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### **Germany's Global Role in Nuclear Disarmament and Non-Proliferation**

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## 1. Introduction

The following research paper addresses „Germany’s Global Role in Nuclear Disarmament and Non-Proliferation.“<sup>1</sup> As to that, the paper will answer the following three questions:

- How does Germany work (globally) with nuclear disarmament?
- In which international forums and disarmament regimes does Germany work to pursue the matter of nuclear disarmament?
- Which concrete policies has been proposed regarding nuclear disarmament during the last decade?

## 2. Germany’s global work on nuclear disarmament

Disarmament, arms control and non-proliferation play an important role in Germany’s foreign and security policy. Germany works with its partners, particularly in the EU and NATO, to strengthen and further develop existing international treaties. New challenges to security and new technological developments are creating the need to develop new international rules, something which the Federal Government Commissioner for Disarmament and Arms Control Ms Patricia Flor actively works to achieve. Besides analysing and developing new aspects of disarmament and non-proliferation policy, the Commissioner is very active in helping with the implementation, further development and strengthening of existing international agreements and coordination mechanisms. These particularly include the “Treaty on the Non-Proliferation of Nuclear Weapons”, the “Comprehensive Nuclear Test-Ban Treaty”, and the “International Code of Conduct against Ballistic Missile Proliferation.”

## 3. Germany’s engagement in international nuclear disarmament and non-proliferation forums and treaties

### 3.1. International Atomic Energy Agency (IAEA) – Germany’s involvement

The Federal Republic of Germany became a member of the IAEA in 1957 and has been continuously represented on the Board of Governors since 1972. Germany is the third largest contributor after the United States and Japan, providing 6.9 percent of the Agency’s regular budget. In addition, Germany provides voluntary contributions, mainly to support international cooperation projects with the IAEA in the field of nuclear security.

### 3.2. Treaty on the Non-Proliferation of Nuclear Weapons (NPT) – Germany’s position

The “Treaty on the Non-Proliferation of Nuclear Weapons” (NPT) of 1968 is the foundation of the international nuclear non-proliferation and disarmament regime. From the Federal German government’s point of view, maintaining a balance between the three pillars of the NPT – nuclear

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<sup>1</sup> The information presented in this paper has mainly been taken from the websites of the Federal German Foreign Office. Retrievable from: <https://www.auswaertiges-amt.de/en>

disarmament, a strengthened non-proliferation regime and the peaceful use of nuclear energy – is the central challenge. This also involves promoting the universalisation of the treaty and appealing to India, Pakistan, Israel and South Sudan to accede to the treaty.

The treaty is under great pressure, as shown by the example of North Korea, which conducted its sixth nuclear test on 12 September 2017. Discussions on holding a conference to create a WMD free zone in the Middle are also putting strain on the NPT. One of the reasons for the termination of the 9th Review Conference (27 April to 22 May 2015) without a new consensus was this unresolved issue. The humanitarian impact of nuclear detonations was another controversial discussion topic.

In the German Government's view, the necessary strengthening of the treaty regime, particularly through consistent implementation of the Action Plan adopted by the 2010 Review Conference, remains a crucial goal. In this context, Germany is committed to a strong profile for the EU, but is also engaged with like-minded partners from other regions of the world. The goal must be to strengthen the NPT with new initiatives:

#### 3.2.1. Non-Proliferation and Disarmament Initiative (NPDI)

In the "Non-Proliferation and Disarmament Initiative" (NPDI), the Federal Government is cooperating with eleven other non-nuclear-weapon states, including Mexico and Chile, in order to advocate progress on nuclear disarmament in a dialogue with the permanent members of the United Nations Security Council (P5). Progress has been made primarily with respect to transparency over the P5's nuclear arsenals. The NPDI therefore considers itself to be an important bridge-builder between the non-nuclear-weapon states and the P5 and contributes its own positions and papers to all relevant Conferences on Disarmament, including the review cycles of the Nuclear Non-Proliferation Treaty (NPT). On 21 September 2017, the NPDI met at ministerial level on the fringes of the UN General Assembly at the invitation of former Foreign Minister Gabriel and his Japanese counterpart Kono, adopting Joint Statements on both nuclear disarmament and North Korea.

