

# 1540 COMMITTEE MATRIX OF GERMANY

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

## OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: GERMANY  
 Date:  
 Date of Report: 26 October 2004  
 Date of Addendum 1: 12 October 2005  
 Date of Addendum 2: 26 May 2010  
 Date of Addendum 3: 23 July 2013  
 Date of Committee Approval:

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 2 May 1975	
2	Nuclear Weapons Free Zone/ Protocol(s)			
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Deposit 8 February 2008	
4	Convention on Physical Protection of Nuclear	X	Deposit 6 September 1991	

	Material (CPPNM)			
5	2005 Amendment to the CPPNM	X	Deposit 21 October 2010	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 20 August 1998	
7	Chemical Weapons Convention (CWC)	X	Deposit 12 August 1994	
8	Biological Weapons Convention (BWC)	X	Deposit 7 April 1973	
9	Geneva Protocol of 1925	X	Deposit 25 April 1929	
10	Other Conventions/Treaties	X	State Party to 14 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): International Convention for the Suppression of Terrorist Bombings, International Convention for the Suppression of the Financing of Terrorism International Health Regulation (2005)	
11	International Atomic Energy Agency (IAEA)	X	Since 1 October 1957	
12	Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	
13	Other Arrangements	X	Nuclear Suppliers Group (NSG) Missile Technology Control Regime (MTCR) Australia Group (AG) Zangger Committee (ZC) Wassenaar Arrangement (WA) Proliferation Security Initiative (PSI) Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD	X	State reports that it does not possess any biological, chemical and nuclear weapons	
15	General statement on commitment to disarmament and non-proliferation	X	The State reported to be firmly committed to its obligations within international institutions and conventions, i.e. NPT, CWC, BWC, etc. EU Strategy against Proliferation of WMD of December 2003	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it does not provide any support to non-State actors	
17	Other <sup>1</sup>	X	Member of: The European Union (EU) The Organization for Security and co-operation in Europe (OSCE) INTERPOL	

			International Maritime Organisation (IMO) World Customs Organization (WCO) World Health Organization (WHO) World Organisation of Animal Health (OIE) Financial Action Task Force (FATF) Observer FSRBs (Asia/Pacific Group on Money Laundering (APG), Eurasian Group (EAG) and Financial Task Force on Money Laundering in South America (GAFISUD) EU Council Decision to include WMD provisions in Agreements with third countries -Revised Cotonou Partnership Agreement (the CPA II) NATO Senior Group on Proliferation Issues (SGP) NATO-Russia Council (NRC) "at 29" Euro Atlantic Partnership Council (EAPC) EURATOM Treaty	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

## OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce	X	X	X	<b>NW:</b> Act Implementing Art. 26 of the Basic Law (War Weapons Control Act) of 1961, as amended, ("KrWaffKontrG"), Section 17  <b>CW:</b> War Weapons Control Act of 1961, Section 18  <b>BW:</b> Implementation Act on the BWC of 21.02.1983, Art. 2 War Weapons Control Act of 1961, Section 18	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 19  <b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section 17  <b>BW:</b> War Weapons Control Act of 1961, Section 20	
2	acquire	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17  <b>CW:</b> War Weapons Control Act of 1961, Section 18  <b>BW:</b> Implementation Act on the BWC of 21.02.1983, Art. 2 War Weapons Control Act of 1961, Section 18	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 19  <b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section 17  <b>BW:</b> War Weapons Control Act of 1961, Section 20	
3	possess	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17  <b>CW,BW:</b> War Weapons Control Act of 1961, Art. 18	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 19  <b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section	

								17  <b>BW:</b> War Weapons Control Act of 1961, Section 20	
4	stockpile/store	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17 ("transfer to another person" / "otherwise exercise actual control ")  <b>CW:</b> War Weapons Control Act of 1961, Section 18  <b>BW:</b> Implementation Act on the BWC, Art. 2 War Weapons Control Act of 1961, Section 18	X	X	X  <b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section 17  <b>BW:</b> War Weapons Control Act of 1961, Section 20	
5	develop	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17  <b>CW:</b> War Weapons Control Act of 1961, Section 18  <b>BW:</b> Implementation Act on the BWC, Art.2 War Weapons Control Act of 1961, Section 18	X	X	X  <b>NW:</b> War Weapons Control Act of 1961, Section 19  <b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section 17  <b>BW:</b> War Weapons Control Act of 1961, Section 20	
6	transport	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17 ("to transport them through or otherwise bring them into or out of federal territory")  <b>CW/BW:</b> War Weapons Control Act of 1961, Section 18	X	X	X  <b>NW:</b> War Weapons Control Act of 1961, Section 19  <b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section 17  <b>BW:</b> War Weapons Control Act of 1961, Section 20	

7	transfer	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17  <b>CW/BW:</b> War Weapons Control Act of 1961, Section 18	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 19  <b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section 17  <b>BW:</b> War Weapons Control Act of 1961, Section 20	
8	use	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17 ("otherwise exercise actual control over nuclear weapons") Criminal Code ("StGB"), Section 307 ("Causing a nuclear explosion")  <b>CW/BW:</b> War Weapons Control Act of 1961, Section 18 International Law Penal Code, 26 June 2002 as amended (Völkerstrafgesetzbuch), Section 12	X	X	X	<b>NW:</b> Criminal Code ("StGB"), Section 307 ("Causing a nuclear explosion") War Weapons Control Act of 1961, Section 19  <b>CW/BW:</b> War Weapons Control Act of 1961, Section 20 International Law Penal Code, 26 June 2002 as amended (Völkerstrafgesetzbuch), Section 12	
9	participate as an accomplice in abovementioned activities	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17 and 19 Criminal Code, Section 307  <b>CW</b> War Weapons Control Act of 1961, Section 18 and 20 CWC Implementation Act ("CWÜAG"), Section 17  <b>BW:</b> War Weapons Control Act of 1961, Section 18 and 20	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 19 Criminal Code, Sections 25 ("principles"), 27 ("aiding")  <b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section 17 Criminal Code, Sections 25 ("principles"), 27 ("aiding")  <b>BW:</b> War Weapons Control Act of 1961, Section 20 Criminal Code, Sections 25 ("principles"), 27 ("aiding")	
10	assist in abovementioned activities	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17 and 19 Criminal Code, Section 307	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 19 Criminal Code, Section 27	

