

Becoming a Robust Bridge Builder **Why Germany Should Adjust its Role in Nuclear Disarmament in the Wake of the 2015 Nonproliferation Treaty Review Conference**

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At the 2015 Review Conference of the Nuclear Nonproliferation Treaty (April 27 to May 22), an increasing number of Non-Nuclear-Weapon States (NNWS) were frustrated with the slow nuclear disarmament process and insisted on more progressive steps. Germany, apparently unimpressed by this new climate, stuck to its established role of reserved bridge builder. This led progressive NNWS like Austria and others to depreciate the country as a disarmament partner, which in turn rendered Germany less effective in promoting some of its own major interests. This paper argues that Germany should redefine its role in nuclear disarmament and evolve into a robust bridge builder. This would allow it to advance its core national objectives in the nuclear disarmament field more comprehensively and strengthen the Nonproliferation Treaty.

The Nuclear Nonproliferation Treaty (NPT), a key part of the international nuclear disarmament regime, entered into force in March 1970. A review of past compliance and negotiations of future implementation measures takes place every five years. At the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held this spring at the United Nations in New York, parties deliberated for four weeks but did not reach consensus on a final document.

Agreement was formally blocked by a dispute over a conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction (WMD). More generally, however, the negotiations were marked by a changing climate over nuclear disarmament. This change can be attributed to the frustrations of a growing number of Non-Nuclear-Weapon States (NNWS) over the slow nuclear disarmament pro-

cess on the part of Nuclear-Weapon States (NWS) – and their insistence that progressive steps be taken.

Within the 2015 NPT review conference's decidedly cooler negotiation climate, Germany continued to pursue its core interests of fostering nuclear disarmament while maintaining international legal agreements and good political relations. The German delegation held its established, pragmatic course, which it describes as a "bridge-building" role – that is, bringing together state parties that favor quicker and stronger nuclear disarmament measures (namely progressive NNWS) with those that advocate a slower and weaker process (chiefly the NWS). Importantly, this role was reserved in a double sense. For one thing, the German delegates favored preserving good

relations with Germany's allied NWS – particularly the United States – over stronger disarmament measures, which made them biased. For another, Germany mainly proposed soft disarmament actions that hardly went beyond the minimum, often vague consensus of the international community. Due to the reserved nature of policies pursued by the delegation from Berlin, the progressive NNWS depreciated it as a disarmament partner at the conference – a situation that is likely to persist after the NPT review conference. As a consequence, Germany was less effective in pursuing some of its major national objectives: advancing the process toward nuclear abolition and preserving the legal Nonproliferation Treaty. This paper argues that Germany can more comprehensively promote its core interests in the field – and strengthen the NPT – if it redefines its role and evolves into a more robust bridge builder, even as it retains its pragmatic approach.

The 2015 NPT Review Conference and the Changing Nuclear Disarmament Climate

Agreement at this year's NPT review conference was formally blocked in the final plenary meeting by the US, supported by the UK and Canada, over Egypt's demand that concrete timelines be set for a conference on the establishment of a Middle East WMD-free zone. In addition to this, however, there were once again substantial controversies within the NPT forum regarding nuclear disarmament itself. There have long been divisions within the treaty community between NWS that favor slower and weaker nuclear disarmament steps and those progressive NNWS that aim for more rapid and stronger measures. Although these differences have long been known, a frostier climate prevailed at this spring's disarmament talks, widening the gap even further.

Arguably the core cause for the shifting atmosphere is the changing position of an increasing number of NNWS – chief among them Austria, but also including Mexico, Costa Rica, South Africa, and many others. These countries are not only frustrated with the lagging pace of nuclear cutbacks but have also run out of patience over the slow disarmament process and insist on progressive steps. An important new development in this regard is the rise of the so-called humanitarian initiative.¹ Although underway since roughly the middle of the last decade, the initiative appeared notably on the international stage in 2010, when the humanitarian cause was referenced in the final document of that year's NPT Review Conference. The initiative focuses on the catastrophic consequences of any nuclear weapons detonation. Three international conferences have so far been held to examine and publi-

cize arguments underpinning this view: in Norway (2013), Mexico (2014), and finally Austria (2014). A total of 156 states as well as various civil society organizations and other parties participated. The focus on catastrophic consequences of nuclear explosions not only provided new momentum for the debate on nuclear disarmament but also supplied grounds for arguing for a swifter disarmament process.

