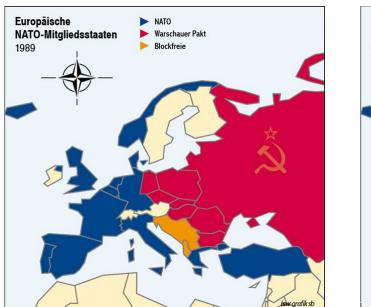


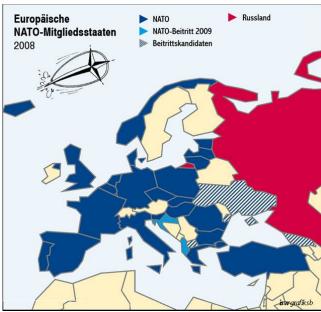
DEUTSCHER FRIEDENSRAT GERMAN PEACE COUNCIL

The NATO Military Structure

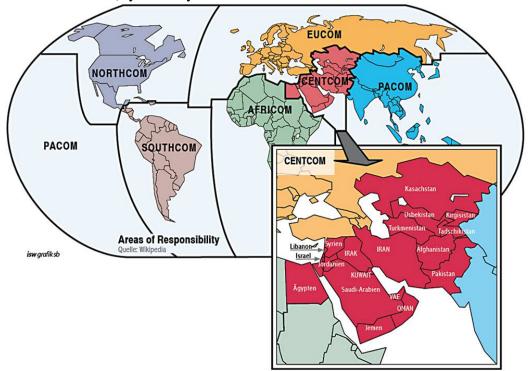
by Hans-Peter Richter

Due to the NATO treaty and the program "Partnership for Peace" every member country (NATO = 28 / PfP = 22) has to provide military facilities, that means we have at least 50 military bases.





It is hardly to distinguish between NATO-bases, national bases, US bases and EU bases, because all involved give their bases to their allies. (By this way the EU has meannwhile 75 militarbases in the world.)



Typical for this arrangement is the **Berlin Plus agreement.** This is a comprehensive package of agreements made between NATO and the EU on 16 December 2002. With this agreement the EU was given the possibility to use NATO assets in case it wanted to act independently in an international crisis, on the condition that NATO itself did not want to act – the so-called "right of first refusal". Only if NATO refused to act would the EU have the option to act.

The NATO military commander is always a US Gerneral. (NATO general secretary is always a European). The NATO headquarter is in <u>Brussels</u> (Belgium).

The military presence of NATO can be understood better if we look at its structure. NATO's military operations are directed by the Chairman of the **NATO Military Comm**

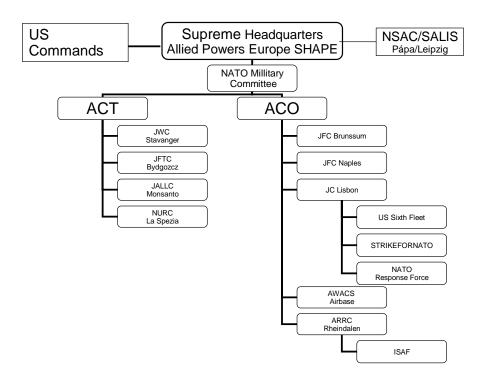
NATO's military operations are directed by the Chairman of the **NATO Military Committee**, and split into two Strategic Commands both commanded by a senior US officer assisted by a staff drawn from across NATO. The Strategic Commanders are responsible to the Military Committee for the overall direction and conduct of all Alliance military matters within their areas of command.

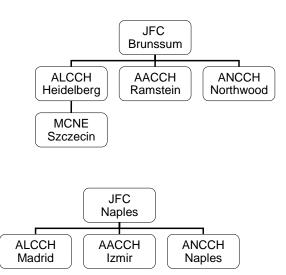


The **Allied Command Transformation** (ACT) is responsible for transformation and training of NATO forces, and **Allied Command Operations** (ACO) is responsible for NATO operations world wide. The commander of Allied Command Operations retained the title "Supreme Allied Commander Europe (SACEUR)", and is based in the **Supreme Headquarters Allied Powers Europe** (SHAPE) located at <u>Casteau</u>, north of the Belgian city of Mons. This is about 80 km (50 miles) south of NATO's political headquarters in Brussels.