					<b>CW:</b> War Weapons Control Act of 1961, Section 18 and 20 CWC Implementation Act ("CWÜAG"), Section 17  <b>BW:</b> War Weapons Control Act of 1961, Section 18 and 20				<b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section 17 Criminal Code, Sections 25 ("principles"), 27 ("aiding")  <b>BW:</b> War Weapons Control Act of 1961, Section 20 Criminal Code, Sections 25 ("principles"), 27 ("aiding")	
11	finance abovementioned activities	X	X	X	<b>NW/CW/BW:</b> War Weapons Control Act of 1961, section 17 ("supporting") Criminal Code, Section 89a ("Preparation of a serious violent offence endangering the state" / "collecting, accepting or providing not unsubstantial assets for its commission"), Section 129a ("Forming terrorist organisations" / "supporting a group")	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 19 Criminal Code, Sections 89a, 129a  <b>CW/BW:</b> War Weapons Control Act of 1961, Section 20 Criminal Code, Sections 89a, 129a	
12	abovementioned activities related to means of delivery <sup>2</sup>	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17 (nuclear weapons are defined as "parts, devices, assemblies or substances especially designed for")  <b>CW:</b> War Weapons Control Act of 1961, Section 18 (included in definition of "chemical weapons" as defined by the War Weapons List Nr. 6)  <b>BW:</b> Implementation Act on the BWC, Art. 2 War Weapons Control Act of 1961, Section 18 (included in definition of biological weapons as defined by the War Weapons List No. 4)	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 19  <b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section 17  <b>BW:</b> War Weapons Control Act of 1961, Section 20	
13	involvement of non-State actors in abovementioned activities	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 17 Criminal Code, Section 307	X	X	X	<b>NW:</b> War Weapons Control Act of 1961, Section 19 Criminal Code, Section 307	

				<b>CW:</b> War Weapons Control Act of 1961, Section 18  <b>BW:</b> Implementation Act on the BWC, Art. 2 War Weapons Control Act of 1961, Section 18			<b>CW:</b> War Weapons Control Act of 1961, Section 20 CWC Implementation Act ("CWÜAG"), Section 17  <b>BW:</b> War Weapons Control Act of 1961, Section 20	
14	Other	X		<b>NW:</b> Criminal Code, Sections 309 ("Misuse of ionising radiation"), 310 ("Act preparatory to causing an explosion or radiation offence")	X		<b>NW:</b> Criminal Code, Sections 309 ("Misuse of ionising radiation"), 310 ("Act preparatory to causing an explosion or radiation offence")	

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.



**OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials <sup>3</sup>**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W*		N W	C W	B W		
1	Measures to account for production	X	X	X	<b>NW:</b> Commission Regulation (Euratom) No. 302/2005 of 8 February 2005 on the application of Euratom safeguards Radiation Protection Ordinance ("StrlSchV") of 20 July 2001, as amended, Section 70  <b>CW:</b> CWC Implementation Act, Section 3 CWC Implementation Ordinance of 20 November 1996, as amended  <b>BW:</b> Ordinance on Safety and Health protection related to work involving biological agents of 27 January 1992. Technical Regulations for Biological Agents-TRBA 100: Protective measures for specific and unspecific work in laboratories involving biological agents Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWC Implementation Ordinance	X	X	X	<b>NW:</b> EURATOM Treaty, Art. 83 Commission Recommendation of 11 February 2009 on the implementation of a nuclear material accountancy and control system by operators of nuclear installations Atomic Energy Act, Section 46 Radiation Protection Ordinance, Section 33, 116  <b>CW:</b> CWC Implementation Act, Section 5, 7, 20 (enforcement), and 15 (penalties) CWC Implementation Ordinance of 20 November 1996, Section 12  <b>BW:</b> Robert Koch Institute Federal Center for Health Education Committee for Biological Agents (ABAS) Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWC Implementation Ordinance	
2	Measures to account for use	X	X	X	<b>NW:</b> Commission Regulation (Euratom) No. 302/2005 on the application of Euratom safeguards Radiation Protection Ordinance, Section 70	X	X	X	<b>NW:</b> EURATOM Treaty, Art. 83 Commission Recommendation of 11 February 2009 on the implementation of a nuclear material accountancy and control system by	

									<p>operators of nuclear installations Atomic Energy Act, Section 46 Radiation Protection Ordinance, Section 33, 116</p> <p><b>CW:</b> CWC Implementation Act, Section 5, 7, 20 (enforcement), and 15 (penalties) <u>CWC Implementation Ordinance</u> of 20 November 1996, Section 12</p> <p><b>BW:</b> Robert Koch Institute Federal Center for Health Education Committee for Biological Agents (ABAS) Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWC Implementation Ordinance</p>	
3	Measures to account for storage	X	X	X	<p><b>NW:</b> Commission Regulation (Euratom) No. 302/2005 on the application of Euratom safeguards Radiation Protection Ordinance, Section 70</p> <p><b>CW:</b> CWC Implementation Act, Section 3 CWC Implementation Ordinance of 20 November 1996, as amended</p> <p><b>BW:</b> Ordinance on Safety and Health protection related to work involving biological agents of 27 January 1992. Technical Regulations for Biological Agents- TRBA 100: Protective measures for specific and unspecific work in laboratories involving biological agents Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWC Implementation Ordinance</p>	X	X	X	<p><b>NW:</b> EURATOM Treaty, Art. 83 Commission Recommendation of 11 February 2009 on the implementation of a nuclear material accountancy and control system by operators of nuclear installations Atomic Energy Act, Section 46 Radiation Protection Ordinance, Section 33, 116</p> <p><b>CW:</b> CWC Implementation Act, Section 5, 7, 20 (enforcement), and 15 (penalties) CWC Implementation Ordinance of 20 November 1996, Section 12</p> <p><b>BW:</b> European Center for Disease Prevention and Control Robert Koch Institute Federal Center for Health Education</p>	

