the nuclear issue in the Korean peninsula. China has joined the NPT, the ZAC and the NSG, and if it makes efforts in persuading North Korea and Pakistan to join these multilateral export control regimes, this would enlarge the membership, and possibly help improve the efficiency, of these regimes. For example, China should try to persuade the two countries as its close neighbors to (re)enter these regimes. For North Korea, it joined the NPT in 1985 but announced withdraws respectively in 1993 and in 2003; as to Pakistan, it has never joined the NPT although this country actually developed and possessed nuclear weapons of its own. If China could persuade North Korea to reenter, and/ or Pakistan to enter the NPT and other non-proliferation regimes, this would be a great contribution to regional and world peace. However, China tends to apply solutions like dialogue and negotiations to peacefully solve the Korean Peninsula Nuclear issue; while the EU (as well as the US) aimed to "push China to exert greater pressure and more sanctions to North Korea" (Cheng 2011). In the Iranian Nuclear In the past decades, China's efforts have been in the direction of enhancing export control legislation; but this does not necessarily mean the gap between official lip-service and the facts of some private enterprises exporting sensitive items by escaping the government's inspection has necessarily closed down.

As to the bilateral relations between China and the EU, both parties share a similar stance and common goals on non-proliferation of WMDs. After 2004 in particular, China and the EU have held many dialogues and seminars on export controls. This is very positive and conducive to the development of their partnership; but on the other hand, the EU's failure to remove its arms embargo to China damaged its good image in China. For example, some argued that "China should not perceive the EU in effect as a complete strategic actor", and the EU is only a "civilian power partly backed up by its limited military means" (Chen 2006: 8). This prevented a healthier development of the strategic partnership, but also constitutes an obstacle for the EU to engage China in multilateral and bilateral cooperation.

This said, however, the EU intends to increase its profile on the world stage with other efforts. For example the President of the European Council, Herman Van Rompuy along with the President of the European Commission, José Manuel Durão Barroso, were present at the 2012 Seoul Security Summit in April, and they also jointly attended the fourteenth China-EU Summit and met Chinese leaders. The EU has been working actively to engage China and also has participated in international forums of non-proliferation. But to what extent the EU could promote its norms such as effective multilateralism with respect to China, is still a question to be further explored.

V. Conclusion

Since China is emerging in both economic strength and political significance, the extent of its participation in and willingness to join current international non-proliferation regimes will largely determine the range, level, efficiency of multilateral cooperation in this specific area.

The EU currently with 27 Member States represents in the world an example of international cooperation among nation states. In the 2003 ESS, the EU stated its aim to promote effective multilateralism to the international community and launched a strategic partnership with China, in order to enhance international co-operation in addressing complex security challenges.

This study as a policy paper thus chooses to offer some glimpse at current international non-proliferation controls regimes such as the NPT, the ZAC, the NSG, the AG, the MTCR and the WA. After a brief examination of China's participation in these regimes and developments of its national export control, this paper explored several implications of China's participation in international regimes for the EU which aimed to promote effective multilateralism.

Since the EU and China are both included only in some of the multilateral regimes, and hold different and unequal status in these regimes, China often tries to seek dialogue with individual EU member states either in the UNSC or in these regimes. This is just one example of the many disconnects between EU's policy to promote its norms and the actual limited scope of its influence. As to China's national export control policies, there is some gap between China's commitment and its actual achievements. Also, though China and the EU share common goals of preventing nuclear proliferation in the Korean peninsula, they tend to apply different exchanges and dialogue since the 2004 Joint Declaration of Non-Proliferation, but suspension of the EU's Arms Embargo to China might be a step in increasing EU's positive image in the country.

