



## Consejo de Seguridad

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### Comité del Consejo de Seguridad establecido en virtud de la resolución 1540 (2004)

#### Nota verbal de fecha 15 de mayo de 2020 dirigida a la Presidencia del Comité por la Misión Permanente de Alemania ante las Naciones Unidas

La Misión Permanente de Alemania ante las Naciones Unidas saluda atentamente a la Presidencia del Comité del Consejo de Seguridad establecido en virtud de la resolución 1540 (2004) y, en relación con las resoluciones del Consejo de Seguridad 1540 (2004), 1673 (2006), 1810 (2008), 1977 (2011), 2055 (2012) y 2325 (2016), tiene el honor de proporcionar información sobre la aplicación nacional de las disposiciones que se derivan de esas resoluciones (véase el anexo).

Desde la última vez que presentó información, Alemania ha depositado el Protocolo de 2005 relativo al Convenio para la Represión de Actos Ilícitos contra la Seguridad de la Navegación Marítima, el Protocolo de 2005 relativo al Protocolo para la Represión de Actos Ilícitos contra la Seguridad de las Plataformas Fijas Emplazadas en la Plataforma Continental y el Convenio de 2010 para la Represión de Actos Ilícitos Relacionados con la Aviación Civil Internacional.

La Ordenanza de Protección Radiológica se revisó en 2018, sobre la base de la Directiva 2013/59/EURATOM del Consejo Europeo. Todos los cambios se reflejan en la matriz adjunta<sup>1</sup>, que constituye el informe nacional sobre la aplicación revisado de Alemania. En la matriz se indican, entre otras cosas, los cambios pertinentes en la legislación de la Unión Europea, como el Reglamento (UE) núm. 952/2013 (código aduanero de la Unión) y la Directiva (UE) 2015/849 del Parlamento Europeo y del Consejo relativa a la prevención de la utilización del sistema financiero para el blanqueo de capitales o la financiación del terrorismo, y las correspondientes leyes de transposición de Alemania de 24 de junio de 2017 y 12 de diciembre de 2019.

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<sup>1</sup> Se acordó con el Comité que la matriz remitida por Alemania se publicaría únicamente como un anexo en inglés.



## **Anexo de la nota verbal de fecha 15 de mayo de 2020 dirigida a la Presidencia del Comité por la Misión Permanente de Alemania ante las Naciones Unidas**

### **Implementation matrix**

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to intergovernmental organizations. The matrices are prepared under the direction of the Security Council Committee established pursuant to resolution [1540 \(2004\)](#).

The 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 resolution [1540 \(2004\)](#).

The matrices are not a tool for measuring compliance of States with their non-proliferation obligations but for facilitating the implementation of resolutions [1540 \(2004\)](#), [1673 \(2006\)](#), [1810 \(2008\)](#), [1977 \(2011\)](#), [2055 \(2012\)](#) and [2325 \(2016\)](#). They do not reflect or prejudice any ongoing discussions outside 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 \(2004\)](#) or its successive resolutions.

Matrix entries are only indicators of fact and not indicators of the degree of compliance under resolution [1540 \(2004\)](#) and its successor resolutions.

An "X" in any data field signifies only that the Committee considers that a State has taken the steps required and/or has provided specific references to the applicable legal basis or executive behaviour as evidence of such steps. An "X" against any data field does not necessarily signify that a State has met in full its obligations for that data field.

A "?" in any data field signifies that the references to legislative or other measures may not be directly relevant or are incomplete.

A "N/A" (not applicable) in any data field signifies that the data field is not applicable to a State that, through legally binding instruments, specified that it did not possess related materials or facilities.

A blank in any data field signifies that there is insufficient information available to enter an "X" or "?" against a particular data field.

## Paragraph 1 and related matters from paragraphs 5, 8 (a), (b) and (c) and 10

	<i>Adherence to legally binding instruments, membership of organizations, participation in arrangements and statements made</i>	<i>Relevant information (i.e., signing, deposit of instrument of accession, ratification, etc.)</i>	<i>Remarks (information refers to the page of the English version of the national report or an official website)</i>
1	Treaty on the Non-Proliferation of Nuclear Weapons	Deposited 2 May 1975	
2	Nuclear-Weapon-Free Zone/Protocol(s)		
3	International Convention for the Suppression of Acts of Nuclear Terrorism	Deposited 8 February 2008	
4	Convention on the Physical Protection of Nuclear Material	Deposited 6 September 1991	
5	2005 Amendment to the Convention	Deposited 21 October 2010	
6	Comprehensive Nuclear-Test-Ban Treaty (not in force)	Deposited 20 August 1998	
7	Chemical Weapons Convention	Deposited 12 August 1994	
8	Biological Weapons Convention	Deposited 7 April 1973	
9	Geneva Protocol of 1925	Deposited 25 April 1929	
10	1997 International Convention for the Suppression of Terrorist Bombings	Deposited 23 April 2003	
11	1999 International Convention for the Suppression of the Financing of Terrorism	Deposited 17 June 2004	
12	2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation	Deposited 29 January 2016	
13	2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf	Deposited 29 January 2016	
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation	Signed 12 October 2016	
15	Other relevant regional legally binding instruments		
16	International Atomic Energy Agency	Member since 1 October 1957	