					TRBA 100: Protective measures for specific and unspecific work in laboratories involving biological agents Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWC Implementation Ordinance				Committee for Biological Agents (ABAS) Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWCW Implementation Ordinance	
4	Measures to account for transport	X	X	X	<b>NW:</b> Commission Regulation (Euratom) No. 302/2005 of 8 February 2005 on the application of Euratom safeguards, Article 26 EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (implementing ADR, RID and ADN), as amended Dangerous Goods Transportation Act ("GGBefG") and implementing Ordinances notably the Dangerous Goods Ordinance Road, Rail and Inland Waterways ("GGVSEB"), the Dangerous Goods Ordinance Sea ("GGVSee"), or the Dangerous Goods Safety Advisor Ordinance ("GbV")  <b>CW:</b> CWC Implementation Act, Section 3 CWC Implementation Ordinance of 20 November 1996, as amended, Section 6 (imports and exports) EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (implementing ADR, RID and ADN), as amended Dangerous Goods Transportation Act ("GGBefG") and implementing Ordinances notably the Dangerous Goods Ordinance Road, Rail and Inland Waterways ("GGVSEB"), the Dangerous Goods Ordinance Sea ("GGVSee"), or the Dangerous Goods Safety Advisor Ordinance ("GbV")  <b>BW:</b> EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (implementing ADR, RID and ADN), as	X	X	X	<b>NW:</b> Dangerous Goods Transportation Act, Section 9 (enforcement) and 10 (penalties) Dangerous Goods Safety Advisor Ordinance, Section 10 Dangerous Goods Ordinance Road, Rail and Inland Waterways, Section 37  <b>CW:</b> CWC Implementation Act, Section 5, 7, 20 (enforcement), and 15 (penalties) CWC Implementation Act, Section 5, 7, 20 (enforcement), and 15 (penalties) CWC Implementation Ordinance of 20 November 1996, Section 12 Dangerous Goods Transportation Act, Section 9 (enforcement) and 10 (penalties) Dangerous Goods Safety Advisor Ordinance, Section 10 Dangerous Goods Ordinance Road, Rail and Inland Waterways, Section 37  <b>BW:</b> Robert Koch Institute Federal Center for Health Education Committee for Biological Agents (ABAS)	

				amended Ordinance on Safety and Health protection related to work involving biological agents of 27 January 1992. Technical Regulations for Biological Agents- TRBA 100: Protective measures for specific and unspecific work in laboratories involving biological agents				
5	Other measures for accounting	X	X	<p><b>NW:</b> Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation Nuclear Safety Officer and Reporting Ordinance ("AtSMV")</p> <p><b>CW:</b> Regulation (EG) 1907/2006 of the European Parliament and of the Council of 18 December 2008 concerning the Registration, Evaluation and Restriction of Chemicals (REACH), as amended Chemicals Act of 16. September 1980 ("ChemG"), as amended, Part 4</p>	X	X	<p><b>NW:</b> Nuclear Safety Officer and Reporting Ordinance ("AtSMV"), Section 11</p> <p><b>CW:</b> Chemicals Act, Section 21 (enforcement), 27, 27 b (penalties)</p>	
6	Measures to secure production	X	X	X	X	X	<p><b>NW:</b> Atomic Energy Act, Part 5 Radiation Protection Ordinance, Chapter 4 Criminal Code, Section 310 ("acts preparatory to causing an explosion or radiation offence"), 311 ("releasing ionising radiation") Protective measures to be implemented by the licensee as specified in laws, ordinances and authority guidelines plus protective measures by the State; if licensee fails to meet obligations, the national legal instruments specify sanctions (revocation/ withdrawal of licence or fines, see above)</p> <p><b>CW:</b> CWC Implementation Act, Section 4</p>	

					<p>CWC Implementation Ordinance of 20 November 1996, as amended, Section 2 (licensing requirement for production or handling of Schedule 1 chemicals) Council. Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of the workers from the risks related to chemical agents at work, as amended Chemicals Act, Section 19 Ordinance on Hazardous Substances of 26 November 2010 ("GefStoffV")</p> <p><b>BW:</b> Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work Ordinance on Safety and Health protection related to work involving biological agents of 27 January 1992. Technical Regulations for Biological Agents-TRBA 100: Protective measures for specific and unspecific work in laboratories involving biological agents Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWC Implementation Ordinance</p>				<p>CWC Implementation Ordinance, Section 12, 13 Chemicals Act, Sections 21, 26 Ordinance on Hazardous Substances, Part 7</p> <p><b>BW:</b> Robert Koch Institute Federal Center for Health Education Committee for Biological Agents (ABAS) Ricin, Saxitoxin: CWC Implementation Act (except transport) Ricin, Saxitoxin: CWC Implementation Ordinance</p>	
7	Measures to secure use	X	X	X	<p><b>NW:</b> Atomic Energy Act, Section 7, 9 (licensing requirement for production of nuclear fuel) Radiation Protection Ordinance Nuclear Safety Officer and Reporting Ordinance ("AtSMV") Classified guidelines (structural, technical, personnel-based and administrative), complemented by the General Administrative Provision on the Protection of Classified Information (based on the principles of graded approach and defence-in-depth as required by the Fundamental Principles and Objectives of Physical Protection endorsed by IAEA)</p>	X	X	X	<p><b>NW:</b> Atomic Energy Act, Part 5 Radiation Protection Ordinance, Chapter 4 Criminal Code, Section 310 ("acts preparatory to causing an explosion or radiation offence"), 311 ("releasing ionising radiation") Protective measures to be implemented by the licensee as specified in laws, ordinances and authority guidelines plus protective measures by the State; if licensee fails to meet obligations, the national legal instruments specify sanctions (revocation/ withdrawal of licence or fines, see above)</p>	

