



Compass 2020

Germany in international relations
Aims, instruments, prospects



Farewell to disarmament?

**Points of orientation in
Germany's arms control policy**

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The Compass 2020 project represents the Friedrich-Ebert-Stiftung's contribution to a debate on Germany's aims, role and strategies in international relations. Compass 2020 will organise events and issue publications in the course of 2007, the year in which German foreign policy will be very much in the limelight due to the country's presidency of the EU Council and the G 8. Some 30 articles written for this project will provide an overview of the topics and regions that are most important for German foreign relations. All the articles will be structured in the same way. Firstly, they will provide information about the most significant developments, the toughest challenges and the key players in the respective political fields and regions. The second section will analyse the role played hitherto by German / European foreign policy, the strategies it pursues and the way in which it is perceived. In the next section, plausible alternative scenarios will be mapped out illustrating the potential development of a political field or region over the next 15 years. The closing section will formulate possible points of departure for German and European policy.

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Farewell to disarmament? Points of orientation in Germany's arms control policy

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Abstract

Almost two decades after the fall of the Iron Curtain regimes, there is still no new strategic approach for a global and European disarmament policy outside the previous blocs and military alliances. Quite the contrary - not only does the disarmament concept seem to have fallen by the wayside as a political control instrument against instability and conflicts, but even the forward-looking achievements of the past are threatened by advancing decay. The Treaty for restricting missile defence systems already belongs to the past, the global Outer Space Treaty is about to be abandoned and the Nuclear Non-Proliferation Treaty has been undermined by a new arms race looming on the horizon. Why is so little attention given to one of the most important stabilizing concepts from the Cold War period? Are treaties on disarmament and arms control only relics from the era of major interstate wars and of absolutely no value for contemporary armed, asymmetric conflicts? What are the prospects for peace and security if agreements on arms control are regarded as out of date, without there being any replacement solutions to hand? If we do not take advantage of the opportunities of a new global disarmament approach soon, then instability and unpredictability will threaten international relations. In political and military terms, Germany is a multilaterally anchored country situated in central Europe. Furthermore, it is extremely dependent on foreign trade and investment, meaning that it has a natural interest in peace and international stability, based on cooperative arms control. Germany without doubt exerts a great influence and in recent years has won respect as a political partner in the world. However, until now Germany has not been consistent enough in taking advantage of its opportunities to promote new disarmament initiatives. In addition to the risks and hazards which could arise from the lack of appreciation for international collaboration on disarmament, the paper also looks at the options for Germany to pursue a forward-looking, preventive disarmament policy.

I. Stability through treaties – major changes in the European coordinate system

During more than 40 years of conflict between the Warsaw Pact countries and the NATO countries, the approximate military balance between the two over-armed alliances in Europe and the bilateral trust- and security building-measures based on it formed the basis for the crisis stability of a divided Germany. This formed the decisive structural element of the European security architecture following the end of World War II. For almost half of the post-war period, negotiations between the alliances took place in Europe, with active German participation, on conventional disarmament and arms control – however, without any practical success or results. Therefore, it is one of the great paradoxes in the history of arms control and disarmament in Europe that results did not really become tangible until 1990, at a time when these hardly had any significance for security policy for most of the parties concerned. The conventional stability concept for Europe, based on a divided Europe and Germany, became obsolete at the latest by the reunification of Germany, achieved at the 2+4 negotiations.

I.1 Conventional disarmament and arms control in Europe

The currently established basis for conventional arms limitation and disarmament in Europe is proving increasingly anachronistic - without any real alternatives being pursued. Increased stability from arms control policy can no longer be achieved on the basis of the equilibrium model from the Cold War. On the one hand, a large part of the former eastern European camp has "defected" to the West in the course of the past decade. Not only has Germany remained a member of NATO following reunification, but Poland, Hungary, the Czech Republic, Slovakia, Bulgaria, Romania, Estonia, Latvia, Lithuania and Slovenia have also become members of the Transatlantic Alliance in the meantime. Other European states have signalled their intention to join NATO. These countries include the Ukraine and Georgia, followed by Albania, Croatia, Macedonia, Bosnia and Herzegovina as well as Montenegro. On the other hand, following the introduction of democracy in Eastern Europe, the political and ideological prerequisites for a collective, military confrontation between the European states have fortunately disappeared. Nowadays, what counts for all European states, regardless of whether they are members of NATO or not, is a dominating interest in cooperative and partnership-like relations with each other. In the light of the changed situation, arms control, as a stabilizing regulator for these relations, has no overall function any longer, but only a subordinate regional or local significance in individual cases. In the eyes of the West, the value of the treaty on conventional arms control (Treaty on Conventional Armed Forces in Europe) agreed in 1990 only exists in the comparatively disproportionate numerical arms limitation in strategically significant border regions of Russia. A further development of the existing control regime on the basis of the balanced restrictions between Russia and NATO does not appear to be in the interests of the West, on account of the change in the situation of the alliance.