*Adherence to legally binding instruments, membership of organizations, participation in arrangements and statements made*

*Relevant information (i.e., signing, deposit of instrument of accession, ratification, etc.)*

*Remarks (information refers to the page of the English version of the national report or an official website)*

17	Directly relevant arrangements	<p>Germany participates in the following arrangements:</p> <ol style="list-style-type: none"> <li>1. Nuclear Suppliers Group</li> <li>2. Missile Technology Control Regime</li> <li>3. Australia Group</li> <li>4. Zangger Committee</li> <li>5. Wassenaar Arrangement</li> <li>6. Proliferation Security Initiative</li> <li>7. Global Initiative to Combat Nuclear Terrorism</li> <li>8. G-8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction</li> <li>9. Nuclear Security Contact Group</li> </ol>
18	Statement on non-provision of weapons of mass destruction and related materials to non-State actors	Germany does not provide any support to non-State actors
19	Membership of relevant international, regional or subregional organizations	<ol style="list-style-type: none"> <li>1. European Union</li> <li>2. Organization for Security and Cooperation in Europe</li> <li>3. International Criminal Police Organization</li> <li>4. International Maritime Organization</li> <li>5. World Customs Organization</li> <li>6. World Health Organization</li> <li>7. World Organization for Animal Health</li> <li>8. Financial Action Task Force</li> </ol> <p>NATO Senior Politico-Military Group on Proliferation</p> <p>NATO-Russia Council “at 29”</p> <p>Euro Atlantic Partnership Council</p>

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*Adherence to legally binding instruments, membership of organizations, participation in arrangements and statements made*

*Relevant information (i.e., signing, deposit of instrument of accession, ratification, etc.)*

*Remarks (information refers to the page of the English version of the national report or an official website)*

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EURATOM

Observer, FSRBs (Asia/Pacific Group on Money Laundering, Middle East and North Africa Financial Action Task Force, Financial Action Task Force of Latin America, and temporary member of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism)

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## Paragraph 2: nuclear weapons, chemical weapons and biological weapons

	National legislation that prohibits persons or entities from engaging in one of the following activities and its enforcement	National legal framework			Enforcement and civil/criminal penalties			Remarks	
		X/?			X/?				
		NW	CW	BW	Source document of national implementation law	NW	CW		BW
1	Manufacture	X	X	X	NW: War Weapons Control Act of 1961, as amended (Act Implementing art. 26 of the Constitution) (“KrWaffKontrG”), sect. 17 CW: War Weapons Control Act of 1961, sect. 18 BW: Implementation Act on the Biological Weapons Convention of 1983, as amended, art. 2; War Weapons Control Act of 1961, sect. 18	X	X	X	NW: War Weapons Control Act of 1961, sect. 19 CW: War Weapons Control Act of 1961, sect. 20; Chemical Weapons Convention Implementation Act, as amended (“CWÜAG”), sect. 17 BW: War Weapons Control Act of 1961, sect. 20
2	Acquire	X	X	X	NW: War Weapons Control Act of 1961, sect. 17 CW: War Weapons Control Act of 1961, sect. 18 BW: Implementation Act on the Biological Weapons Convention of 1983, art. 2; War Weapons Control Act of 1961, sect. 18	X	X	X	NW: War Weapons Control Act of 1961, sect. 19 CW: War Weapons Control Act of 1961, sect. 20; Chemical Weapons Convention Implementation Act (“CWÜAG”), sect. 17 BW: War Weapons Control Act of 1961, sect. 20
3	Possess	X	X	X	NW: War Weapons Control Act of 1961, sect. 17 CW/BW: War Weapons Control Act of 1961, art. 18	X	X	X	NW: War Weapons Control Act of 1961, sect. 19 CW: War Weapons Control Act of 1961, sect. 20; Chemical Weapons Convention Implementation Act (“CWÜAG”), sect. 17 BW: War Weapons Control Act of 1961, sect. 20

