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Proliferation-Related Legislation in the EU: Is There a Need for Further Convergence?

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While arms control is often regarded as an issue that requires international rules, the day-to-day application of arms control is still the field of national legislation. It is therefore necessary that there is national implementation of the international rules for the effectiveness of any international arms control agreement. It is only through the development of an international network of anti-proliferation legislation that there can be effective regulation of the proliferation of materials. In this context it is noteworthy that both the chemical and biological weapons conventions include an obligation to implement national measures prohibiting and preventing the proliferation of biological and chemical weapons. This has been strengthened by other international efforts, such as Security Council Resolution 1540 and the Australia group. The EU has sought to be active in this field by incorporating EU-wide export controls and having EU sanctions against individuals suspected of proliferation activities. However, in many regards the national legislation of the member states of the EU are still quite divergent when it concerns proliferation activities, which raises the question of whether continued convergence in this field is necessary. This submission will look at this by discussing the current activities of the EU in this field and contrasting this with the existing legislation in the 27 member states. It will show the gaps that exist within the EU regulation as well as in the national legislation concerning proliferation activities for biological and chemical weapons. It will then discuss why a more comprehensive and coherent framework of prohibitions should be strived for in the EU and which steps can be taken to close these gaps.

Are you a PhD student or early-career researcher?

Yes

What discipline or branch of humanities or social sciences do you identify yourself with?

Law

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No, I am submitting a Closed Panel abstract

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