Finally, as a remnant of the previous Cold War as it were, the upper limits for the stockpiling of conventional major weapons agreed in the Treaty on Conventional Armed Forces in Europe (CFE) are much higher than the actual arms requirements of the states. As a consequence, the upper limits allowed for conventional major weapons have not actually been reached in many instances since then.

The assessment of the European condition of western and, in particular, German security policy and its impact on the stockpiles of weapon systems is on the whole gratifying. However, there are also negative aspects. A more advanced concept for arms control

in Europe adapted to the change in the conditions has not yet been devised. It looks as though the overwhelming regional and global power of NATO¹ has persuaded its member that limitations agreed with a third party in a treaty will no longer be necessary for them in future. However, the potential destabilizing impact on the states' security situation arising from the unchecked development dynamics of unconventional weapons has been underestimated. In particular, the technological trends revolutionizing the character of warfare are progressing without any restrictions. The development and proliferation of highly precise, long-range launchers with high firepower, the introduction of so-called intelligent ammunition, the increase in the efficiency of warfare by means of automated actions and a combined deployment of armed forces and means – to mention but a few aspects – have so far played almost no part in considerations of arms control policy. This is despite the fact that precisely these developments could lead to a greater readiness to resort to military violence in escalating crisis situations, when a decision has to be taken under time pressure.

Moreover, there are other reasons for seriously considering new approaches to conventional arms control in Europe. The wars in the Balkans and in the Caucasus could not have been prevented by existing disarmament and arms control regulations for Europe. In the case of the Western Balkans, the arms control policy for the post-war regulation agreed in 1995 was based on the experience gained from the CFE Treaty. In this region however, as in Central Asia, the decisive role is being played by a weapon category, which has not yet been covered by an effective restriction regulation anywhere in the world. When thousands of Albanian families lost their material existence following the collapse of the so-called "Pyramid system", approximately 1.2 million small arms were stolen from the arsenals of the army and the police during the state of anarchy immediately after the collapse. Only 15,000 weapons were subsequently retrieved – most of the weapons remained in private hands or turned up later on illegal markets and in armed conflicts around the world. Despite the enormous dimension, this is just the proverbial footnote to a global problem. An estimated 650 million used small arms are at present in uncontrolled circulation around the world - many of these go from one armed conflict to the next. Despite intensified efforts by states more effectively to prevent the spread of "weapons of mass destruction of the 21st century" (Kofi Annan)² by means of cooperative transfer controls, global initiatives to restrict small arms have been unsuccessful until now. Since December 2005 there has been an international instrument which in theory enables states to identify illegal small and light arms reliably at an early stage and to trace their supply chain back. This was the first relevant binding (albeit only politically) agreement by the full assembly of the United Nations. However, its impact, if at all discernible, has been at best slight until now. In addition to the governments concerned, the soldiers sent to help in the international peace missions are confronted with the growth of this problem and its most significant consequence – the advancing breakdown of the power monopoly in crisis-struck countries.

1] At present, NATO accounts for approximately three-quarters of all global spending on arms.

2] ZEIT-online, 26 June 2006, pg. 1, <http://www.zeit.de/online/2006/26/kleinwaffen-konferenz> (accessed: 7 January 2007).

1.2 The restriction and control of weapons of mass destruction

Finally, it can be said that there is not even a hint of a global concept for limiting and reducing conventional arms and armed forces. The only genuine cooperative measures in this area relate to a restriction of access to certain weapons, military technologies and other arms by means of transfer and export controls. However, a closer look reveals that these measures do not deal with arms control but with the discriminating prevention of some states from having the weapons, technologies or goods that those countries which maintain the control regime possess and do not want to dispense with themselves. However justified it may be in individual cases to deny states which do not recognize international law and human rights access to sensitive goods, this form of restriction offers no guarantee that these states will not react by making real efforts to acquire such goods. As the most recent developments in North Korea and Iran show, the objective that these states have to acquire such a technological status cannot be prevented by unilateral sanctions in the long run – at best, only delayed. Above all, the attempt to maintain privileged entitlements in the area of weapons of mass destruction over the long term is proving highly problematic.