Bibliography

- AG 2012a: The Australia Group : An Introduction, in: <http://www.australiagroup.net/en/introduction.html>; July 27, 2012.
- AG 2012b: Australia Group Common Control Lists, in: <http://www.australiagroup.net/en/controllists.html>; April 18, 2012.
- AG 2012c: Guidelines for Transfers of Sensitive Chemical or Biological Items, in; July 27, 2012.
- Buzan, Barry/Wæver, Ole/Wilde, Jaap de 1998: Security: A New Framework for Analysis, Boulder CO.
- Chen, Zhimin 2006: The Limits of EU as a Strategic Actor The Case of Ending EU's Arms Embargo on China, in: *International Review* 5, 1-10.
- Cheng, Weidong 2011: China-EU Cooperations in the UNSC, in: <http://ies.cass.cn/Article/cbw/zogx/201112/4405.asp>; August 6, 2012.

- Chinese government 1964: The Atomic Bomb, Statement of the Government of the People's Republic of China, October 16, 1964, in: [http://china.usc.edu/\(S\(eabjcp45mezqxq23d4vqofq55\)A\(sDN4-CZCzQEkAAAAYjViNWUyOTEtZWM-4NiooMzg1LTk4ODQtZjc3MDRIZGE2YWNkOFZEfdy3rlR9Zn8Trm552hp1_zc1\)\)/](http://china.usc.edu/(S(eabjcp45mezqxq23d4vqofq55)A(sDN4-CZCzQEkAAAAYjViNWUyOTEtZWM-4NiooMzg1LTk4ODQtZjc3MDRIZGE2YWNkOFZEfdy3rlR9Zn8Trm552hp1_zc1))/)
- Chinese government 1964: The Atomic Bomb, Statement of the Government of the People's Republic of China, October 16, 1964, in: [http://china.usc.edu/\(S\(eabjcp45mezqxq23d4vqofq55\)A\(sDN4-CZCzQEkAAAAYjViNWUyOTEtZWM-4NiooMzg1LTk4ODQtZjc3MDRIZGE2YWNkOFZEfdy3rlR9Zn8Trm552hp1_zc1\)\)/](http://china.usc.edu/(S(eabjcp45mezqxq23d4vqofq55)A(sDN4-CZCzQEkAAAAYjViNWUyOTEtZWM-4NiooMzg1LTk4ODQtZjc3MDRIZGE2YWNkOFZEfdy3rlR9Zn8Trm552hp1_zc1))/) ShowArticle.aspx?articleID=2290&AspxAutoDetectCookieSupport=1
- CITS 2005: Export Controls in the People's Republic of China.
- Council of the European Union 2003: A Secure Europe in a Better World: European Security Strategy (12 December), Brussels.
- Council of the European Union 2008: Report on the Implementation of the European Security Strategy-Providing Security in a Changing World (11 December 2008), Brussels.
- Council of the European Union 2004: Joint declaration of the People's Republic of China and the European Union on Non-proliferation and Arms Control (8 December 2004), Brussels.
- Cupitt, Richard T. 2003: Nonproliferation Export Controls in the People's Republic of China, in: Beck, Michael D./Cupitt, Richard T./Gahlaut, Seema/Jones, Scott A (Eds.): To Supply or to Deny: Comparing Nonproliferation Export Controls in Five Key Countries, London, pp.117-142.
- Cupitt, Richard T./Murayama, Yuzo 1997: Export controls in the People's Republic of China: Status Report Athens, GA: CITS.
- Davis, Jonathan E. 2005: Export Controls in the People's Republic of China, Athens, GA: CITS.
- Davis, Zachary S. 1995: China's Nonproliferation and Export Control Policies: Boom or Bust for the NPT regime?, in: Asian Survey Vol. 35, : No. 6 (June 1995), pp. 587-603.
- Duchêne, Francois 1973: The European Community and the Uncertainties of Interdependence, in: Hager, M. Kohnstamm & W. (Ed.): A Nation Writ Large? Foreign-Policy Problems before the European Community, London, p. 19-20.
- Evron, Yoram 2010: China's Export Control Regime: From State to Private Sector Proliferation, in: <http://www.eurasiareview.com/26112010-chinas-export-control-regime-from-state-to-private-sector-proliferation/>; May 18, 2012.
- Holtom, Paul/Bromley, Mark/Wezeman, Pieter D./Siemon T. Wezeman 2012: Trends in International Arms Transfer, 2011 (SIPRI Fact Sheet, March 2012), Stockholm, in: <http://books.sipri.org/files/FS/SIPRIFS1203.pdf>; March 30, 2012.
- Hu, Weixing 1994: China's Nuclear Export Controls: Policy and Regulations, in: The Nonproliferation Review (winter 1994) 1: 1, p. 6.
- Manners, Ian 2002: Normative Power Europe: A Contradiction in Terms?, in: Journal of Common Market Studies(JCMS) 40: 2, pp. 235-258.