	<i>National legislation that prohibits persons or entities from engaging in one of the following activities and its enforcement</i>	<i>National legal framework</i>							<i>Enforcement and civil/criminal penalties</i>			<i>Remarks</i>
		<i>X/?</i>			<i>Source document of national implementation law</i>	<i>X/?</i>			<i>Source document</i>			
		<i>NW</i>	<i>CW</i>	<i>BW</i>		<i>NW</i>	<i>CW</i>	<i>BW</i>				
4	Develop	X	X	X	NW: War Weapons Control Act of 1961, sect. 17 CW: War Weapons Control Act of 1961, sect. 18 BW: Implementation Act on the Biological Weapons Convention, art. 2; War Weapons Control Act of 1961, sect. 18	X	X	X	NW: War Weapons Control Act of 1961, sect. 19 CW: War Weapons Control Act of 1961, sect. 20; Chemical Weapons Convention Implementation Act (“CWÜAG”), sect. 17 BW: War Weapons Control Act of 1961, sect. 20			
5	Transport	X	X	X	NW: War Weapons Control Act of 1961, sect. 17 CW/BW: War Weapons Control Act of 1961, sect. 18	X	X	X	NW: War Weapons Control Act of 1961, sect. 19 CW: War Weapons Control Act of 1961, sect. 20; Chemical Weapons Convention Implementation Act (“CWÜAG”), sect. 17 BW: War Weapons Control Act of 1961, sect. 20			
6	Transfer	X	X	X	NW: War Weapons Control Act of 1961, sect. 17 CW/BW: War Weapons Control Act of 1961, sect. 18	X	X	X	NW: War Weapons Control Act of 1961, sect. 19 CW: War Weapons Control Act of 1961, sect. 20; Chemical Weapons Convention Implementation Act (“CWÜAG”), sect. 17 BW: War Weapons Control Act of 1961, sect. 20			

	<i>National legislation that prohibits persons or entities from engaging in one of the following activities and its enforcement</i>	<i>National legal framework</i>			<i>Enforcement and civil/criminal penalties</i>			<i>Remarks</i>	
		<i>X/?</i>			<i>X/?</i>				
		<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document of national implementation law</i>	<i>NW</i>	<i>CW</i>		<i>BW</i>
7	Use	X	X	X	NW: War Weapons Control Act of 1961, sect. 17 (“otherwise exercise actual control over nuclear weapons”); Criminal Code (“StGB”), sect. 307 (“Causing a nuclear explosion”)  CW/BW: War Weapons Control Act of 1961, sect. 18; International Law Penal Code, 26 June 2002, as amended (Völkerstrafgesetzbuch), sect. 12	X	X	X	NW: War Weapons Control Act of 1961, sect. 19; Criminal Code (“StGB”), sect. 307 (“Causing a nuclear explosion”)  CW/BW: War Weapons Control Act of 1961, sect. 20; International Law Penal Code, 26 June 2002 (Völkerstrafgesetzbuch), sect. 12
8	Attempt to engage in above-mentioned activities	X	X	X	NW: War Weapons Control Act of 1961, sects. 17 and 19, together with Criminal Code, sects. 12 and 23  CW/BW: War Weapons Control Act of 1961, sects. 18 and 20, together with Criminal Code, sects. 12 and 23	X	X	X	NW: War Weapons Control Act of 1961, sect. 19, together with Criminal Code, sects. 12 and 23  CW/BW: War Weapons Control Act of 1961, sect. 20, together with Criminal Code, sects. 12 and 23
9	Participate as an accomplice in above-mentioned activities	X	X	X	NW: War Weapons Control Act of 1961, sects. 17 and 19; Criminal Code, sect. 307  CW: War Weapons Control Act of 1961, sects. 18 and 20  BW: War Weapons Control Act of 1961, sects. 18 and 20	X	X	X	NW: War Weapons Control Act of 1961, sect. 19; Criminal Code, sects. 25 (“principles”) and 27 (“aiding”)  CW: War Weapons Control Act of 1961, sect. 20; Chemical Weapons Convention Implementation Act (“CWÜAG”), sect. 17; Criminal Code, sects. 25 (“principles”) and 27 (“aiding”)  BW: War Weapons Control Act of 1961, sect. 20; Criminal Code, sects. 25 (“principles”) and 27 (“aiding”)

	<i>National legislation that prohibits persons or entities from engaging in one of the following activities and its enforcement</i>	<i>X/?</i>			<i>National legal framework</i>			<i>X/?</i>			<i>Enforcement and civil/criminal penalties</i>	<i>Remarks</i>	
		<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document of national implementation law</i>			<i>NW</i>	<i>CW</i>	<i>BW</i>			<i>Source document</i>
10	Assist in above-mentioned activities	X	X	X	NW: War Weapons Control Act of 1961, sects. 17 and 19; Criminal Code, sect. 307  CW: War Weapons Control Act of 1961, sects. 18 and 20  BW: War Weapons Control Act of 1961, sects. 18 and 20	X	X	X	Chemical Weapons Convention Implementation Act (“CWÜAG”), sect. 17; Criminal Code, sects. 25 (“principles”) and 27 (“aiding”)  BW: War Weapons Control Act of 1961, sect. 20; Criminal Code, sects. 25 (“principles”) and 27 (“aiding”)				
11	Finance above-mentioned activities	X	X	X	CW/NW/CW/BW: War Weapons Control Act of 1961, sect. 17 (“supporting”); Criminal Code, sects. 89a (“Preparation of a serious violent offence endangering the State”/“collecting, accepting or providing not unsubstantial assets for its commission”) and 129a (“Forming terrorist organizations”/“supporting a group”)	X	X	X	NW: War Weapons Control Act of 1961, sect. 19; Criminal Code, sects. 89a and 129a  CW/BW: War Weapons Control Act of 1961, sect. 20; Criminal Code, sects. 89a and 129a				
12	Above-mentioned activities related to means of delivery <sup>a</sup>	X	X	X	NW: War Weapons Control Act of 1961, sect. 17, para. 2, No. 2  CW: War Weapons Control Act of 1961, sect. 18 (included in definition of “chemical weapons”, as defined under the War Weapons List, No. 6)  BW: Implementation Act on the Biological Weapons Convention, art. 2; War Weapons Control Act of 1961, sect. 18 (included in definition of “biological weapons”, as defined under the War Weapons List, No. 4)	X	X	X	NW: War Weapons Control Act of 1961, sect. 19  CW: War Weapons Control Act of 1961, sect. 20; Chemical Weapons Convention Implementation Act (“CWÜAG”), sect. 17  BW: War Weapons Control Act of 1961, sect. 20				