1.3 Nuclear weapons

The proliferation of nuclear weapon capabilities has turned into a blazing disarmament problem of a special kind. There is a serious threat to the continued existence of the current treaty on preventing the spread of nuclear weapons (NPT – Non Proliferation Treaty)³. Since it came into effect, the treaty has been based on three essential elements:

- all non-nuclear-weapon states undertake not to receive the transfer of nuclear weapons and nuclear-weapon states undertake not to transfer nuclear weapons (Article 2);
- all nuclear-weapon states undertake to reduce their arsenals and sign a treaty on general and complete disarmament (Article 6);
- the nuclear-weapon states undertake to provide the other parties to the Treaty with technologies, knowledge and materials for the civilian use of nuclear energy (Article 4).

While nuclear arms control during the Cold War between the two leading power blocs, NATO and the Warsaw Pact, played an increasingly significant role above all in the 1980s, with this also being reflected in several disarmament treaties (START, INF⁴), the end of the conflict between the two powers marked a “cooling” of interest in disarmament on the part of the USA, the only remaining world power. In particular, the USA is not prepared to negotiate the reduction of its own military superiority. The USA is not banking on arms limitations in treaties, but instead on collective arrangements, which basically aim at cementing its own advantages and preventing certain states from achieving nuclear weapons capabilities. The unilateral withdrawal from the once key treaty for strategic stability between the former Soviet Union and the USA – intended to limit strategic missile defences (ABM⁵) on both sides – was justified in Washington with the need for protective measures against nuclear attacks by third states and the threat of nuclear terrorism. However, since the Bush administration began developing a National Missile Defence system (NMD⁶) at the same time as new core weapons, which, amongst

3] The regime principally consists of the Non Proliferation Treaty of 1968 (NPT) and the additional protocol agreed by the International Atomic Energy Organization (IAEO) in 1997 allowing on-site inspections without prior notification.

4] The bilateral treaties for reducing strategic arms (START – Strategic Arms Reduction Treaty) and for abolishing medium-range nuclear weapons in Europe (INF – Intermediate-range Nuclear Forces) stabilized nuclear parity between the Soviet Union and the USA at a low level.

5] The treaty agreed in 1972 for mutually limiting strategic missile defence to 100 systems each ensured both parties to the treaty a guaranteed “second-strike capability” in the event of a nuclear attack. Despite its strategic plausibility, this “balance of terror” was from the outset controversial, especially in the USA. Criticism of the lack of protection gave the administrations of Reagan and Bush Jr. the decisive argument for justifying new missile defence programmes (SDI, BMD, NMD).

6] NMD: National Missile Defence.

other things, are also intended for the tactical battlefield, they fed speculations concerning efforts to achieve nuclear first-strike capability. On the other hand, it now seemed obvious that the USA did not regard itself bound by the obligation concerning nuclear disarmament in accordance with Article 6 of the NPT. Protests from Russia and China against the actions of the USA went unheeded. To add to this, the USA led a rejection of the ratification process for the 1996 Comprehensive Nuclear Test Ban Treaty (CTBT⁷), which in many states was read as a further indication of an attempt to establish nuclear supremacy. By September 2006, 135 states had submitted ratification documents. Of the 44 countries specified in the Annex to the Treaty, without whose recognition the Treaty cannot come into effect, the USA and China have not ratified and neither have Israel, Egypt, Indonesia and Iran. India, Pakistan and North Korea have not even signed the Treaty.

In view of the stagnation in nuclear arms control and the apparently increasing spread of nuclear weapon capabilities, it is no exaggeration to describe the situation as dramatic. India and Pakistan (since 1998) as well as North Korea (since 2006) have already become nuclear powers. It is thought that Israel has been in possession of up to 200 nuclear warheads for several years. Iran is working intensively on a nuclear programme, which according to estimates by the IAEA⁸ has provided sufficient indications of an intended military use. In view of the threat of a nuclear arms race in East Asia, a nuclear deterrent option in the meantime is no longer regarded as taboo even for a country like Japan. The fact that the nuclear powers chose to hold on to their nuclear weapons for decades, proved to be a terrible mistake. Both the National Security Strategy of the USA (NSS 2002 and NSS 2006⁹) and the European Security Strategy (ESS 2003¹⁰) expressly specified the proliferation of nuclear weapons as one of the greatest current and future threats to national and international security. However, neither concept provides a plausible answer to the question of how the continued spread of nuclear weapons can be prevented if some states refuse to abandon their nuclear weapons and even continue to develop new arms. The efforts of the nuclear powers and the countries allied with them to stop the further proliferation of nuclear weapons are in any event not likely to meet with success if no attempt is made to find a new approach to nuclear disarmament soon.