- MTCR 2012a: the MTCR Guidelines and the Equipment, Software and Technology Annex, in: <http://www.mtcr.info/english/guidelines.html>; May 19, 2012.
- MTCR 2012b: MTCR Partners, in: <http://www.mtcr.info/english/partners.html>; May 19, 2012.
- NSG 2012a: NSG Guidelines, in: <http://www.nuclearsuppliersgroup.org/Leng/o2-guide.htm>; April 18, 2012.
- NSG 2012b: What is the NSG ? , in: <http://www.nuclearsuppliersgroup.org/Leng/default.htm> April 18, 2012.
- NSG 2012c: Who are the current NSG participants? , in: <http://www.nuclearsuppliersgroup.org/Leng/o3-member.htm>; April 18, 2012.
- Nye, Joseph S., Jr 2004: Soft power. The means to success in world politics, New York.
- O'Neill, Jim 2001: Building Better Global Economic BRICs, in: Global Economics of Goldman Sachs Economic Research Group 66, 16 pages.
- Richard T. Cupitt/Murayama, Yuzo 1998: Export controls in the People's Republic of China: Status Report 1998, Athens, GA: CITS.
- Sha, Zukang 2000: "Next steps" (OPCW Synthesis), Hague.
- State Council of China 2002: China's National Defense in 2002 (December 2002), Beijing, in: <http://www.China.org.cn/e-white/20021209/index.htm>; April 18, 2012.
- State Council of China 2003: China's Nonproliferation Policy and Measures (December 2003), Beijing, in: <http://www.China.org.cn/e-white/20031202/index.htm>; April 18, 2012.
- State Council of China 2004: China's National Defense in 2004 (December 2004), Beijing, in: <http://www.China.org.cn/e-white/20021227/index.htm>; April 18, 2012.
- State Council of China 2006: China's National Defense in 2006 (December 2006), Beijing, in: <http://www.china.org.cn/english/features/book/194468.htm>; April 18, 2012.
- State Council of China 2009: China's National Defense in 2008 (January 2009), Beijing, in: http://english.gov.cn/official/2009-01/20/content_1210227.htm April 18, 2012.
- State Council of China 2011a: China's National Defense in 2010 (March 2011), Beijing, in: http://news.xinhuanet.com/english2010/china/2011-03/31/c_13806851_38.htm; April 18, 2012.
- State Council of China 2011b: China's Peaceful Development, (Council, Information Office of the State), in: http://english.gov.cn/official/2011-09/06/content_1941354.htm; March 16 2012.
- The UN S/1995/265 1995: Statement on Security Assurances Issued on 5 April 1995 by the People's Republic of China, (Nations, the United); 17 February 2012.
- The World Bank 2011: Data of China, in: <http://data.worldbank.org/country/china>; July 26, 2012.

Ullman, Richard H. 1983: Redefining Security, in: *International Security* 8: 1, pp.129-153

UNODA, the United Nations Office for Disarmament Affairs 2012: Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in: <http://www.un.org/disarmament/WMD/Nuclear/NPT.shtml>; July 18, 2012.