ACO is headed by **SACEUR**, a US four star general with the dual-hatted role of heading **US European Command**, which is headquartered in Stuttgart, German

ACO includes **Joint Force Command Brunssum** is in <u>Brunssum</u> in the Netherlands, **Joint Force Command Naples** in Italy, and **Joint Command Lisbon** in Portugal, all multinational headquarters with many nations represented.





JFC Brunssum has its land component, **Allied Land Component Command Headquarters Heidelberg** at <u>Heidelberg</u>, Germany, its air component at <u>Ramstein</u> in Germany, and its naval component at the **Northwood Headquarters** in the northwest suburbs of <u>London</u>. JFC **Naples** has its land component in <u>Madrid</u>, air component at <u>Izmir</u>, Turkey, and naval component in <u>Naples</u>, Italy. It also directs **KFOR** in <u>Kosovo</u>. JC <u>Lisbon</u> is a smaller HQ with no subordinate commands. <u>Lajes Field</u>, in the Portuguese <u>Azores</u>, is an important transatlantic staging post. Directly responsible to SACEUR is the NATO Airborne Early Warning Force at **NATO Air Base Geilenkirchen** in Germany where a jointly funded fleet of E-3 Sentry AWACS airborne radar aircraft is located. The C-17s of the **NATO Strategic Airlift Capability**, to be made operational in the next few years, will be based at <u>Pápa</u> airfield in Hungary, and probably come under SACEUR's control.

The NATO Strategic Airlift Capability is an initiative of several NATO members and two partner countries, Sweden and Finland, which signed Letters of Intention to pool together to purchase and operate three or four Boeing C-17 Globemaster III strategic aircraft. They are to be operated in a fashion similar to NATO's AWACS aircraft, with multinational crews and a multinational military structure to direct them. The initial participants were: Bulgaria, the Czech Republic, Denmark, Estonia, Italy, Latvia, Lithuania, the Netherlands, Poland, Romania, the Slovak Republic, Slovenia and the United States. Later on Hungary, Norway and Sweden also signed the Letter of Intent. However, Denmark announced in late 2007 that it was withdrawing from the programme.

Final approval was given on 20 June 2007, and the first aircraft is expected to be delivered in mid 2008. A total of four aircraft were decided upon. NATO has also approved the establishment of a NATO Airlift Management Organisation (NAMO) and the NATO Airlift Management Agency (NAMA) to acquire and support the aircraft. The C-17 Globemasters will be based at <u>Pápa</u>, Hungary.

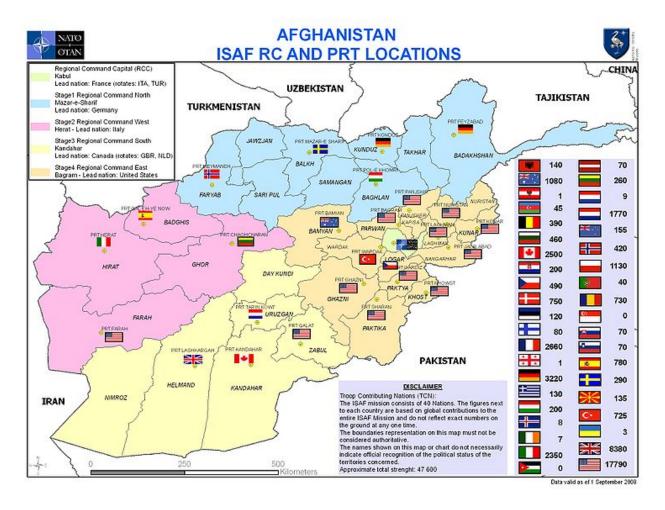
Another agreement with **15 NATO participants** (Canada, the Czech Republic, Denmark, France, Germany, Hungary, Luxembourg, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and Turkey), the **Strategic Airlift Interim Solution** (SALIS) earmarks a number of **Antonov An-124** aircraft permanently for NATO mission which might occur, contracted from the Volga-Dnepr heavylift company and from Antonov Airlines. In this program the civil airport in <u>Leipzig</u> (Germany) is involved.