1.4 Biological and chemical weapons

A continuing standstill in the limitation and abolition of biological and chemical weapons was also observable during the past decade. Although there are agreements in both cases, reliable verification instruments are lacking on the one hand, while on the other, concern is growing that terrorists may gain access to biological and chemical weapons and to the corresponding launchers. However, above all the global threat from international terrorism since September 2001 seems to be developing an impetus which could overcome the bastions against more severe restrictions built by states in recent years. In December 2006, a substantial final declaration in the form of a concrete working programme up to the next inspection in 2011 was agreed at the annual meeting of the State Parties to the Biological Weapons Convention, for the first time in years. The most important challenge is to devise an effective verification system. The working programme also includes the further development of codes of conduct for bioscience research.

7] CTBT: Comprehensive Test Ban Treaty.

8] The Vienna-based International Atomic Energy Organization.

9] The National Security Strategy of the United States of America (NSS), September 2002 (<http://www.whitehouse.gov/nsc/nss.pdf>, pp. 13-15, accessed: 7 January 2007); March 2006 (<http://www.whitehouse.gov/nsc/nss/2006/nss2006.pdf>, p. 19, accessed: 7 January 2007).

10] A Secure Europe in a Better World, European Security Strategy (ESS), 12 December 2003 (<http://ue.eu.int/uedocs/cmsUpload/78367.pdf>, pp. 3-4, accessed: 7 January 2007).

Although the Chemical Weapons Convention is well behind the agreed schedule, this is primarily due to the technical and financial problems faced by Russia, which has the largest national stockpiles (40,000 tons). Nevertheless, not all the "suspicious" states are parties to the Convention and these include North Korea and Syria. In view of the long-range launchers and the possibility that terrorists have biological or chemical warfare agents in their possession, the risks arising from proliferation cannot be limited to certain regions. Therefore, the global danger of state and non-state organized proliferation of weapons of mass destruction has to be met by global action.

In summary, it can be said that the end of the conflict between NATO and the Warsaw Pact made it possible to reduce arms stockpiles caused by this conflict. However, at the same time it considerably relieved the pressure to continue and adapt concepts for treaties relating to arms control and disarmament. As a result of military detente in the 1990s, new opportunities were created for continuing disarmament, which were however only partially exploited. The disarmament euphoria of the early 1990s has been replaced by disillusionment. Since the signing of the Ottawa Convention on the Ban on Anti-Personnel Landmines in 1997, further progress towards disarmament has not been made, except for the political agreement on small arms control in 2005, the impact of which is still uncertain. In contrast, the existence of the key regime for global arms control is partially at risk. At present, only rudimentary and inadequate instruments which have hardly been tested are available to combat new risks and threats. The qualitative and regional arms race together with the growth of terrorism threaten to destroy the fundamental stability of arms control policy.

II. German arms control – multilateral policy with conceptual weaknesses

Arms control and disarmament have always been a political issue of special significance for the Federal Republic of Germany. A fundamental lesson resulting from the historical responsibility for the two world wars in the 20th century was the commitment of all federal governments since 1949 to a cooperative multilateral foreign and security policy, which was reflected at an institutional level in NATO and European alliances up to the European Union. Since Germany is a European state that is fully integrated into security and defence policy, dependent on foreign trade and investment and with the highest number of neighbours, it is equally interested in stable conditions abroad as well as collective and cooperative agreements affecting its national security. Therefore, it is no surprise that the Federal Republic of Germany made a significant contribution to developing initiatives on the arms control policy of the West even prior to reunification (e.g. NATO Double-Track Decision in 1979) and has also been responsible for strengthening elements of arms control policy in the security policy of NATO and (above all) the European Union since 1990. The EU strategy passed in December 2003 against the proliferation of weapons of mass destruction was largely prepared by, and its subsequent implementation was decisively supported by the German government. Together with Great Britain and France (EU-3) and the high representative of the EU, everything possible was done as of 2005 to persuade Iran to make concessions in its controversial nuclear programme. Germany did not take the diplomatic initiative by itself, it also volunteered to provide both technological and economic aid if required for the conclusion of an agreement. At the invitation of Germany, the world's first regional meeting for the further development of the *Proliferation Security Initiative* (PSI) initiated by the USA was held in Hamburg in November 2005. Likewise at the initiative of the German government, the European Union officially took part in a PSI meeting for the first time upon this occasion.

Furthermore, the German government has been involved in other areas of global arms control - in particular, Germany's initiatives for limiting the transfer of small arms within the framework of the United Nations and for export controls by the European Union deserve mention in this context. Germany was one of the first states to insist on closely linking development aid, poverty reduction, arms collaboration and good governance within the framework of the activities of the World Bank and regional development banks. The strategy passed by the European Council in 2005 for combating the proliferation of, and illegal trade in, small arms and light arms including their ammunition was developed with German participation. It aims at a coordinated and coherent small arms policy for the EU.