					<b>CW:</b> CWC Implementation Act, Section 4 CWC Implementation Ordinance of 20 November 1996, as amended, Section 2 (licensing requirement for production or handling of Schedule 1 chemicals) Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of the workers from the risks related to chemical agents at work, as amended Chemicals Act, Section 19 Ordinance on Hazardous Substances of 26 November 2010 ("GefStoffV")  <b>BW:</b> Regulation (EC) n. 851/2004 of the European Parliament and the Council of 21 April 2004 establishing an European Centre for Disease Prevention and Control Directive 2000/54/EC Health and Safety at Work Act, 7 August 1996 as amended (Arbeitsschutzgesetz) Ordinance on Safety and Health protection related to work involving biological agents of 27 January 1992. Technical Regulations for Biological Agents-TRBA 100: Protective measures for specific and unspecific work in laboratories involving biological agents Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWC Implementation Ordinance (except transport)				<b>CW:</b> CWC Implementation Act, Section, 15, 16 CWC Implementation Ordinance, Section 12, 13 Chemicals Act, Sections 21, 26 Ordinance on Hazardous Substances, Part 7  <b>BW:</b> European Center for Disease and Control Robert Koch Institute Federal Center for Health Education Committee for Biological Agents (ABAS) Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWC Implementation Ordinance	
8	Measures to secure storage	x	x	x	<b>NW:</b> Atomic Energy Act, Section 6 (licensing requirement for storage of nuclear fuel) Radiation Protection Ordinance Nuclear Safety Officer and Reporting Ordinance ("AtSMV") Classified guidelines (structural, technical, personnel-based and administrative), complemented by the General Administrative Provision on the Protection of Classified	x	x	x	<b>NW:</b> Atomic Energy Act, Part 5 Radiation Protection Ordinance, Chapter 4 Protective measures to be implemented by the licensee as specified in laws, ordinances and authority guidelines plus protective measures by the State; if licensee fails to meet obligations, the national legal instruments specify sanctions (revocation/ withdrawal of licence or fines, see above)	

				<p>Information (based on the principles of graded approach and defence-in-depth as required by the Fundamental Principles and Objectives of Physical Protection endorsed by IAEA)</p> <p><b>CW:</b> CWC Implementation Act, Section 4 CWC Implementation Ordinance of 20 November 1996, as amended, Section 2 (licensing requirement for production or handling of Schedule 1 chemicals) Council. Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of the workers from the risks related to chemical agents at work, as amended Chemicals Act, Section 19 Ordinance on Hazardous Substances of 26 November 2010 ("GefStoffV")</p> <p><b>BW:</b> Directive 2000/54/EC Health and Safety at Work Act, 7 August 1996 as amended (Arbeitsschutzgesetz) Ordinance on Safety and Health protection related to work involving biological agents of 27 January 1992. Technical Regulations for Biological Agents-TRBA 100: Protective measures for specific and unspecific work in laboratories involving biological agents Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWC Implementation Ordinance</p>				<p><b>CW:</b> CWC Implementation Act, Section, 15, 16 CWC Implementation Ordinance, Section 12, 13 Chemicals Act, Sections 21, 26 Ordinance on Hazardous Substances, Part 7</p> <p><b>BW:</b> Robert Koch Institute Federal Center for Health Education Committee for Biological Agents (ABAS) Ricin, Saxitoxin: CWC Implementation Act Ricin, Saxitoxin: CWC Implementation Ordinance</p>		
9	Measures to secure transport	x	x	x	<p><b>NW:</b> Atomic Energy Act, Section 4 (licensing requirement for transport of nuclear fuel) Radiation Protection Ordinance, Part 4 Classified guidelines (structural, technical, personnel-based and administrative), complemented by the General Administrative Provision on the Protection of Classified Information (based on the principles of graded approach and defence-in-depth as</p>	x	x	x	<p><b>NW:</b> Atomic Energy Act, Part 5 Radiation Protection Ordinance, Chapter 4 Protective measures to be implemented by the licensee as specified in laws, ordinances and authority guidelines plus protective measures by the State; if licensee fails to meet obligations, the national legal instruments specify sanctions (revocation/ withdrawal of licence or fines, see above)</p>	