One prominent progressive proposal was put forward by Austria at the international conference in 2014. In taking the "Austrian Pledge," the country commits to "identify and pursue effective measures to fill the legal gap for the prohibition and elimination of nuclear weapons."² At the end of the 2015 NPT review conference, this call and its underlying humanitarian arguments were supported by 107 of the treaty's member states – indicating the traction this perspective has gained. (Five years earlier, at the 2010 review conference, it was mentioned in just one sentence in the final conference communiqué.) Moreover, in their national statements at the conference, various NNWS endorsed negotiations on a legal text calling for the prohibition and elimination of nuclear arms. According to many NNWS and civil society groups, a "ban-treaty" could in fact be put up for consideration outside the NPT format and, if necessary, without the participation of all NPT parties.³

Against the backdrop of this new climate – and apparently unimpressed by it – Germany sought throughout the conference to advance its core nuclear disarmament interest by sticking to its established approach and traditional understanding of its role.

Germany's Interests and its Current Role in Nuclear Disarmament

Despite the diverse interpretations of its domestic political parties, Germany's underlying national interest within the NPT and the field of nuclear disarmament more broadly has at least two dimensions. First, it wishes to advance the cause of nuclear abolition. Second, it seeks to maintain and be compliant with international legal regimes such as the NPT itself and the North Atlantic Treaty Organization (NATO) while cultivating good political relations with its allies.⁴ It has long been known that achieving both interests simultaneously can be difficult. Germany's closest international partners comprise several NWS, including the US, the UK, and France, all of which see nuclear weapons as a substantial part of their defense postures and therefore advocate slow, merely incremental disarmament measures. Moreover, Germany is a member of NATO, an organization that insists on includ-

ing nuclear armaments in its military capability mix and relies on nuclear deterrence in its defense posture. But these positions frequently stand in contrast with significant and swiftly implemented disarmament steps favored by many NNWS allied to Germany.

These general nuclear disarmament interests crystallized, among other goals, in a concrete objective at the 2015 NPT review conference: reaching an agreement by all states on a final communiqué. Such a text would have symbolized international agreement on the road to nuclear abolition. As a text agreeable to Germany's allied nuclear- and non-nuclear-armed states, it would have addressed Germany's core interest in maintaining good political relations without contradicting its legal commitments, or those of its nuclear allies, within NATO. Moreover, it would have maintained the NPT as an effective negotiation body and moved ahead on nuclear disarmament inasmuch as deemed possible.

Germany was trying to move ahead on the above-mentioned core national interests without sacrificing either one. Its approach involved taking steps where both interests intersected. In the concrete formulation of its nuclear disarmament policies and activities, this pragmatic approach translated into a "bridge-building" role: bringing together state parties that favor quicker and stronger nuclear disarmament measures (namely progressive NNWS) with those that advocate a slower and weaker process (chiefly the NWS). Prime examples of such bridge-building activities would be suggesting mutually acceptable language for the NPT final communiqué or suggesting initiatives that both groups could support.

At present, however, Germany's self-proclaimed "bridge-building" role is at best reserved. On the NPT conference negotiating floor, Germany did indeed position itself between the two aforementioned blocs but leaned toward the positions of the NNWS. In other words, it favored upholding good relations with its allied NWS (and its NATO commitments) over the stronger disarmament measures progressive NNWS had proposed. This bias was illustrated, for example, by Berlin's idea of how disarmament should take place in general terms. As usual, Germany promoted an open-ended approach determined by (and mainly serving the interests of) the NWS, instead of taking a more balanced position between this and a time-bound strategy favored by progressive NNWS. Ambassador Michael Biontino reiterated the German stance at the conference by referring to the "concrete security and political context" and "trust between partners," which would presuppose the implementation of nuclear disarmament measures and would make an open-ended, step-by-step process the only valid way forward.⁵

Moreover, Germany took a soft line on substantive nuclear disarmament issues. Although addressing virtually all the issues on the table in the NPT negotiations, most German proposals hardly went beyond the minimum consensus in the international community, missed the chance to include clear edges and introduce new aspects, and were thus unable to move discussions to an elevated level. A case in point was its promotion of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), one of the topics on which Berlin provided a working paper.⁶ Describing the pact as an "invaluable component of the nuclear disarmament and non-proliferation regime," Germany continued urging all states to ratify the CTBT and endorsed several related points from the 2010 NPT Action Plan. However, such a call merely repeats ideas reached in a minimum of consensus by all state parties over the past twenty years. Firm initiatives favoring disarmament were not proposed in 2015. If such policies appeared in the past – one example being the push to include tactical nuclear weapons in the reduction process in 2010 – Germany indeed promoted them but cut back on substance relatively quickly after the proposal met resistance.