The concerted political strategies for supporting the reform of the security sector in post-war societies are also worthy of mention. In December 2005, the UN General Assembly passed a resolution on conventional ammunition proposed by Germany and France. Germany was the fifth state to submit its document for accepting Protocol V of the UN Convention on Explosive Remnants of War.

The German government's efforts to help overcome acute diplomatic and political obstacles in the different forums for multilateral arms control cannot be overlooked. This applies to the stagnating Geneva Disarmament Conference, for example, and also to the negotiations on adjusting the CFE Treaty. In this respect, Germany's constructive approach is much appreciated in the multilateral negotiation committees around the world.

Germany's programme promotes further arms control and disarmament. The most recent disarmament report by the German government sets out to tackle a wide range of challenges facing arms control policy:

- overcoming the urgent regional proliferation risks, in particular eliminating the concern about the nuclear programmes (and the resulting proliferation dynamics) in Iran, North Korea and south Asia;
- implementing further EU strategies against the proliferation of weapons of mass destruction;
- creating a new dynamic for nuclear disarmament, with a goal ranging from the reduction of sub-strategic nuclear weapons to their complete abolition on all sides;
- strengthening IAEA efforts to improve protection against nuclear terrorism, for example by measures for making radioactive sources safe and secure and by measures for strengthening the convention on the physical protection of atomic material;
- universalizing the additional protocol to the IAEA Safeguards Agreement;
- confirming the additional protocol as the verification standard in accordance with Article III of the NPT;
- universalizing the on the Comprehensive Nuclear Test-Ban Treaty;
- strengthening the Biological Weapons Convention by improving the respective national implementing legislation of the country concerned including penal legislation and by enhancing the physical security of pathogenic agents and toxins in the light of the long-term perspective of creating legally binding instruments for monitoring whether BWC regulations are being observed and whether the working programme agreed in 2006 is being implemented;
- developing suitable measures for recording the launchers of weapons of mass destruction in line with arms control policy and universalizing the Hague Code of Conduct against Ballistic Missile Proliferation and developing effective forms of implementation for the confidence-building measures contained in the code and for their further development;
- starting negotiations on banning production of fissionable material for weapon purposes and starting work on the prevention of the deployment of weapons in outer space;
- ratifying the agreement adjusting the CFE Treaty and actively implementing the Treaty on Open Skies as well as continuing the technical cooperation in order to apply the Treaty to crisis and conflict resolution as well;
- developing the transfer control for small arms including the extension of the collaboration with regional organizations such as the Arab League;
- promoting global measures for clearing mines and munitions as well as universalizing and systematically implementing the Ottawa Convention;
- universalizing the protocol on explosive remnants of war (Protocol V) to the UN Weapons Convention;
- banning undetectable and remotely delivered anti-vehicle mines;
- providing advice on the ban and limitations on the deployment of cluster munitions in order to establish a regulation within the scope of the UN Weapon Convention and
- promoting efforts to establish international arms control outside of Europe by sharing experience in arms control policy gained in Europe, including to confidence-building and security-enhancing measures.

Even though the list may seem impressive at first glance, it cannot be overlooked that convincing and, above all, comprehensive concepts are missing in German policy on key positions for future arms control.

For example, this applies to the lack of criticism of the modernization of nuclear weapons,

conventional weapons and launchers, and to conceptual uncertainty concerning measures for nuclear disarmament and for devising a new framework for arms control policy to ensure European and global security. At present, the most significant reasons for this appear to be that these topics are potentially very contentious as regards transatlantic relations. Following recent friction in connection with the war in Iraq, the German government has been making efforts since 2003 at all costs to avoid any new state of tension with the USA and within NATO itself, i.e. between the European members of NATO. Everyday political relations do not involve sensitive issues such as the continued deployment of US nuclear weapons on German soil or the US refusal to ratify the Comprehensive Nuclear Test Ban Treaty and to abandon the modernization programmes for nuclear and space weapons. Given the situation that international arms control and disarmament are at a crossroads, this restraint is an incalculable risk to Germany's long-term security interests.

III. New success with old concepts? The risks of carrying on as before

For a time horizon until 2020, plausible scenarios extend over the range between the positive assumption of concepts for disarmament and/or arms control being received, developed and implemented and the negative assumption of the existing control systems collapsing and of international relations returning to the era of rule of force. Such a negative development could in extreme cases also include states in certain regions completely losing control of their domestic affairs and their foreign relations.

In the light of Germany's strategic interests and the positions already officially advocated by the German government on its own responsibility or at a joint responsibility (cf. section 2) in recent years, it can be assumed that German policy is intended to support as strong a contribution as possible, above all to multilateral disarmament and arms control for the sake of international stability policy. The risks of a negative development will therefore be examined in detail below, with the help of three particularly important examples. The opportunities that German policy has to promote an alternative positive development will be discussed in the final 4th section.