				<p>required by the Fundamental Principles and Objectives of Physical Protection endorsed by IAEA)</p> <p>EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (implementing ADR, RID and ADN), as amended</p> <p>Dangerous Goods Transportation Act ("GGBefG") and implementing Ordinances notably the Dangerous Goods Ordinance Road, Rail and Inland Waterways ("GGVSEB"), the Dangerous Goods Ordinance Sea ("GGVSee"), or the Dangerous Goods Safety Advisor Ordinance ("GbV")</p> <p><b>CW</b></p> <p>CWC Implementation Act, Section 4</p> <p>CWC Implementation Ordinance of 20 November 1996, as amended, Section 2 (licensing requirement for production or handling of Schedule 1 chemicals)</p> <p>EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (implementing ADR, RID and ADN), as amended</p> <p>Dangerous Goods Transportation Act ("GGBefG") and implementing Ordinances notably the Dangerous Goods Ordinance Road, Rail and Inland Waterways ("GGVSEB"), the Dangerous Goods Ordinance Sea ("GGVSee"), or the Dangerous Goods Safety Advisor Ordinance ("GbV")</p> <p><b>BW:</b></p> <p>EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (implementing ADR, RID and ADN), as amended</p> <p>Dangerous Goods Transportation Act ("GGBefG") and implementing Ordinances notably the Dangerous Goods Ordinance Road, Rail and Inland Waterways ("GGVSEB"), the Dangerous Goods Ordinance Sea ("GGVSee"), or the Dangerous Goods Safety</p>		<p>Dangerous Goods Transportation Act, Section 9 (enforcement) and 10 (penalties)</p> <p>Dangerous Goods Safety Advisor Ordinance, Section 10</p> <p>Dangerous Goods Ordinance Road, Rail and Inland Waterways, Section 37</p> <p><b>CW/BW:</b></p> <p>Dangerous Goods Transportation Act, Section 9 (enforcement) and 10 (penalties)</p> <p>Dangerous Goods Safety Advisor Ordinance, Section 10</p> <p>Dangerous Goods Ordinance Road, Rail and Inland Waterways, Section 37</p>	
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					Advisor Ordinance ("GbV")				
10	Other measures for securing	X	X	<b>NW:</b> Ordinance on the Transport of Nuclear Waste ("AtAV", applies to the supervision and control of cross-border shipments of radioactive waste and spent nuclear fuel) Other security relevant measures can be found in mostly sublegal documents, such as the Regulatory Guidelines of the Federal Ministry of the Environment which may take the form of requirements, guidelines, criteria and recommendations (e.g. the "Safety Requirements for Nuclear Power Plants").  <b>BW:</b> Transfers only allowed between authorized persons/facilities: Protection against Infection Act of 20 July 2000, as amended (Infektionsschutzgesetz) Animal Infectious Disease Act of 26 June 1909 as amended (Tierseuchengesetz)	X	X	<b>NW:</b> Ordinance on the Transport of Nuclear Waste, Section 23 Other security relevant measures can be found in mostly sublegal documents, such as the Regulatory Guidelines of the Federal Ministry of the Environment which may take the form of requirements, guidelines, criteria and recommendations (e.g. the "Safety Requirements for Nuclear Power Plants").  <b>BW:</b> Revocation/withdrawal of authorization and/or fines		
11	Regulations for physical protection of facilities/ materials/ transports	X	X	<b>NW:</b> Atomic Energy Act and relevant sublegal instruments such as the "Requirements Relating to the <u>Physical Protection Service and Physical Protection Officers</u> at Nuclear Facilities and Installations" of 4 July 2008 or the "Guideline Relating to Measures for the <u>Protection of Facilities of the Nuclear Fuel Cycle and Other Nuclear Facilities Against Disturbances</u> or Other Interference by Individuals Entitled to Access to the Facility" of 28 January 1991 Radiation Protection Ordinance, Part 3 (physical supervision of radiation protection / radiation protection areas) Classified guidelines (structural, technical, personnel-based and administrative), complemented by the General Administrative Provision on the Protection of Classified Information (based on the principles of graded approach and defence-in-depth as	X		<b>NW:</b> Radiation Protection Ordinance, Chapter 4 Protective measures to be implemented by the licensee as specified in laws, ordinances and authority guidelines plus protective measures by the State; if licensee fails to meet obligations, the national legal instruments specify sanctions (revocation/ withdrawal of licence or fines, see above)		

					required by the Fundamental Principles and Objectives of Physical Protection endorsed by IAEA)  <b>BW:</b> Biological Materials Ordinance (Biostoff-VO) and EU directives on the protection of workers from risks related to exposure to biological agents at work (1999)				
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	X	X	<b>NW:</b> Atomic Energy Act (Licensing requirement for import, export, transport, possession, treatment, processing, other use, storage, disposal, see above) Radiation Protection Ordinance, Chapter 2 (Licensing requirements for the handling of radioactive substances)  <b>CW:</b> CWC Implementation Act, Section 4 CWC Implementation Ordinance of 20 November 1996, as amended, Section 2 (licensing requirement for production or handling of Schedule 1 chemicals)  <b>BW:</b> Protection against Infection Act Animal Infectious Disease Act Animal Pathogen Ordinance, 25 November 1985 as amended (Tierseuchenerreger-Verordnung) Genetic Engineering Act Biological Agents Ordinance	X	X	X	<b>NW:</b> Atomic Energy Act, Part 5 Regulatory supervision by competent national authorities Radiation Protection Ordinance, Chapter 4  <b>CW:</b> CWC Implementation Act, Section, 15, 16 CWC Implementation Ordinance, Section 12, 13  <b>BW:</b> Criminal Code, Art. 327 Revocation/withdrawal of authorization and/or fines
13	Reliability check of personnel	X	X	X	<b>NW:</b> Atomic Energy Law, Section 12b Ordinance on the Verification of Trustworthiness for Protecting Against the Diversion or Major Releases of Radioactive Material ("AtZüV")  <b>CW:</b> CWC Implementation Ordinance of 20	X	X		<b>NW:</b> Ordinance on the Verification of Trustworthiness for Protecting Against the Diversion or Major Releases of Radioactive Material ("AtZüV"), Section 9 (no access / activity without written confirmation)  <b>CW:</b> CWC Implementation Ordinance of 20

				<p>November 1996, Section 3 (the granting of the authorization for personnel that operate with Schedule I Chemicals can be subject to a reliability check of the applicant)</p> <p>Security Vetting Act of 20 April 1990, as amended ("SÜG") and Security Vetting Identification Ordinance of 30 July 2003, as amended (regulate vetting of persons with security-sensitive activities in authorities on federal level, including in entities working with highly toxic substances, also with a view to protect against acts of sabotage by personnel; similar acts exist on State level)</p> <p><b>BW:</b></p> <p>Protection against Infection Act</p> <p>Animal Infectious Disease Act</p> <p>Plant Protection Act</p> <p>Security Vetting Act</p> <p>Security Vetting Identification Ordinance</p>				<p>November 1996, Section 3 (no authorisation if doubts concerning reliability of applicant)</p>		
14	Measures to account for/secure/ physically protect means of delivery	X	X	X	<p><b>NW/CW/BW:</b></p> <p>War Weapons Control Act, Part 1 (licensing requirements for production, marketing, transport, foreign transactions etc. for projectiles / missiles as defined by the war weapons control list), Section 12 (accountancy and securing duties regarding projectiles/ missiles as defined by the War Weapons Control List); prohibitions regarding means of delivery specifically designed for nuclear, biological and chemical weapons (for details, see above)</p> <p>Second Implementation Ordinance to the War weapons Control Act of 1 June 1961 ("KrWaffKontrGDV 2"), as amended</p> <p>War Weapons Reporting Ordinance of 24 January 1995 ("KWMV"), as amended</p>	X	X	X	<p><b>NW/CW/BW:</b></p> <p>War Weapons Control Act, Part 5</p> <p>Stock levels and changes must be reported to enter war weapons register, additional reporting for import and export of certain missiles</p>	

