

**2005 Review Conference of the Parties
to the Treaty on the Non-Proliferation
of Nuclear Weapons**

23 May 2005

Original: English

**Note verbale dated 20 May 2005 from the Permanent Mission of
Germany addressed to the Secretary-General of the Conference**

The Permanent Mission of Germany to the United Nations presents its compliments to the Secretary-General of the Conference, and with reference to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), has the honour to request that the following German contribution submitted to the Preparatory Committee be circulated as a working paper of the Conference:

- Attaining a nuclear-weapon-free world (NPT/CONF.2005/PC.I/WP.4) of 11 April 2002

Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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New York, 8-19 April 2002

Attaining a nuclear-weapon-free world

Working paper submitted by Germany

1. There is general agreement on the final goal of the process of nuclear disarmament: the total elimination of nuclear weapons. This goal was made explicit in the "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" adopted by the 1995 NPT-Review and Extension Conference. The nuclear-weapon States subsequently declared in the Final Document of the 2000 NPT Review Conference their "unequivocal undertaking to accomplish the total elimination of their nuclear arsenals" as part of the 13 practical steps to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

2. Thus the goal is clear; the question is how to achieve it. In coming to terms with this issue it might help to take a look at the essential prerequisites for a nuclear-weapon-free world.

I.

3. Among the prerequisites for a nuclear-weapon-free world the following appear to be of particular significance:

(a) **A reliable database and the non-availability of weapon-grade fissile material:** In the first instance we must establish, at the appropriate time, a reliable inventory of all nuclear weapons and stocks of fissile material usable for military purposes. Only on the basis of comprehensive and reliable data will it be possible to implement the final steps towards the establishment of a nuclear-weapon-free world. When moving towards a nuclear-weapon-free world, we must be in a position to state unambiguously that all existing nuclear weapons are destroyed. In addition, the physical non-availability of weapon-grade fissile material will provide the necessary assurance that a nuclear weapon cannot be assembled in a very short time; and we need to make sure that there is no easy breakout of individual States from a universal prohibition of nuclear weapons. This requirement also demonstrates the urgency of a comprehensive and coherent approach regarding the management, control and disposition of plutonium and highly-enriched uranium as the key

ingredients of nuclear weapons. The dimension of the problem is illustrated by the fact that existing stockpiles of weapon-usable fissile materials amount to more than 3,000 metric tons, enough to produce more than 200,000 nuclear weapons! These considerations underline the need to start negotiations on a fissile material cut-off treaty without delay. The unequivocal commitment to accomplish the total elimination of nuclear arsenals should also be demonstrated by a willingness to enter speedily into negotiations on a fissile material cut-off treaty without linking such negotiations to other activities in the Conference on Disarmament. We therefore consider it a matter of priority to renew the 1998 mandate for an ad hoc committee to negotiate a fissile material cut-off treaty within the Conference on Disarmament;

(b) **Effective verification:** Effective verification measures, based on reliable and disaggregated data, need to be put in place in order to ensure all States that all nuclear weapons are destroyed and that no State maintains or is able to establish a capability that allows it to break out of the prohibition regime at short notice. It is a truism that the smaller the remaining stocks of nuclear weapons the more significant will be the danger presented by even a small number of undetected nuclear warheads. Thus the final stages of nuclear disarmament, the reduction of the last remaining weapons will be one of the most difficult stages of the process. We therefore have to devise a far-reaching and intrusive inspection regime. This regime needs to be universal, as any loophole could foster uncertainties and trigger a new arms race. The International Atomic Energy Agency could play a key role in the universal verification of a total ban on nuclear weapons. The need for a stringent verification regime is illustrated by the fact that the technologies and the necessary know-how for the production of nuclear weapons will continue to exist even after a nuclear-weapon-free world has been established. Furthermore recent events have made us acutely aware of the difficulties to detect a clandestine programme for the production of weapons of mass destruction;