III.1 The proliferation of weapons of mass destruction and long-range launchers

The number of countries with nuclear weapons has increased in the past decade with the inclusion of Pakistan, India, North Korea and probably Israel. If one assumes that countries possess nuclear weapons purely as a deterrent against attacks by other states, this development would on the one hand not automatically lead to a change in the nuclear threat. It can still be assumed that no nuclear-weapon state (with the possible exception of the USA) will gain the capability in the next 20 years to conduct or win a limited nuclear war. The objective of possessing a reliable capability within this period to defend oneself against retaliatory nuclear strikes is like castles in the air, probably even for the USA. If all the nuclear-weapon states were to regard the stated principle of a deterrent against attacks as binding, then at first glance very little should change in the global nuclear threat. However, such an assumption cannot be regarded as reliable. Shortly after conducting a nuclear test in October 2006, North Korea stated that, if necessary, it would use nuclear weapons if further sanctions were to be imposed on the country. But the "old" nuclear powers have recently also deviated from the principle of nuclear weapons only playing a "political" role. For example, besides the USA, French President Jacques Chirac also hinted at the beginning of 2006 that the preemptive use of nuclear

weapons could also be considered in future in the war against international terrorism.¹¹

The military commissioning of nuclear weapons by individual states inevitably produces similar reactions in other nuclear-weapon states, increasing at the same time the incentive for third states (primarily those states which feel directly threatened) to acquire a nuclear weapon potential as soon as possible (as a deterrent). The direct reference by the North Korean government to the change in attitude of the USA towards India and Pakistan *following* the nuclear tests in May 1998, in order to justify its own ambitions to acquire nuclear weapons, is an indication of the likely further proliferation of such weapons.

The notion of dividing the world into "good" and "evil" states, in which the "good" states are allowed to possess nuclear weapons while the "evil" states are not, in the end leads to the collapse of the previous structure of nuclear disarmament. Discriminating restrictions in the area of long-range launchers, similar to those applying to nuclear weapons, can at best slow down the proliferation, but not prevent it. Sooner or later, states are able to overcome the technological deficit, depending on the political will to do so, with the result that they often subsequently act as suppliers of sensitive technologies to other states. North Korea and Pakistan, with their reciprocal relations and their export practices in the 1990s, are in this context merely typical examples of the threatening trends over the next decade.

III.2 Terrorism and the privatisation of warfare

Terrorist acts of the calibre of the 9/11 (New York) and 11/3 (Madrid) attacks highlight the high risk of an asymmetric threat to extremely vulnerable industrial and post-industrial societies from private individuals. The willingness of the groups responsible for these attacks to sacrifice their own lives to achieve their aims can only give an indication of the threat if they should acquire weapons of mass destruction and suitable launchers. The probability of such a development increases in proportion to the growth in proliferation of weapons of mass destruction and the weakening control of the regimes. Degenerating or degenerated state structures, outdated economic systems and perpetuated violent conflicts are good breeding grounds for new generations of perpetrators of terror. However, the range of privatized violence comprises not only religiously or ethno-politically inspired perpetrators, but also armed bands, mercenaries, child soldiers and private armies.

The privatization of armed violence is facilitated by the fact that many states are hesitant about adjusting arms control and disarmament to the new challenges for international security. Firstly, too little commitment is directed towards maintaining or re-establishing the state's monopoly on the use of force in countries with a precarious "state" status and towards the ability of the United Nations and other regional organizations to be consistent in their support for this aim. Secondly, some states would still prefer to rely on supposed military advantages in the long term and regard negotiated arms control merely as an instrument for ensuring these advantages. However, they overlook the danger for states of losing control of the regulatory policy if no decisive efforts are made to take advantage of the existing cooperation possibilities against the global trends in the privatization of violence. Attempts by states to respond to the privatization by relaxing legal constraints on their own military actions or by resorting to private military services in combat operations¹² do not reduce the danger, but simply increase it. In a worst-case

11] See AFP, 19 January 2006.

12] Since 2003, at least 20,000 members of various private military companies (PMCs) have been deployed in Iraq on behalf of the occupying states.

scenario, the development could lead to a situation in which the thresholds between war and peace, between soldiers and civilians, between front and green zone, between victory and defeat are lost, leading to the spread of anarchy. In this regard, Afghanistan and Iraq could be warning signs. Since the most fertile breeding grounds for terrorism and degenerating state structures are to be found in the states rich in raw materials between the poles of the so-called "strategic ellipse"¹³ between Russia, Turkey, Saudi Arabia and Iran, the spread of anarchy in this region would also be a threat to European security.