UNSC Resolution 2004: Security Council Resolution 1540 (2004) :Non-Proliferation of Weapons of Mass Destruction.

WA 2012a: Introduction of the Wassenaar Arrangement, in: <http://www.wassenaar.org/introduction/index.html>; May 19, 2012.

WA 2012b: the Wassenaar Arrangement Control Lists, in; May 19, 2012.

WA 2012c: the Wassenaar Arrangement Guidelines, in: <http://www.wassenaar.org/guidelines/index.html> May 19, 2012.

White Paper of China's Arms Control and Disarmament 1995: China: Arms Control and Disarmament, (Information Office of the State Council, the People's Republic of China), in: <http://www.china.org.cn/e-white/army/index.htm>; May 27,2012.

Xinhua Net 2012: National Progress Report on Nuclear Security of China, in: http://news.xinhuanet.com/english/china/2012-03/27/c_131491857.htm; April 18, 2012.

Xu, Jian 2004: "A Peaceful Rise: China's Strategic Option", in: *International Studies* 2, p. 1-20.

ZAC 2012a: Members of the Zangger Committee (ZAC), in: <http://www.zanggercommittee.org/Members/Seiten/default.aspx>; April 18, 2012.

ZAC 2012b: Our Mission in: <http://www.zanggercommittee.org/Seiten/default.aspx> April 18, 2012.

Zhu, Mingquan 1997: The Evolution of China's Nuclear Nonproliferation Policy, in: *The Nonproliferation Review* (winter 1997), pp. 40-48.

Appendix: China's Non-proliferation and Export Control Laws and Regulations

(1980--2007)

(Source from MFA website accessed on July 27, 2012: <http://www.fmprc.gov.cn/eng/wjb/zzjg/jks/fksflfg/t141341.htm>)

In the Nuclear Field

Regulations on the Control of Nuclear Materials (1987)

Regulations of the PRC on the Control of Nuclear Export (1997, updated in November 2006)

Regulations of the PRC on the Control of Nuclear Dual-Use Items and Related Technologies Export and its control list (1998, the regulation updated in January 2007, the list updated in July 2007)

In the Biological Field

Tentative Measures on the Stockpiling and Management of Veterinarian Bacteria Culture (1980)

Regulations on the Management of Veterinary Medicines (1987)

Law of the PRC on the Prevention and Control of Infectious Diseases (1989, updated in 2004)

Law on the Quarantine of Animals and Plants Brought Into or Taken Out of the Chinese Territory (1991)

Measures for the Control of Biological Products for Animal Uses (1996)

Procedures for the Safe Administration of Agricultural Biological Gene Engineering (1996)

Regulations of the PRC on the Export Control of Dual-Use Biological Agents and Related Equipment and Technologies, and its control list (2002, list updated in 2006)

Regulations on Administration of Veterinary Drugs (2004)

In the Chemical Field

Regulations of the PRC on the Administration of the Controlled Chemicals, and the Controlled Chemicals List (promulgated in 1995, the Controlled Chemicals List was updated in 1998)

Detailed Rules for the Implementation of the Regulations of the PRC on the Administration of the Controlled Chemicals (1997)

Measures on the Export Control of Certain Chemicals and Related Equipment and Technologies and its control list (2002)

In the Missile Field

Regulations of the PRC on Export Control of Missiles and Missile-Related Items and Technologies and the control list (2002)

In the arms export field

Regulations of the PRC on Administration of Arms Export (promulgated in 1997 and revised in 2002) and the Military Products Export Control List (2002)

Other Relevant Laws

Amendments to Criminal Law of the PRC (2001)

Regulations on the Import and Export Control of Technologies (2001)

Amended Customs Law of the PRC (1987)

Administrative Punishments Law of the PRC (1996)

Regulations of the People's Republic of China on Exit and Entry Frontier Inspections (1995)

The Measures for Administration on Import & Export Licensing of Dual-use Items and Technologies (2006)