*Abbreviations:* BW, biological weapons; CW, chemical weapons; NW, nuclear weapons.

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

**Paragraph 3 (a) and (b): account for/secure/physically protect nuclear weapons, chemical weapons and biological weapons, including related materials<sup>a</sup>**

	<i>Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials</i>	<i>National legal and/or regulatory framework</i>				<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
		<i>X/?</i>			<i>Source document</i>	<i>X/?</i>			<i>Source document</i>	
		<i>NW</i>	<i>CW</i>	<i>BW<sup>b</sup></i>		<i>NW</i>	<i>CW</i>	<i>BW</i>		
1	Measures to account for production	X	X	X	NW: 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, sect. 85  CW: Chemical Weapons Convention Implementation Act, sect. 3; Chemical Weapons Convention Implementation Ordinance of 20 November 1996, as amended  BW: Ordinance on Safety and Health Protection Related to Work Involving Biological Agents of 27 January 1992, as amended; Technical Regulations for Biological Agents (TRBA 100: Protective measures for specific and unspecific work in laboratories involving biological agents); Chemical Weapons Convention Implementation Act (Ricin, Saxitoxin); Chemical Weapons Convention Implementation Regulation (Ricin, Saxitoxin)	X	X	X	NW: 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, sect. 46; Radiation Protection Ordinance, sects. 33 and 116  CW: Chemical Weapons Convention Implementation Act, sects. 5, 7, 15 (penalties) and 20 (enforcement); Chemical Weapons Convention Implementation Regulation of 20 November 1996, sect. 12  BW: Robert Koch Institute; Federal Centre for Health Education; Committee on Biological Agents; Chemical Weapons Convention Implementation Act (Ricin, Saxitoxin); Chemical Weapons Convention Implementation Regulation (Ricin, Saxitoxin)	
2	Measures to account for use	X	X	X	NW: Commission Regulation (Euratom) No. 302/2005 on the application of Euratom safeguards; Radiation Protection Ordinance, (“StrlSchV”) of 2018, throughout; see also chap. 3 art. 31, and following.	X	X	X	NW: 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, sect. 46; Radiation Protection Ordinance, sects. 33 and 116	



	<i>Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials</i>	<i>National legal and/or regulatory framework</i>						<i>Enforcement and civil/criminal penalties</i>					<i>Remarks</i>
		<i>X/?</i>			<i>Source document</i>	<i>X/?</i>			<i>Source document</i>				
		<i>NW</i>	<i>CW</i>	<i>BW<sup>b</sup></i>		<i>NW</i>	<i>CW</i>	<i>BW</i>					
4	Measures to account for transport	X	X	X	<p>Implementation Regulation (Ricin, Saxitoxin)</p> <p>NW: Radiation Protection Ordinance (“StrlSchV”), as amended, arts. 12 and following; Atomic Energy Act, art. 4; Commission Regulation (Euratom) No. 302/2005 on the application of Euratom safeguards, art. 26; Directive (EU) 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (adapting ADR, RID and AND for intra-European Union transfers), 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”)</p> <p>CW: Chemical Weapons Convention Implementation Act, sect. 2; Chemical Weapons Convention Implementation Regulation, as amended, sect. 6 (imports and exports); Directive (EU) 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (adapting ADR, RID and ADN for intra-European Union transfers), as amended; Dangerous Goods Transportation Act (“GGBefG”) and implementing Ordinances notably the Dangerous Goods Ordinance (Road, Rail</p>	X	X	X	<p>Implementation Act (Ricin, Saxitoxin); Chemical Weapons Convention Implementation Regulation (Ricin, Saxitoxin)</p> <p>NW: Dangerous Goods Transportation Act, sect. 9; Dangerous Goods Safety Advisor Ordinance, sect. 10; Dangerous Goods Ordinance (Road, Rail and Inland Waterways), sect. 37</p> <p>CW: Chemical Weapons Convention Implementation Act, sects. 5, 7, 15 (penalties) and 20 (enforcement); Chemical Weapons Convention Implementation Regulation, sect. 12; Dangerous Goods Transportation Act, sects. 9 (enforcement) and 10 (penalties); Dangerous Goods Safety Advisor Ordinance, sect. 10; Dangerous Goods Ordinance (Road, Rail and Inland Waterways), sect. 37</p> <p>BW: Robert Koch Institute; Federal Centre for Health Education; Committee on Biological Agents</p>				