Consequences of the Changing Negotiation Climate for Germany's Interests and Role

Until recently, Germany's reserved understanding of its role might to some extent have served its core interests within the NPT. Due to the shifting stance of a large portion of the non-nuclear-armed community, however, its conception made the role less effective at the 2015 NPT review conference – a development that is likely to continue in the future. In essence, the growing number of frustrated and progressive NNWS depreciated Germany as a disarmament partner because it placed itself too close to the agenda of NWS and proposed merely soft disarmament measures – the very grounds for the NNWS' aggravation.

Several indications for how Germany lost credibility could be observed during the 2015 diplomatic meeting. Statements issued by Germany as well as by the main groupings it belongs to – namely the Nonproliferation and Disarmament Initiative (NPDI) and the EU – had no significant impact and were unable to close any noteworthy gaps on nuclear disarmament topics. On the matter of the humanitarian consequences of nuclear weapons, the majority of NNWS ignored Germany's stance – which it had expressed in a statement at the UN General Assembly First Committee on Disarmament in 2014⁷ – while 107 of them joined the stronger Austrian Pledge instead. In the informal discussions in Main Committee I (covering

nuclear disarmament), the Netherlands, not Germany, represented the interest of the NPDI. On the formally decisive issue of the conference – the WMD-free zone in the Middle East – Germany was neither an influential actor during negotiations nor active in the final discussion of the text, which involved the US, the UK, and Egypt. The Non-Aligned Movement (NAM), a group of like-minded and progressive NNWS within the NPT, was again reluctant to engage constructively with Germany.

These and similar developments had several negative consequences for Germany's pursuit of its underlying nuclear disarmament interest. As Germany diverged from the growing group of progressive NNWS, it became less able to significantly advance nuclear disarmament at the NPT forum – be it as a bridge builder or in any other role. Furthermore, the stability of the NPT itself was further weakened in the absence of another actor promoting a middle position between member states as they drifted apart. The persistent lack of consensus among state parties testifies to this deterioration. Although various countries need to be held accountable for the failure to reach agreement, Germany, too, shares responsibility; it merely tried in a reserved manner to pave the way for a common position.

Looking ahead to the near future, Germany's role is likely to remain only partly effective in advancing nuclear disarmament and preserving high esteem for the NPT. Already at the NPT review conference, progressive NNWS – and in particular countries that had signed on to the humanitarian initiative – signaled that they would push through on negotiations for a treaty banning nuclear weapons.⁸ As Germany does not support such a process and can be expected to stay out of deliberations (or, at most, engage passively), it will be unable to play a considerable role in this step toward nuclear abolition. Moreover the negotiations might redirect attention away from the NPT, though not weaken its central provisions, as the ban process might take place outside of the NPT framework.

Fortunately for policy makers in Berlin, maintaining their reserved stance will still to some degree promote Germany's core interests. The emerging climate is unlikely to affect Germany's relations with NWS and its standing within NATO; these might even grow stronger, as Germany stays committed to NWS-friendly policies in the face of rising opposition. Nuclear disarmament might meanwhile advance through the activities of progressive NNWS, measures taken by NWS, and Germany's own actions in support of those efforts. Although destabilized, the NPT can be expected to stay an important international treaty, with Germany as a compliant member.

The Alternative: Becoming a Robust Bridge Builder

One option for Germany is for it to stick to its established policies and accept the implications outlined above. After all, to some extent it serves German national interests to do so. However, it is conceivable that Germany can advance its current disarmament objectives within the NPT context and beyond in a more comprehensive way, while maintaining international agreements and relations. By evolving into a robust bridge builder in the field of nuclear disarmament, the country could retain its pragmatic approach while redefining the concrete role following from it.

The idea of acting as a robust bridge builder differs from the current and reserved role in two essential aspects. First, it takes a balanced stance between the two conflicting blocs, namely the NWS and the progressive NNWS. Respecting both sides with equal seriousness is essential in this regard. Second, and in close relation, it formulates a firm position that incorporates the diverging interests while going beyond each of them in order to assume a stance that is elevated above them both.