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

\* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at:

[http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument) )

### OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority	X	Ministry for the Environment, Nature Conservation, Building and Nuclear Safety: guidelines Competent Ministry of the Land (Federal State): licensing and supervision (the regulatory body in Germany is composed of authorities of the federal and state governments)	X	Ministry for the Environment, Nature Conservation, Building and Nuclear Safety: guidelines Competent Ministry of the Land (Federal State): licensing and supervision (the regulatory body in Germany is composed of authorities of the federal and state governments)	
2	IAEA Safeguards Agreements	X	Safeguards Agreement EURATOM and Additional Protocol - IAEA (INFCIRC/193)	X	Safeguards Agreement EURATOM and Additional Protocol - IAEA (INFCIRC/19	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Notification pursuant to GC(47)/RES/7.B1	X	Act on the Control of High Radioactive Sealed Sources of 12 August 2005	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	X	Notification pursuant to GC(48)/RES/10.D	X	Notification pursuant to GC(48)/RES/10.D	
5	IAEA Incident and Trafficking Database	X	Participates in ITDB	X	Participates in ITDB	
6	Other Agreements related to IAEA					
7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other			X	The German Federal Criminal Police Office (BKA) closely cooperates in the framework of Interpol's CBRNE Programme, the common	

					<p>Interpol/Europol project "Rutherford" and the CBRN Working Group of the European Explosive Ordnance Disposal Network, all relating to illicit trafficking in nuclear or other radioactive materials.</p> <p>In order to implement EU Council Directive 2003/122/Euratom, which demands strict control of each "High Activity Sealed Source" from manufacturing to the final disposal, a central register was established in Germany. It ensures comprehensive traceability of these sources</p>	
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**OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	CWC Implementation Act CWC Implementation Ordinance	X	National Authority: Bureau for CW and BW Affairs (Ref.243) Auswärtiges Amt (Federal Foreign Office)	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Reports regularly as required by the CWC Implementation Act CWC Implementation Ordinance	X	Reports regularly	
3	Account for, secure or physically protect "old chemical weapons"	X	CWC Implementation Act Law on Explosives in conjunction with 1st and 2nd Ordinance Pertaining to the Law on Explosives and with pertinent regulations on storage of explosives Hazardous Substances Ordinance: handling of the chemical fill	X	Germany had destroyed its old chemical weapon stocks completely by April 2007. Any weapons unearthed will be destroyed without delay in a specially designed detonation furnace in Munster, Lower Saxony.	
4	Other legislation/ regulations controlling chemical materials	X	Regulation (EG) 1907/2006 of the European Parliament and of the Council of 18 December 2008 concerning the Registration, Evaluation and Restriction of Chemicals (REACH), as amended Chemicals Act of 16. September 1980 ("ChemG"), as amended, Part 4	X	Chemicals Act, Section 21 (enforcement), 27, 27 b (penalties)	
5	Other					

### OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work	X	<p>Directive 2009/41/EC of the European Parliament and of the Council of 6 May 2009 on the contained use of genetically modified micro-organisms</p> <p>Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms</p> <p>Genetic Engineering Act of 20 June as amended (Gentechnikgesetz)</p> <p>Genetic Engineering Safety Ordinance, 24 October 1990 as amended (Gentechnik-Sicherheitsverordnung)</p> <p>Genetic Engineering Public Consultation Ordinance, 24 October 1990 as amended (Gentechnik-Anhörungsverordnung)</p> <p>Genetic Engineering Procedural Ordinance; 24 October 1990 as amended (Gentechnik-Verfahrensverordnung)</p> <p>Genetic Engineering Reporting Ordinance, 24 October 1990 as amended (Gentechnik-Aufzeichnungsverordnung)</p>	X	<p>Genetic Engineering Act of 20 June as amended (Gentechnikgesetz)</p> <p>Genetic Engineering Safety Ordinance, 24 October 1990 as amended (Gentechnik-Sicherheitsverordnung)</p> <p>Genetic Engineering Public Consultation Ordinance, 24 October 1990 as amended (Gentechnik-Anhörungsverordnung)</p> <p>Genetic Engineering Procedural Ordinance; 24 October 1990 as amended (Gentechnik-Verfahrensverordnung)</p> <p>Genetic Engineering Reporting Ordinance, 24 October 1990 as amended (Gentechnik-Aufzeichnungsverordnung)</p>	
2	Other legislation/ regulations related to safety and security of biological materials	X	<p>ZKBS Ordinance, 30 October 1990 as amended (ZKBS-Verordnung) (Defines the tasks, composition and responsibility of the Zentrale Kommission für Biologische Sicherheit – ZKBS (Central Advisory Committee for Biological Safety)</p> <p>Animal Disease Obligatory Reporting Ordinance, 9 August 1983 as amended (Verordnung über meldepflichtige Tierkrankheiten)</p>	X	<p>Committee on Biological Working Material (Ausschuss Biologische Arbeitsstoffe (ABAS)), BArbBl 4/02, p. 139 -140</p>	