	<i>Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials</i>	<i>National legal and/or regulatory framework</i>						<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>	
		<i>X/?</i>			<i>X/?</i>			<i>X/?</i>					
		<i>NW</i>	<i>CW</i>	<i>BW<sup>b</sup></i>	<i>Source document</i>			<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>		
5	Measures to secure production	X	X	X	NW: Atomic Energy Act, sects. 7 and 9 (licensing requirement for production of nuclear fuel); Radiation Protection Ordinance, as amended; 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 under the Fundamental Principles and Objectives of Physical Protection endorsed by IAEA)	X	X	X	NW: Atomic Energy Act, part 5; Radiation Protection Ordinance; Criminal Code, sects. 310 (“acts preparatory to causing an explosion or radiation offence”) and 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)				

	<i>Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials</i>	<i>National legal and/or regulatory framework</i>						<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
		<i>X/?</i>			<i>X/?</i>			<i>X/?</i>				
		<i>NW</i>	<i>CW</i>	<i>BW<sup>b</sup></i>	<i>Source document</i>	<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>			
6	Measures to secure use	X	X	X	NW: Radiation Protection Law, arts. 12–14; Atomic Energy Act, sects. 7 and 9 (licensing requirement for production of nuclear fuel); Radiation Protection Ordinance, art. 52 and following; 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	X	X	X	NW: Atomic Energy Act, part 5; Radiation Protection Ordinance; Criminal Code, sects. 310 (“acts preparatory to causing an explosion or radiation offence”) and 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			

<i>Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials</i>	<i>National legal and/or regulatory framework</i>			<i>Enforcement and civil/criminal penalties</i>			<i>Remarks</i>		
	<i>X/?</i>			<i>X/?</i>					
	<i>NW</i>	<i>CW</i>	<i>BW<sup>b</sup></i>	<i>Source document</i>	<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>	
				required under the Fundamental Principles and Objectives of Physical Protection endorsed by IAEA)				(revocation/withdrawal of licence or fines; see above)	
				CW: Chemical Weapons Convention Implementation Act, sect. 4; Chemical Weapons Convention Implementation Regulation, as amended, sect. 2 (licensing requirement for production or handling of Schedule 1, chemicals); Chemicals Act, sect. 19; Ordinance on Hazardous Substances of 26 November 2010 (“GefStoffV”)				CW: Chemical Weapons Convention Implementation Act, sects. 15 and 16; Chemical Weapons Convention Implementation Regulation, sects. 12 and 13; Chemicals Act, sects. 21 and 26; Ordinance on Hazardous Substances, part 7	
				BW: Health and Safety at Work Act, 7 August 1996, as amended (Arbeitsschutzgesetz); Ordinance on Safety and Health Protection Related to Work Involving Biological Agents; Technical Regulations for Biological Agents (TRBA 100: Protective measures for specific and unspecific work in laboratories involving biological agents); Chemical Weapons Convention Implementation Act (Ricin, Saxitoxin); Chemical Weapons Convention Implementation Regulation (except transport) (Ricin, Saxitoxin)				BW: European Centre for Disease and Control; Robert Koch Institute; Federal Centre for Health Education; Committee on Biological Agents; Chemical Weapons Convention Implementation Act (Ricin, Saxitoxin); Chemical Weapons Convention Implementation Regulation (Ricin, Saxitoxin)	

	<i>Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials</i>	<i>National legal and/or regulatory framework</i>						<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>	
		<i>X/?</i>						<i>X/?</i>					
		<i>NW</i>	<i>CW</i>	<i>BW<sup>b</sup></i>	<i>Source document</i>			<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>		
7	Measures to secure storage	X	X	X	NW: Atomic Energy Act of 1959, as amended, sect. 6 (licensing requirement for storage of nuclear fuel); Radiation Protection Ordinance, arts. 87 and 92, as amended; 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 under the Fundamental Principles and Objectives of Physical Protection endorsed by IAEA)				X	X	X	NW: Atomic Energy Act, part 5; Radiation Protection Ordinance, chap. 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)	
					CW: Chemical Weapons Convention Implementation Act, sect. 4; Chemical Weapons Convention Implementation Regulation, as amended, sect. 2 (licensing requirement for production or handling of Schedule 1 chemicals); 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, sect. 19; Ordinance on Hazardous Substances of 26 November 2010 (“GefStoffV”)							CW: Chemical Weapons Convention Implementation Act, sects.15 and 16; Chemical Weapons Convention Implementation Regulation, sects. 12 and 13; Chemicals Act, sects. 21 and 26; Ordinance on Hazardous Substances, part 7	
					BW: Directive (EU) 2000/54/EC on the protection of workers from risks related to exposure to biological agents at work (1999); Health and Safety at Work Act, 7 August 1996, as amended (Arbeitsschutzgesetz); Ordinance on							BW: Robert Koch Institute; Federal Centre for Health Education; Committee on Biological Agents; Chemical Weapons Convention Implementation Act (Ricin, Saxitoxin); Chemical Weapons Convention Implementation Regulation (Ricin, Saxitoxin)	