#### 3.2.2. Fissile Material Cut-off Treaty (FMCT)

Together with Canada and the Netherlands and with the close involvement of the nuclear-weapon states, the Federal Government has initiated a process that is intended to culminate in negotiations on a ban on the production of fissile materials as part of a "Fissile Material Cut-off Treaty" (FMCT – a "treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices"). Banning the production of fissile materials is an important part of the step-by-step approach pursued by the Federal Government that seeks to ensure effective, verifiable and irreversible nuclear disarmament. The process closely coordinated by Germany, the Netherlands and Canada intends to identify potential elements of the FMCT treaty as part of a 25-member high-level Expert Preparatory Group in Geneva. In contrast to the prohibition treaty, the five nuclear-weapon states recognised under the NPT – the US, France, the UK, Russia and China – are playing an active role in the process.

### 3.3. The Comprehensive Nuclear-Test-Ban Treaty – Germany’s point of view

From the German point of view, every nuclear test is one too many – more than 2,000 such tests have been carried out worldwide since 1945. The large number of tests led to the rapid development of this weapons technology, with the explosive power of a single bomb rising exponentially over the decades. The German Government is therefore committed to ensuring that nuclear tests are prohibited around the world and that the tests conducted by North Korea since 2006 remain the last of their kind. This is also the objective of the “Comprehensive Nuclear-Test-Ban Treaty” (CTBT).

Alongside Australia, Canada, Finland, Japan and the Netherlands, Germany is part of the Friends of the CTBT, a group pushing particularly strongly for this treaty to be brought into force.

### 3.4. Hague Code of Conduct against Ballistic Missile Proliferation (HCoC) – Germany’s interests

The worldwide proliferation of missile systems – especially ballistic missile systems capable of delivering weapons of mass destruction – threatens regional stability and global security. Increasing numbers of countries are becoming capable of developing missile systems. At the same time, the development, acquisition, possession and transfer of such military technology is not yet regulated by international law. Against this backdrop, the aim of the “Hague Code of Conduct against Ballistic Missile Proliferation” (HCoC), which is not binding under international law, is to curb the proliferation of ballistic missiles.

Through both EU and bilateral channels the German Government is striving to persuade non-subscribing States of the HCoC’s merits. At the 16th HCoC annual Regular Meeting in Vienna in May 2017, the Federal Government appealed to delegates to drive forward steps to promote the universal validity of the HCoC and the intensification of HCoC mechanisms. Furthermore, Germany, within the framework of the EU, is promoting the HCoC’s internet-based information and communication mechanism (e-ICC), which facilitates secure and efficient communication between the signatory States. In future, the Federal Government will continue to press for the full implementation, universalisation and ongoing development of the HCoC.

### 3.5. Proliferation Security Initiative (PSI) – Germany’s engagement

The “Proliferation Security Initiative” (PSI) provides a framework for a number of countries to cooperate to prevent the transport and transfer of weapons of mass destruction (proliferation). Germany co-founded the initiative, which was launched in 2003 and goes back to a proposal put forward by the United States.

Despite relevant bans, individuals as well as states and non-state actors have repeatedly succeeded in acquiring the necessary technology for the manufacture of weapons of mass destruction. In many instances those involved have taken advantage of global trade to circumvent national controls and conceal the true nature of their activities. Through network building and regular training exercises, the PSI aims to improve cooperation on the interdiction of suspect transfers by land, sea or air of items that could be used to manufacture nuclear, chemical or biological weapons and delivery systems. The PSI is intended to effectively supplement existing export

control regimes and non-proliferation agreements. All PSI activities are fully consistent with applicable international and domestic law.

As of today, 105 countries have expressed their support for the Initiative's goals. A core group of 21 member states meet once or twice a year as the Operational Experts Group (OEG). There are also regional meetings, and international training exercises are conducted to practice preventing the transport of goods relevant to proliferation.