			<p>Animal Disease Notification Ordinance, 23 May 1991as amended (Verordnung über anzeigepflichtige Tierseuchen)</p> <p>Technical Rules for Biological Agents TRBA 466: Classification of bacteria and archae bacteria to risk groups</p> <p>Technical Rules for Biological Agents 464: Classification of parasites to risk groups</p> <p>Technical Rules for Biological Agents 462: Classification of viruses to risk groups</p> <p>Technical Rules for BiologicalAgents 460: Classification of fungi to risk groups</p>			
3	Other					



## OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework					Enforcement: civil/criminal penalties, and measures of implementation, etc					Remarks
		YES			if YES, source document	YES			if YES, source document			
		N W	C W	B W		N W	C W	B W				
1	Border control	X	X	X	<b>NW/CW/BW:</b> 1. Council Regulation (EC) No. 2913/1992 of 12 October 1992 (Community Customs Code), as amended Commission Regulation No. 2454/1993 of 2 July 1993 (Implementing Provisions to the Community Customs Code), as amended Regulation (EC) No. 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community Customs Administration Act of 1992, as amended (Zollverwaltungsgesetz) Foreign Trade and Payments Act of 6 June 2013 (Aussenwirtschaftsgesetz, “AWG”), as amended, Section	X	X	X	<b>NW/CW/BW:</b> Customs Administration Act of 1992, as amended  <b>CW:</b> Regulation implementing the CWC Convention of 20 November 1996, Section 13			
2	Technical support of border control measures	X	X	X	<b>NW/CW/BW:</b> Community Customs Code, as amended, Art. 4 no. 14, Arts. 13 and 68 Customs Administration Act, Sections 10 ff, 17a Foreign Trade and Payments Act, as amended, Section 25 Foreign Trade and Payments Ordinance (“Aussenwirtschaftsverordnung, AWV), as amended, Chapter 2, Subchapters 1 and 2	X	X	X	<b>NW/CW/BW:</b> Community Customs Code, as amended, Art. 4 no. 14, Arts. 13 and 68 Customs Administration Act, as amended, Sections 10 ff, 17a Foreign Trade and Payments Act, as amended, Section 25 Foreign Trade and Payments Ordinance, as amended, Chapter 2, Subchapters 1 and 2			
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as			

	technology				transit of dual-use items, as amended, Art. 5 War Weapons Control Act of 1961, sections 4a and 17 ff Foreign Trade and Payments Ordinance, as amended, Section 46-48				amended, Chapter 9 War Weapons Control Act of 1961, Part 5	
4	Enforcement agencies/authorities	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Sections 21, 27 Customs Administration Act, as amended	X	X	X	<b>NW/CW/BW:</b> Customs, Federal Border Control Police, criminal authorities, etc.	
5	Export control legislation in place	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended Foreign Trade and Payments Act, as amended Foreign Trade and Payments Ordinance, as amended  <b>CW:</b> CWC Implementation Ordinance  <b>BW:</b> Ricin, Saxitoxin: CWC Implementation Ordinance	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9 War Weapons Control Act of 1961, Part 5	
6	Licensing provisions	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Art. 3, 4, 5, Chap. III Foreign Trade and Payments Act, as amended, Section 4 Foreign Trade and Payments Ordinance, as amended, Chapters 2, 4, 5  <b>CW:</b> CWC Implementation Ordinance, Section 2  <b>BW:</b> Ricin, Saxitoxin: CWC Implementation Ordinance, Section 2	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9	
7	Individual licensing	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended Foreign Trade and Payments Act, as amended Foreign Trade and Payments Ordinance, as	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9	

				amended					
8	General licensing	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Art. 9 Foreign Trade and Payments Ordinance, as amended, Section 1	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, Annexes IIa to IIc National general licenses exist and are published in the Federal Gazette Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9
9	Exceptions from licensing	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended (intra-Community transfers do not require an authorisation, except for items listed in Annex IV, Art. 22)	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9
10	Licensing of deemed export/visa	X	X	X	<b>NW/CW/BW:</b> Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses Foreign Trade and Payments Ordinance, as amended, Chapter 5, referring to technical assistance	X	X	X	<b>NW/CW/BW:</b> Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9 Visa screening system exists
11	National licensing authority	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Section 13 Act on the Establishment of a Federal Export Office ("BAusfAmtG")	X	X	X	<b>NW/CW/BW:</b> Federal Office for Economic Affairs and Export Control (BAFA)
12	Interagency review for licenses	X	X	X	<b>NW/CW/BW:</b> Internal ministerial decrees	X	X	X	<b>NW/CW/BW:</b> Inter-ministerial export committees representing various ministries and competent authorities exist
13	Control lists	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Annex I Foreign Trade and Payments Ordinance, Annex I (Export List) War Weapons Act of 1961, Annex (War	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Annex I Foreign Trade and Payments Ordinance, Annex I (Export List) War Weapons Act of 1961, Annex (War

					Weapons List)  <b>CW:</b> CWC Implementation Ordinance, Annexes  <b>BW:</b> Ricin, Saxitoxin: CWC Implementation Ordinance, Annexes				Weapons List)  <b>CW:</b> CWC Implementation Ordinance, Annexes  <b>BW:</b> Ricin, Saxitoxin: CWC Implementation Ordinance, Annexes	
14	Updating of lists	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Art. 15, 23a, 23b Foreign Trade and Payments Act, as amended, Sections 4 and 12	X	X	X	<b>NW/CW/BW:</b> The list of dual-use items set out in Annex I of Regulation (EC) 428/2009 is updated “...in conformity with the relevant obligations and commitments, and any modification thereof, that Member States have accepted as members of the international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties” (delegated to EU Commission). The Council Regulation is automatically applicable after changes become effective.	
15	Inclusion of technologies	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Art. 2 (“‘dual-use items’ shall mean items, including software and technology...”) Foreign Trade and Payments Act, as amended, Section 2	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9	
16	Inclusion of means of delivery	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Annex I War Weapons Control Act of 1961, section 2 ff War Weapons Reporting Ordinance	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9 War Weapons Control Act of 1961	
17	End-user controls	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended Foreign Trade and Payments Ordinance, as amended, Section 21	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended Foreign Trade and Payments Ordinance, as amended, Section 21 Export authorisations are only granted if	