	<i>Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials</i>	<i>National legal and/or regulatory framework</i>				<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
		<i>X/?</i>			<i>Source document</i>	<i>X/?</i>			<i>Source document</i>	
		<i>NW</i>	<i>CW</i>	<i>BW<sup>b</sup></i>		<i>NW</i>	<i>CW</i>	<i>BW</i>		
9	Physical protection measures	X		X	NW: Atomic Energy Act and relevant sublegal instruments, such as the “Requirements Relating to the Physical Protection Service and Physical Protection Officers at Nuclear Facilities and Installations” of 4 July 2008 or the “Guideline Relating to Measures for the Protection of Facilities of the Nuclear Fuel Cycle and Other Nuclear Facilities Against Disturbances or Other Interference by Individuals Entitled to Access to the Facility” of 28 January 1991; Radiation Protection Ordinance, as amended, art. 16 and following, chap. 6, art. 52, and following (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 required under the Fundamental Principles and Objectives of Physical Protection endorsed by IAEA)  BW: Biological Materials Ordinance (Biostoff-VO); Directive (EU) 2000/54/EC on the protection of workers from risks related to exposure to biological agents at work (1999), annex	X			NW: Radiation Protection Ordinance, as amended; 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)	

	<i>Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials</i>	<i>National legal and/or regulatory framework</i>				<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
		<i>X/?</i>			<i>Source document</i>	<i>X/?</i>			<i>Source document</i>	
		<i>NW</i>	<i>CW</i>	<i>BW<sup>b</sup></i>		<i>NW</i>	<i>CW</i>	<i>BW</i>		
10	Personnel reliability	X	X	X	NW: Atomic Energy Law, sect. 12b; Ordinance on the Verification of Trustworthiness for Protecting Against the Diversion or Major Releases of Radioactive Material (“AtZüV”)  CW: Chemical Weapons Convention Implementation Regulation, sect. 3 (the granting of the authorization for personnel that operate with Schedule I, Chemicals, can be subject to a reliability check of the applicant); Security Vetting Act of 20 April 1990, as amended (“SÜG”); 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 protecting against acts of sabotage by personnel; similar acts exist on state level)  BW: Protection against Infection Act; Animal Infectious Disease Act; Plant Protection Act; Security Vetting Act; Security Vetting Identification Ordinance	X	X	NW: Ordinance on the Verification of Trustworthiness for Protecting Against the Diversion or Major Releases of Radioactive Material (“AtZüV”), sect. 9 (no access/activity without written confirmation)  CW: Chemical Weapons Convention Implementation Regulation, sect. 3 (no authorization if doubts concerning reliability of applicant)		

*Abbreviations:* BW, biological weapons; CW, chemical weapons; IAEA, International Atomic Energy Agency; NW, nuclear weapons.

<sup>a</sup> 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.

<sup>b</sup> Information required in this section may also be available in the State’s confidence-building measures report, if submitted to the Biological Weapons Convention Implementation Support Unit.

**Paragraph 3 (a) and (b): account for/secure/physically protect nuclear weapons, including related materials (nuclear weapon -specific)**

*Measures to establish domestic controls to prevent the proliferation of nuclear weapons, and their means of delivery; controls over related materials*

*Source document*

*Remarks*

1	National regulatory authority	Federal Ministry for the Environment, Nature Conservation 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)  Radiation Protection law, as amended, art. 185
2	Licensing of nuclear installations/entities/use of materials	Atomic Energy Act (licensing requirement for import, export, transport, possession, treatment, processing, other use, storage, disposal; see above); see also part 5  Radiation Protection Law; Radiation Protection Ordinance  Regulatory supervision by competent national authorities
3	IAEA safeguards agreements	Safeguards Agreement EURATOM and Additional Protocol – IAEA (INFCIRC/193)
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources	Notification pursuant to GC (47)/RES/7.B1  Act on the Control of Highly Radioactive Sealed Sources of 12 August 2005
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	Notification pursuant to GC (48)/RES/10.D
6	IAEA Incident and Trafficking Database	Participates in the Incident and Trafficking Database
7	Integrated Nuclear Security Support Plan/International Physical Protection Advisory Service	
8	Applying the physical protection recommendations in INFCIRC/225/Rev.5	
9	Other Agreements related to IAEA	
10	National legislation and regulations related to nuclear material, including Convention on the Physical Protection on Nuclear Material	

*Abbreviations:* EURATOM, European Atomic Energy Community; IAEA, International Atomic Energy Agency.