(c) **Nuclear disarmament and overall security:** Article VI of the NPT places nuclear disarmament in the broader context of general and complete disarmament under strict and effective international control. This must not be misinterpreted as a linkage of nuclear disarmament to the achievement of general and complete disarmament. However, it must be seen as a reflection of the obvious fact that nuclear disarmament is not an end in itself but that it is to enhance overall security and stability. Nuclear disarmament must not increase the risk of large-scale conventional wars nor the revaluation of other weapons of mass destruction. It has to be made sure that the functions that are today attributed to nuclear weapons becomes dispensable. This relates in particular to their role in deterring being attacked by superior conventional forces or with other weapons of mass destruction. Thus the attainment of a nuclear-weapon-free world must be accompanied by the pursuance of other effective arms control agreements at a global and in particular also at a regional level. The building of confidence and the establishment of a stable and verifiable balance of conventional forces at the lowest possible levels is of key importance for regional security. Over the last decades Europe has undertaken determined and successful efforts towards this end. It has established a set of mutually reinforcing arms control agreements, by which existing disparities prejudicial to stability were eliminated, a secure and stable overall balance of conventional armed forces at lower levels was established, the capabilities for launching surprise attack and initiating large-scale offensive action were removed

and overall confidence in security matters has been significantly enhanced. These arms control achievements have provided a basis for the fundamental and peaceful transformation of the relationship between East and West and the development of a cooperative security order in the whole of Europe. Much also remains to be done at a global level, inter alia:

- (i) The Chemical Weapons Convention needs to be universally adhered to and be effectively implemented;
- (ii) The Biological Weapons Convention must be strengthened by appropriate verification provisions;
- (iii) The issue of delivery means of weapons of mass destruction must be addressed; in this regard the proliferation of ballistic missiles is a particular concern;
- (iv) The risks posed by the spread of conventional armaments must be tackled.

II.

4. The above considerations clearly militate against sweeping demands for the immediate conclusion of a nuclear weapons convention and a fixed timetable for the abolition of nuclear weapons. Instead they underline the need for an incremental approach, which — gradually and inexorably — leads to the achievement of the goal of the total elimination of nuclear weapons. They must not be taken as a pretext to shun further progress on nuclear disarmament. On the contrary, they demonstrate the need to redouble our efforts. Seen in this perspective the current stalemate in the Conference on Disarmament is no longer tolerable. Germany shares the concerns about an arms race in outer space and calls for urgent efforts to be undertaken to address this problem. However, we oppose a linkage between this issue and a fissile-material cut-off treaty and call for the establishment of an ad hoc committee for the negotiation of such a treaty, on the basis of the 1998 mandate, without further delay. This would be an important step to recreate the momentum in nuclear disarmament.

III.

5. The Final Document of the 2000 NPT Review Conference spells out 13 practical steps for the systematic and progressive implementation of article VI. This action programme remains the performance benchmark for the disarmament process. It is of paramount importance that the credibility of this process is maintained at all times, that the process progresses along the lines of the precharted course and that it remain irreversible.

6. Progress in the implementation of the 13 steps is urgently required. The matters of key importance in this regard at this juncture include:

- (a) Efforts to ensure the full compliance with and universal adherence to the NPT;

(b) The early entry into force and implementation of the Comprehensive Test-Ban Treaty;

(c) The start and early conclusion of negotiations on a Fissile-Material Cut-off Treaty;

(d) The achievement of a binding agreement between the United States and the Russian Federation on the verifiable and irreversible reduction of their strategic offensive arms;

(e) The start of negotiations on non-strategic nuclear weapons.

7. It is irrelevant to discuss when we will be able to attain a nuclear-weapon-free world. We must instead devote all our efforts to continued and steady progress in this direction.

IV.

8. Nuclear dangers are the subject of a resolution adopted by the United Nations General Assembly in November 2001. Such dangers are inherent in the very existence of nuclear weapons, their reduction and elimination are a crucial aspect while nuclear disarmament is still under way. Nuclear-weapon States bear a particular responsibility in this regard and are accountable to the rest of the world. A key concern is the security and safety of existing stocks, their protection against theft and their safe destruction. The report "Reducing Nuclear Dangers" by the United Nations Advisory Board on Disarmament Matters of 25 September 2001 (A/56/400) contains a number of interesting ideas that could be the subject of further substantive discussion in the review process leading to the 2005 NPT Review Conference.