Although it is impossible to mediate between mutually exclusive demands, it is prudent and possible in principle to mediate on most of the negotiation points within the NPT. Many of the issues on the table describe conflicts over the speed of progress, the next steps, thresholds, and timelines. An example of a policy that could result from a more robust bridge-building role could be a proposal for concrete but generous timelines for nuclear disarmament measures, such as for the ratification of the CTBT. Such a proposal would not only advance nuclear disarmament by providing benchmarks but also incorporate the call of progressive NNWS for tangible dates, while at the same time, respecting the position of NWS by proposing a slow process for subjects they are committed to in more general terms.

Importantly, redefining its stance would still respect, or enhance, all of Germany's above-mentioned core interests. Progressive NNWS can be expected to consider a more balanced German strategy as an act of rapprochement and consequently revise their view of the country in more positive terms. This would enable Germany to take on a significant position on disarmament matters, augmenting its chances of facilitating consensus within the NPT and moving the international community closer toward nuclear abolition. Moreover, decreasing the differences within the NPT community would make the treaty and its final document more likely to remain meaningful.

A new understanding of Germany's role would also take into account – and duly respect – Germany's relations

with allied NWS and commitments made in NATO. While certain NATO policies, including the possibility of using of nuclear weapons in extremely remote circumstances as well as nuclear sharing arrangements, can still translate into red lines for Germany's stance, the interests of allied NWS would be incorporated into its balanced position. What is new here is that Germany, in order to take a firm middle position, would be prepared for a degree of disagreement with its nuclear-armed partners.⁹

If Germany has avoided this attitude in the past, this is because it has historically been difficult for it to embark on a somewhat confrontational though multilaterally-oriented approach to its NATO allies. However, these very states (alongside an increasing number of domestic and other foreign parties) have called on Berlin to take more responsibility globally. Following up on such a call involves being exposed to and ready for criticism on the German side, while allied NWS should be expected to handle German emancipation.

The role shift proposed here will not be easy to carry out in the current strategic context. There has been a significant increase in the importance of nuclear weapons

in military operations – and in the thinking – of some actors, especially since the escalation of the conflict in Ukraine. Such nuclear postures fundamentally contradict the view of progressive NNWS that these weapons should have no role whatsoever in military strategies. Nuclear disarmament steps, even small ones, appear to be out of reach. However, the importance of promoting robust bridge-building policies in this thorny context is even more urgent than it was in the more disarmament-friendly environment that prevailed five years ago. Sensibly balanced policies and activities on the part of Germany would increase the chances of bringing the international community together and curtailing nuclear postures as much as possible. Although significant nuclear disarmament measures may not be attainable, Germany's firm stance would be more effective in keeping the theme of nuclear restrictiveness on the international agenda.

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Notes

- 1 For a good overview of the humanitarian initiative and related arguments, see the publications of the UN Institute for Disarmament Research (available on <http://www.unidir.org/publications>), in particular texts by John Borrie, Tim Caughley, and Nick Ritchie.
- 2 The Austrian Pledge in its original version can be found under www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/HINW14_Austrian_Pledge.pdf (accessed May 21, 2015). It was updated into the humanitarian pledge during the NPT negotiations, with its substantial content staying the same, see: http://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/HINW14vienna_Pledge_Document.pdf (accessed May 21, 2015).
- 3 The most detailed, publically available coverage of the NPT is provided by Reaching Critical Will: www.reachingcriticalwill.org/disarmament-fora/npt/2015 (accessed May 21, 2015).
- 4 Major nuclear disarmament objectives for Germany are outlined in the Annual Disarmament Report, which is accessible via the Federal Foreign Ministry of Germany.
- 5 Statement by Ambassador Michael Biontino, Permanent Representative of Germany to the Conference on Disarmament, at the NPT Review Conference 2015, May 1, 2015, Main Committee I.
- 6 Second Preparatory Committee for the 2015 NPT Review Conference, NPT/CONF.2015/PC.II/WP.1, March 6, 2013.
- 7 Joint Statement on the Humanitarian Consequences of Nuclear Weapons, United Nations General Assembly, First Committee <<https://australia-un-sc.gov.au/2014/10/humanitarian-consequences-of-nuclear-weapons>> (accessed May 21, 2015).
- 8 Last Chair's draft of Main Committee I of the NPT Review Conference 2015 from May 21, 2015 <www.reachingcriticalwill.org/images/documents/Disarmament-fora/npt/revcon2015/documents/MCI-21May.pdf> (accessed May 21, 2015).
- 9 Harald Müller proposed this fifteen years ago, but it still awaits full implementation. See Harald Müller, "Nuclear Weapons and German Interests: An Attempt at Redefinition," PRIF-Report 55 (2000).