**Paragraph 3 (a) and (b): account for/secure/physically protect chemical weapons, including related materials (chemical weapon-specific)**

*Measures to establish domestic controls to prevent the proliferation of chemical weapons, and their means of delivery; controls over related materials*

*Source document*

*Remarks*

1	National Chemical Weapons Convention authority	Bureau for Chemical Weapons and Biological Weapons Affairs Auswärtiges Amt (Federal Foreign Office)	
2	Licensing/registration of installations/facilities/persons/entities/use/handling of related materials	Chemical Weapons Convention Implementation Act, sects. 4, 15 and 16 Chemical Weapons Convention Implementation Regulation, as amended, sects. 2 (licensing requirement for production or handling of Schedule 1, chemicals) and 12–13	
3	Old or abandoned chemical weapons	Chemical Weapons Convention Implementation Act Law on Explosives in conjunction with First and Second Ordinance Pertaining to the Law on Explosives and with pertinent regulations on storage of explosives Hazardous Substances Ordinance (handling of the chemical fill) 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	

**Paragraph 3 (a) and (b): account for/secure/physically protect biological weapons, including related materials (biological weapon-specific)**

*Measures to establish domestic controls to prevent the proliferation of biological weapons, their means of delivery; controls over related materials*

*Source document*

*Remarks*

1	Licensing/registration of installations/facilities/persons/entities/use/ handling of materials	Protection against Infection Act Animal Infectious Disease Act Animal Pathogen Ordinance, 25 November 1985, as amended (Tierseuchenerreger-Verordnung); Genetic Engineering Act Biological Agents Ordinance Directive (EU) 2000/54/EC of the European Parliament and of the Council of 18 September 2000 Criminal Code, art. 327 Revocation/withdrawal of authorization and/or fines
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**Paragraph 3 (c) and (d) and related matters from paragraph 6: controls of nuclear weapons, chemical weapons and biological weapons, including related materials**

	<i>Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery, including related materials</i>	<i>National legal framework</i>				<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
		<i>X/?</i>				<i>X/?</i>				
		<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>	<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>	
1	Border control to detect, deter, prevent and combat illicit trafficking	X	X	X	NW/CW/BW: Regulation (EU) No. 952/2013 (Union Customs Code), as amended, especially arts. 264 and 267; 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, sects. 18, 21 and	X	X	X	NW/CW/BW: Customs Administration Act of 1992, as amended; Foreign Trade and Payment Act, sects. 17, 18, 21 and 27  CW: Regulation implementing the Chemical Weapons Convention of 20 November 1996, sect. 13	
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	NW/CW/BW: Foreign Trade and Payments Act, as amended, sects. 17, 18, 21 and 27; Customs Administration Act, as amended; Regulation (EU) No. 952/2013 (Union Customs Code), as amended; especially art. 198	X	X	X	NW/CW/BW: Customs, federal border control police, criminal authorities, etc.	
3	Border control detection measures	X	X	X	NW/CW/BW: Regulation (EU) No. 952/2013 (Union Customs Code), as amended, arts. 13, 15 and title IX; Customs Administration Act, sects. 10 ff and 17a; Foreign Trade and Payments Act, as amended, sect. 25; Foreign Trade and Payments Ordinance ("Aussenwirtschaftsverordnung, "AWV"), as amended, chap. 2, part 2, subchaps. 1–2	X	X	X	NW/CW/BW: Regulation (EU) No. 952/2013 (Union Customs Code), as amended, art. 22; Customs Administration Act, as amended, sects. 10 ff and 17a; Foreign Trade and Payments Act, as amended, sect. 25; Foreign Trade and Payments Ordinance, as amended, chap. 2, part 2, subchaps. 1–2	

	<i>Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery, including related materials</i>	<i>National legal framework</i>				<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
		<i>X/?</i>				<i>X/?</i>				
		<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>	<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>	
4	Control of brokering	X	X	X	NW/CW/BW: Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and 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, sect. 46–47	X	X	X	NW/CW/BW: Foreign Trade and Payments Act, as amended, part 3; Foreign Trade and Payments Ordinance, as amended, chap. 9; War Weapons Control Act of 1961, part 5	
5	Export control legislation in place	X	X	X	NW/CW/BW: Regulation (EC) No. 428/2009 of 5 May 2009, as amended; Foreign Trade and Payments Act, as amended Foreign Trade and Payments Ordinance, as amended  CW: Chemical Weapons Convention Implementation Regulation  BW: Chemical Weapons Convention Implementation Regulation (Ricin, Saxitoxin)	X	X	X	NW/CW/BW: Foreign Trade and Payments Act, as amended, part 3; Foreign Trade and Payments Ordinance, as amended, chap. 9; War Weapons Control Act of 1961, part 5	
6	Licensing provisions and authority	X	X	X	NW/CW/BW: Regulation (EC) No. 428/2009 of 5 May 2009, as amended, arts. 3–5, chap. III, art. 9; (intra-Community transfers do not require an authorization, except for items listed in annex IV, art. 22); annexes IIa to IIc (national general licenses exist and are published in the Federal Gazette); Foreign Trade and Payments Act, as amended, arts. 1 and 4–5; Foreign Trade and Payments Ordinance, as amended, chaps. 2 and	X	X	X		