III.3 Revolution in Military Affairs

For years there have been signs of technological breakthroughs in military affairs, as a consequence of which the currently predominating image of military stability may well disappear. In addition to the aforementioned asymmetric warfare, above all the key terms *information warfare* and *network centric warfare* are associated with this. In the international discussion, both terms are included under *Revolution in Military Affairs* or the abbreviation RMA.¹⁴ The use of information technologies leads to new weapons capabilities - weapons are becoming smaller, more flexible, can be controlled (or can control themselves) during operations and can be deployed in time-critical situations. These new capabilities are having an impact on the planning and execution of military operations. Having the edge in terms of information will become the most important asset, setting military forces apart from each other. The impact on arms control and disarmament is obvious. The number of weapons and forces, strategic and regional balances of capacities will become insignificant. Instead, capabilities which cannot possibly be counterbalanced by means of negotiations and treaties will gain in significance. Until now, RMA has largely been an American phenomenon. Relying on this kind of superiority would, however, be equivalent to overestimating an erroneous lead in time. Furthermore, the campaign against Saddam Hussein's regime conducted in accordance with RMA principals teaches us that even a well-led battle does not necessarily lead to victory. Whether or not the RMA contributes to lowering the threshold for warfare even further remains temporarily unclear for the USA against the backdrop of the Iraq war. If, however, it is not accompanied by preventive arms control, the thresholds will be lowered to the same extent as other states, above all non-democratic states, make technological progress.

13] Approx. 69% of the world's natural gas reserves and 71% of the world's crude oil reserves are located in this area. Source: BGR.

14] See Martin Kahl/Christian Mölling, Die Revolution in Military Affairs – Möglichkeiten und Bedingungen für die Rüstungskontrolle (The Revolution in Military Affairs – Opportunities and Requirements for Arms Control), in: Götz Neuneck/Christian Mölling (eds): Die Zukunft der Rüstungskontrolle (The Future of Arms Control), Baden-Baden 2005, pp. 341-353.

IV. Peace through disarmament: take deliberate advantage of the opportunities

Arms control and disarmament require not only political willpower and conceptual clarity, but above all consistency and trust in the advantages of interstate cooperation. Should this be the case, even unilateral disarmament measures can also produce positive signals, which in turn will have an effect on the conduct of other states and encourage similar confidence-building measures. During the Cold War, arms control was aimed at reducing the risks of war and making the outbreak of wars less likely. The evident political and military trends mentioned above clearly illustrate that limiting arms control in such a functional manner will not be sufficient in the future. In the 1994 White Paper on the Defence of the Federal Republic of Germany, the policy was still to keep conflicts "at a distance". In the light of ever increasing global interdependencies, such an approach for the next 15 years would be erroneous. Even armed conflicts, which are restricted to certain regions, would have a sustained negative effect on security in Germany – this would not only apply to regions in which there was a particular interest in economic cooperation or a collaboration on raw materials. After the failures to take advantage of the opportunity to restructure international order on a cooperative basis following the end of the Cold War and again following the terrorist attacks of September 2001, the foundations must be laid for the 21st century world order in the next decade, against the backdrop of the possible negative prospects for development already mentioned. All German governments, from those of Kohl and Schröder to that of Merkel, have clearly emphasized that arms control and disarmament should play a key role in this world order. However, as far as the development and implementation of this objective are concerned, they have until now taken up a strategically inconsistent and, to a certain extent, narrow-minded position in all major individual issues, with one exception, despite multiple efforts on important individual issues. The exception is the targeted linking of development policy with the instruments of the security sector reform, arms and export controls as well as disarmament measures.¹⁵

However, the formulation of the Defence White Paper presented in 2006 can also be interpreted in such a way that linking the development and security policy could also include the use of armed force in order to assert raw material and energy interests. The German government should be encouraged unflinchingly to continue the integrated peace and development policy and to dispense categorically with the possibility of the use of weapons to safeguard its own raw material needs, instead promoting a cooperative regime for the global supply of raw materials and energy. If it were to keep military options open, this would inevitably reduce the chances for regional arms control.