								examination of the final recipient reveals no proliferation risk Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9		
18	Catch all clause	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Art. 4 Foreign Trade and Payments Act, as amended, Section 4 Foreign Trade and Payments Ordinance, as amended, Section 9	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9	
19	Intangible transfers	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Art. 2 Foreign Trade and Payments Ordinance, as amended, Chapter 5	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9	
20	Transit control	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Art. 6 EU Regulation no. 648 of 13 April 2005 (Security Amendment to the Community Customs Code Foreign Trade and Payments Act, as amended, Sections 2, 6 Foreign Trade and Payments Ordinance, as amended, Sections 44 and 45	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9	
21	Trans-shipment control	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May 2009, as amended (would be handled either as an “export” or a “transit” as defined by the Regulation) EU Regulation no. 648 of 13 April 2005 (Security Amendment to the Community Customs Code) Foreign Trade and Payments Act, as amended, Section 6	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9	

22	Re-export control	X	X	X	<b>NW/CW/BW:</b> Council regulation (EC) n. 428/2009 of 5 May as amended, Art. 2 (defines “re-export” as an “export” for the purposes of the Regulation) EU Regulation no. 648 of 13 April 2005 (Security Amendment to the Community Customs Code)	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9	
23	Control of providing funds	X	X	X	<b>NW/CW/BW:</b> War Weapons Control Act of 1961 Money Laundering Prevention Act of 8 August 2002 as amended (Geldwäschegesetz): financing of terrorism Banking Act of 9 September 1998 as amended, Section 6a, Part 5a (Due diligence) Insurance Supervisory Act of 17 December 1992 as amended Payment Services Oversight Act of 25 June 2009 as amended	X	X	X	<b>NW/CW/BW:</b> War Weapons Control Act of 1961 Money Laundering Prevention Act of 8 August 2002 as amended (Geldwäschegesetz): financing of terrorism. Among other things, the Act established Germany’s financial intelligence unit (FIU) within the Federal Criminal Police Office (BKA) Banking Act of 9 September 1998 Insurance Supervisory Act of 17 December 1992 as amended Payment Services Oversight Act of 25 June 2009 as amended	
24	Control of providing transport services	X	X	X	<b>NW/CW/BW:</b> War Weapons Control Act of 1961	X	X	X	<b>NW/CW/BW:</b> War Weapons Control Act of 1961 Providing financial support or transport services is punishable if deemed to contribute to unauthorized export, re-export or transit	
25	Control of importation	X	X	X	<b>NW:</b> Atomic Energy Act: import subject to licensing War Weapons Reporting Ordinance  <b>CW:</b> CWC Implementation Ordinance War Weapons Reporting Ordinance  <b>BW:</b> Protection against Infection Act Animal Infectious Disease Act Animal Pathogen Import Ordinance, 7 December 1971 as amended (Tierseuchenerreger-Einfuhrverordnung) Plant Protection Act of 15 September 1986 as amended (Pflanzenschutzgesetz)	X	X	X	<b>NW:</b> Penal Code  <b>CW:</b> CWC Implementation Ordinance  <b>BW:</b> Protection against Infection Act Animal Infectious Disease Act Plant Protection Act War Weapons Control Act Ricin, Saxitoxin: CWC Implementation Ordinance	

					Phytosanitary Ordinance, 10 May 1989 as amended (Pflanzenbeschauverordnung) War Weapons Control Act War Weapons Reporting Ordinance Ricin, Saxitoxin: : CWC Implementation Ordinance					
26	Extraterritorial applicability	X	X	X	<b>NW/CW/BW:</b> War Weapons Control Act of 1961 Foreign Trade and Payments Ordinance, as amended, Sections 47 (brokering activities by Germans outside of Germany), 49 (technical assistance by Germans outside Germany)	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9	
27	Other	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Section 6 (Power to interdict individual transactions)	X	X	X	<b>NW/CW/BW:</b> Foreign Trade and Payments Act, as amended, Part 3 Foreign Trade and Payments Ordinance, as amended, Chapter 9	

## OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	See above (Op. 3c/d, field 13).	
2	Control lists - other	X	Common List of Military Equipment implemented in German Export List (regularly updated) Lists of persons / entities etc. as established by EU Restrictive Measures	
3	Assistance offered	X	In accordance with paragraph 7 of resolution 1540 (2004), Germany remains committed to assess, as appropriate, requests from States seeking assistance in implementing the provisions of the resolution The 2013 report provides an overview about existing and on-going assistance programmes	
4	Assistance requested			
5	Point of Contact for assistance	X	Permanent Mission of the Federal Republic of Germany to the United Nations and Federal Foreign Office Berlin	
6	Assistance in place (bilateral/multilateral)	X	Extended CWC implementation assistance and assistance to several countries in developing export control systems. Projects within the G7 Global Partnership against the Spread of WMD Germany Support of the nuclear window of the "Northern Dimension Environmental Partnership" EU Cooperation programmes in export control of dual-use goods implemented by BAFA	
7	Work with and inform industry	X	Regular information days and expert discussions with the economic sector.	
8	Work with and inform the public	X	The Federal Ministries and BAFA have published pamphlets and information sheets to be read and downloaded from respective websites (from legal texts to explanation of administrative practice).	
9	Point of Contact	X	Permanent Mission of the Federal Republic of Germany to the United Nations and Federal Foreign Office Berlin	
10	Other <sup>4</sup>	X	The German Federal Government facilitates the dialogue between the 1540 Committee and the Private Sector through the "Wiesbaden Process"	

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.