Joint Command Lisbon or **JC Lisbon** is one of the three main subdivisions of NATO's **Allied Command Operations**. It is based in <u>Oeiras</u>, near Lisbon, Portugal. The Command is led by a United States Navy Vice Admiral who as of 2004 simultaneously holds the position of Commander **United States Sixth Fleet** and Commander, Striking Force NATO (STRIKFORNATO). Allied Joint Command Lisbon is responsible for:

- The preparation of staff to command the **NATO Response Force**
- Mounting a land or sea-based Combined Joint Task Force HQ.
- Contributing to stability through cooperation and dialogue under Partnership for Peace (PfP) and Mediterranean Dialogue (MD).
- The development of the Deployable Joint Staff Element (DJSE) concept.

JC Lisbon is currently responsible for providing assistance to the African Union, principally as regards airlift for the mission in <u>Darfur</u>; preparing staff to command the NATO Response Force; mounting a sea-based **Combined Joint Task Force Headquarters**; and support for cooperation and dialogue under the **Partnership for Peace** and **Mediterranean Dialogue** programmes.

International Security Assistance Force (ISAF) is a NATO-led security and development mission in Afghanistan established by the United Nations Security Council on 20 December 2001 (see graphic)



Allied Command Transformation (ACT) is based in the former Allied Command Atlantic headquarters in Norfolk, Virginia, United States. Allied Command Atlantic, usually known as SACLANT (Supreme Allied Commander Atlantic), after its commander, became ACT in 2003. It is headed by the Supreme Allied Commander Transformation (SACT), a US four-star general or admiral with the dual-hatted role as commander US Joint Forces Command (COMUSJFCOM). There is also an ACT command element located at SHAPE in Mons, Belgium.

Subordinate ACT organizations include the **Joint Warfare Centre** (JWC) located in <u>Stavanger</u>, Norway (in the same site as the Norwegian NJHQ); the **Joint Force Training Centre** (JFTC) in <u>Bydgoszcz</u>, Poland; the **Joint Analysis and Lessons Learned Centre** (JALLC) in <u>Monsanto</u>, Portugal; and the **NATO Undersea Research Centre** (NURC), <u>La Spezia</u>, Italy.

The **Joint Force Training Centre** (JFTC) is a NATO headquarters located in <u>Bydgoszcz</u>, Poland, responsible to **Allied Command Transformation** at <u>Norfolk</u>, Virginia, in the United States. The Joint Force Training Centre, started in March 31, 2004, focuses on joint and combined training at the tactical level. In particular, it focuses on the conduct of joint tactical training to achieve joint tactical interoperability at the key tactical interfaces.

It cooperates with other national training centres, including **Partnership for Peace** training centres and the **Centre of Excellence**. As a priority, the JFTC provides support to the **NATO Response Force** (NRF) joint and component commanders in the training and exercising of the NRF, focusing on joint and combined competences. JFTC supports the force in ensuring that each NRF rotation achieves a high level of interoperability, flexibility, and extensive training as a combined and joint force, in order to be fully ready at the beginning of the duty cycle.

Headquarters Allied Command Europe Rapid Reaction Corps

The **Headquarters Allied Rapid Reaction Corps**, (**HQ ARRC** or **ARRC**) is in <u>Rheindalen</u>. Since 2002 the HQ is (with five other corps HQs of other NATO nations) as a High Readiness Force (Land) HQ (HRF(L)) with a broader mission. The formation HQ is under Operational Command of **Supreme Allied Commander**, **Europe** (SACEUR). The ARRC has a notional Force Pool of Combat, Combat Support and Combat Service Support units with which to train and execute its mission. However in reality COMARRC commands no forces until he receives an Activiation Order from SACEUR. On receipt of ACTORD, forces from troop contributing nations, generated through the NATO Force Generation process are passed into his Operational Command for the duration of the operational deployment.

ARRC took command of the **International Security Assistance Force in Afghanistan** on 4 May 2006. Previously, it was deployed as the headquarters commanding Land Forces during the **Kosovo War in 1999** and, prior to that, commanded the Land Forces of NATO's first ever deployment as part of the **IFOR** operation in **Bosnia** in 1995/6. ARRC will be relocating to the former RAF Innsworth site outside <u>Gloucester</u> in England, in 2010.