IV.1 Arms control to prevent the spread of weapons of mass destruction

The German government should intensify its efforts to maintain the non-proliferation regime. This includes a clearer stance against maintaining nuclear stockpiles and modernizing nuclear weapons in addition to its own and joint political efforts to prevent further countries from gaining access to nuclear weapons and other means of mass destruction. The continued participation of Germany in nuclear assignments for NATO, including the deployment of nuclear weapons on German soil for the purpose of a "nuclear deterrent", gives rise to the question whether the presumed advantages of a nuclear defence system

15] See: Aktionsplan der Bundesregierung, Zivile Krisenprävention, Konfliktlösung und Friedenskonsolidierung, 12. Mai 2004 (German government's plan of action, civil crisis prevention, conflict management and peace consolidation, 12 May 2004), (<http://www.bmz.de/de/themen/dokumente/aktionsplan.pdf>, accessed: 7 January 2007), Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung, Übersektorales Konzept zur Krisenprävention, Konfliktbearbeitung und Friedensförderung in der deutschen Entwicklungszusammenarbeit. Eine Strategie zur Friedensentwicklung (Federal Ministry for Economic Cooperation and Development, suprasectoral concept for crisis prevention, conflict management and peace consolidation in German development cooperation. A strategy for peace development), (<http://www.bmz.de/de/themen/dokumente/krisenpraevention.pdf>, accessed: 7 January 2007).

are cancelled out by the threatening proliferation of nuclear weapons. In any event, the German government's dedicated support of the non-proliferation of nuclear weapons could be seen as inconsistent and implausible outside the NATO borders. Although the cautious assessment of the modernization programmes of its allies, in particular of the USA, is comprehensible in view of the critical tension that has now been resolved, it is still problematic. The return to a stronger multilateralism initiated by the USA with the 2006 NSS should be supported and promoted with conviction – however, at the same time it should be used cooperatively to settle strategic issues of mutual interest in a critical partnership. This includes the dispute regarding the obligation of the nuclear-weapon states to reduce their arsenals further and work towards a treaty on general and complete disarmament.

IV.2 Measures against terrorism and the privatization of military force

Arms control and disarmament on the basis of negotiated agreements and treaties promote trust between nations, guaranteeing their key position in the international legal system with regard to security policy. In combination with a conditioned donor policy, they could also offer the basis for United Nations agreements or for state or private support programmes, which promote the preservation or creation of the monopoly on force in weak states and at the same time re-establish the legitimation of state regulatory policy both internally and in their foreign relations. In this way, the privatization of armed force could be counteracted, thereby draining the breeding grounds for national and international terror in the countries concerned. The German government should be involved in agreeing on legally binding codes of conduct for private military companies and should restrict their activities to non-combat missions.

No kind of weapons or arms should be delivered to countries which support or give refuge to international terrorists and do not do everything to capture them. This also applies to states whose conduct does not fully comply with the parameters of the EU code on export control for arms and with the political principles of the German government.

IV.3 Preventive arms control

Technological trends are only partially taken into account by currently established disarmament practice, and forward-looking – anticipatory or preventive – arms control hardly exists. Until now, it has been at best a by-product of restriction regulations for existing weapons. Nevertheless, there are also partial aspects in which Germany must today show a stronger profile. The key function of the Comprehensive Nuclear Test Ban Treaty for modernizing nuclear weapons should offer an opportunity for making quick concessions to those states whose ratification is still required for the introduction of the Treaty. Germany is allied with the USA and maintains such close partnership-like relations with other states that it could have an influence on their disarmament policy. Instead of the obsolete CFE Treaty concept of balanced upper limits for conventional major weapon systems, new models should be developed to counter future procurement trends, which threaten conventional stability in Europe and on the European periphery.

As regards the question of preventive arms control, Germany is in a dilemma of its own making. Excluding risks and threats to Germany's security caused by the advance in technology corresponds to the interest of the planning staff in not excluding any technological options regarded as useful for the future deployment of German soldiers in international missions. Moreover, the USA in particular is putting Germany under political pressure to spend more on developing military technology. In the short term, the advantages of a

technological lead still seem to outweigh the disadvantages resulting from a qualitative arms race. Without a course correction, the supposed advantages might however have been reversed by 2020.

History has shown that reducing categories of weapons already introduced (e.g. nuclear weapons) is more difficult than banning them completely (e.g. chemical weapons). It is extremely difficult to imagine how the stockpiles of weapons developed in the future (space weapons, electromagnetic canons, laser weapons, etc.) are to be limited by treaties. The only alternative is a treaty regime that bans their introduction universally. Germany should endorse the development of a UN global strategy for preventive arms control based on impact assessment.

For decades, Germany's political influence in international relations has been based on the promotion of multilateral cooperation. Arms control and disarmament are political issues which require multilateral cooperation in order to be successful. For this reason alone, Germany is well advised to continue to bank on negotiations in future so that in the long-term it can maintain the international recognition and co-determination it has earned. Furthermore, foreign-trade and geopolitical interests require Germany to pursue a consistent policy of arms control. Finally, lessons learnt from Germany's past provide sufficient cause for the continuation of a policy based on the recognition of justice, non-violence and the peaceful reconciliation of conflicting interests.

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