In June 2015, a seminar was held in Frankfurt am Main, launching the Franco-German Mediterranean Initiative intended to extend the PSI to the countries on the southern Mediterranean coast. Subsequent events were organized by France in October 2015 and Italy in November 2016.

### 3.6. The Vienna Nuclear Agreement – Germany's support

In signing the "Vienna Nuclear Agreement" of 14 July 2015, the E3/EU+3 countries and Iran reached consensus on a long-term settlement of the nuclear dispute, following more than 12 years of contention. Since the start of the implementation phase, significant progress has been made. The IAEA has been able to confirm in its reports so far that Iran is fulfilling its obligations. In return for Iran scaling back its nuclear programme, the UN, EU and extraterritorial US economic and financial sanctions against the nuclear programme were lifted on Implementation Day, as laid down in the Joint Comprehensive Plan of Action (JCPOA).

Representatives of the E3/EU+3 and Iran meet once every quarter in the Joint Commission, which is chaired by the Secretary-General of the European External Action Service and where they discuss the implementation and interpretation of the Vienna agreement. The IAEA monitors the technical restrictions under the Vienna agreement. It uses the strictest monitoring regime in the world and has been able to confirm so far that Iran is adhering to its undertakings. In order to build confidence, it remains crucial that the IAEA continue its detailed verification and that the Joint Commission carry on its constructive dialogue in the future. To date, the German Government has provided 4.1 million euros to the IAEA to verify the Vienna agreement of July 2015 (and previously to verify the Geneva Joint Plan of Action of November 2013).

## 4. Concrete nuclear disarmament policies proposed by Germany during the last decade

Germany is committed to the vision of a world free from nuclear weapons. The Federal Government has thus consistently and patiently pursued a step-by-step, pragmatic approach to create the conditions and a suitable security policy environment for a world free from nuclear weapons and, for the time being, to reduce the role of nuclear weapons. Germany is also engaged in a close dialogue with nuclear-weapon states to achieve this goal. Germany welcomed as an important step the offer made by President Obama in Berlin in 2013 to implement a further round of nuclear disarmament. However, it will only be possible to launch negotiations if Russia takes up this offer and, given the current difficult political environment, rapid progress is unlikely.

Nevertheless, nuclear disarmament remains imperative, not least in order to strengthen the Treaty on the Non-Proliferation of Nuclear Weapons. It is the cornerstone of the international nuclear non-proliferation and disarmament architecture. Germany is working with its partners in the EU and the Non-Proliferation and Disarmament Initiative (NPDI) to strengthen the treaty.

The tragedies of Hiroshima and Nagasaki must never be repeated: that is why Germany actively participated in the three conferences on the humanitarian impact of nuclear weapon detonations held in Oslo, Nayarit and Vienna in 2013 and 2014.

NPDI and FMCT are only one part of Germany's engagement in bringing forward nuclear disarmament. Further elements of the Federal Government's step-by-step approach to nuclear disarmament are its work on negative security assurances in the context of the Non-Proliferation Treaty as well as long-term efforts to strengthen and continue to ratify the "Comprehensive Nuclear-Test-Ban Treaty" (CTBT) as a member of the Group of Friends of the CTBT.

Germany is involved in efforts to put a robust and credible verification system in place as an essential element of future nuclear disarmament within the framework of the "International Partnership for Nuclear Disarmament Verification" (IPNDV). It was with this in mind that the Federal Government hosted a meeting of the IPNDV in Berlin for the first time in March 2017.

From a German point of view, verification is the key of nuclear disarmament. That is the reason why Germany which hosts US nuclear weapons on its territory voted against the "UN Treaty on the Prohibition of Nuclear Weapons" initiated by the "International Campaign to Abolish Nuclear Weapons" (ICAN). As long as a reliable nuclear disarmament verification regime is not in place, US nuclear weapons are – in the view of the current Federal Government – essential for Germany's security.

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