	<i>Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery, including related materials</i>	<i>National legal framework</i>				<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
		<i>X/?</i>				<i>X/?</i>				
		<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>	<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>	
12	Transit control	X	X	X	NW/CW/BW: Regulation (EC) No. 428/2009 of 5 May 2009, as amended, art. 6; Regulation (EU) No. 952/2013 (Union Customs Code), as amended, especially arts 5, 141, 158 and 210, and chapter on transit, arts. 226 and 233; Foreign Trade and Payments Act, as amended, sects. 2, 4 and 6; Foreign Trade and Payments Ordinance, as amended, sects. 44–45	X	X	X	NW/CW/BW: Foreign Trade and Payments Act, as amended, part 3; Foreign Trade and Payments Ordinance, as amended, chap. 9	
13	Trans-shipment control	X	X	X	NW/CW/BW: Council Regulation (EC) No. 428/2009 of 5 May 2009, as amended (would be handled either as an “export” or a “transit” as defined under the Regulation); Regulation (EU) No. 952/2013 (Union Customs Code), as amended; Foreign Trade and Payments Act, as amended, sects. 2, 4 and 6	X	X	X	NW/CW/BW: Foreign Trade and Payments Act, as amended, part 3; Foreign Trade and Payments Ordinance, as amended, chap. 9	
14	Re-export control	X	X	X	NW/CW/BW: Regulation (EC) No. 428/2009 of 5 May as amended, art. 2 (defines “re-export” as an “export” for the purposes of the Regulation); Regulation (EU) No. 952/2013 (Union Customs Code), as amended; art. 270	X	X	X	NW/CW/BW: Foreign Trade and Payments Act, as amended, part 3; Foreign Trade and Payments Ordinance, as amended, chap. 9	
15	Control over financing of exports/trans-shipments that would contribute to proliferation	X	X	X	NW/CW/BW: War Weapons Control Act of 1961; Money Laundering Prevention Act of 8 August 2002, as amended (Geldwäschegesetz: financing of terrorism) national transposition measures communicated by the Member States concerning: Directive (EU) 2015/849 of the European Parliament	X	X	X	NW/CW/BW: 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 within the Federal Criminal Police Office; Banking Act of	

	<i>Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery, including related materials</i>	<i>National legal framework</i>				<i>Enforcement and civil/criminal penalties</i>				<i>Remarks</i>
		<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>	<i>NW</i>	<i>CW</i>	<i>BW</i>	<i>Source document</i>	
16	Control over services related to exports/trans-shipments that would contribute to proliferation, including transportation	X	X	X	NW/CW/BW: War Weapons Control Act of 1961	X	X	X	NW/CW/BW: War Weapons Control Act of 1961 (Providing financial support or transport services is punishable if deemed to contribute to unauthorized export, re-export or transfer	

## Paragraphs 7 and 8 (d): assistance, work with and inform industry and the public, and other information

	<i>Assistance, work with and inform industry, and other information</i>	<i>Remarks</i>
1	Assistance offered	<p>The Government of Germany offers legal and implementation assistance to all regions on the following subjects: weapons of mass destruction disarmament, export controls, chemicals and physical protection. Types of assistance offered: expertise and financial</p> <p>The Government supports bilaterally, through its implementing agencies (Federal Office of Economics and Export Control and the customs authority), the establishment and further development of a national export control system in several European and non-European States. This support shall be maintained and partly expanded</p> <p>Furthermore, Germany has extended assistance in the field of national implementation of Chemical Weapons Convention obligations to several countries. Lastly, on the occasion of the meeting of State parties to the Biological Weapons Convention, Germany also offered assistance to several countries in implementing prohibition and export control obligations pursuant to that Convention</p> <p>In addition, Germany has been advising and supporting nations in designing and improving their national systems for physical protection of chemical, biological, radiological or nuclear materials on a bilateral basis, through direct technical assistance, expert services and training courses in various countries. This support is expected to continue</p>
2	Assistance point of contact (for assistance providers only)	Permanent Mission of Germany to the United Nations and the Federal Foreign Office, Berlin
3	Assistance requested	
4	Action taken to work with and inform industry	<p>On a national level, Germany holds regular information days and expert discussions with the economic sector, including academia. The comprehensive Federal Office of Economics and Export Control website (<a href="http://www.bafa.de">www.bafa.de</a>) provides legal and technical information, as well as points of contact. On global and regional levels and with regard to resolution <a href="#">1540 (2004)</a>, in 2012, Germany initiated the 1540 Wiesbaden process, which facilitates industry-government dialogue through conferences on export control issues</p>
5	Action taken to work with and inform the public	<p>The federal ministries and the Federal Office of Economics and Export Control have published pamphlets and information sheets to be read and downloaded from relevant websites (from legal texts to explanations of administrative practice)</p>
6	Point of contact	Permanent Mission of Germany to the United Nations and the Federal Foreign Office, Berlin
7	Voluntary national implementation action plan	
8	Committee visits to States	