In 1998 the **Baltic Naval Squadron** (**BALTRON**) was inaugurated. The main responsibility of BALTRON is to improve the co-operation between the Baltic States in the areas of naval defence and security. Constant readiness to contribute units to NATO-led operations is assured through BALTRON. Members are Estonia, Latvia, Lithunia.

1 German/Netherlands Corps is a multinational formation consisting of units from both the Dutch and German armies. It is also part of **NATO's Response Force**, a military force consisting of approximately 25,000 troops. The Corps' headquarters are situated in <u>Münster</u> (Westphalia),. Due to its role as a NATO High Readiness Forces Headquarters, soldiers from other NATO member states, the United States, Denmark, Norway, Spain, Italy, the United Kingdom amongst others, are also stationed at Münster

Multinational Corps North East

was formed on 18 September 1999 at <u>Szczecin</u>, Poland, which became its headquarters. It evolved from what was for many years the only multinational corps in NATO, Allied Land Forces Schleswig-Holstein and Jutland (LANDJUT)

Though it is a NATO formation, the Corps Convention is a trilateral agreement between the three nations. The positions of commander, deputy commander, and chief of staff rotate between the three nations. For common purposes of practice and training the corps was assigned to Joint Sub-Regional Command Northeast (JSRC NE), at Karup, Denmark.

For Article 5 common defence purposes, the Corps was to have been assigned either to JSRC NE or the JSRC Centre at <u>Heidelberg</u>, Germany. Following the latest reorganisation, it would report if designated for operations to **Allied Land Component Command Heidelberg**.

Due to its geographical location, the **only NATO HQ East of the former Iron Curtain**, Multinational Corps North East has a key function in the integration of new NATO member states. This is reflected in the structure of its personnel. Officers and NCO's from the **Czech Republic, Estonia, Latvia, Lithuania and Slovakia** are serving at Multinational Corps North East. Furthermore, members of the United States Armed Forces are also attached to the corps.

From January to August 2007 a considerable number of personnel from Multinational Corps North East were put at the disposal of ISAF's headquarters in Kabul, Afghanistan.

The **NATO Deployable Corps - Greece**, abbreviated **NDC-GR**, is an operational headquarters of the Hellenic Army, intended for the direction of international operations undertaken by the European Union and NATO. The parent HQ descends from the disbanded III Army Corps of the Hellenic Army.

Standing NATO Response Force Maritime Group 1 (**SNMG1**) is a NATO standing maritime Immediate Reaction Forces. SNMG1 consists of 6 to 10 destroyers and frigates, with **Canada**, **Germany**, the **Netherlands**, the **UK Royal Navy**, and the **United States Navy** each contributing 1 ship on a permanent basis. These are joined periodically by ships from **Belgium**, **Denmark**, **Norway**, **Poland**, **Portugal**, and **Spain**. The flagship is commanded by a Portuguese admiral.

Standing NATO Response Force Maritime Group 2 (SNMG2) is a NATO standing maritime Immediate Reaction Forces. Nations normally contributing to the group include **Germany**, **Greece**, **Italy**, The **Netherlands**, **Spain**, **Turkey**, **United Kingdom and United States**. Other NATO nations have also occasionally contributed.

The composition of SNMG2 varies depending on the current contributions of nations, but generally consists of 4-8 frigate or destroyer type ships and one oiler or support ship. Command of the force rotates in one year intervals among participating countries. The flagship is commanded by a Italien admiral.

Germany's role

Germany has only one NATO base in Geilenkirchen (see below), but it has 287 US military facilities. Germany hosts 65,000 US and 23,000 UK soldiers and their families altogether 183,000 foreign persons in Germany are here because of military reasons. From its military bases in Germany the US makes war against Iraq and Afghanistan.

Germany allows to all NATO members the use of its huge military training areas. Her some examples:

Bergen 284 square kilometers

Altmark 232 square kilometers

Grafenwöhr 226 square kilometers

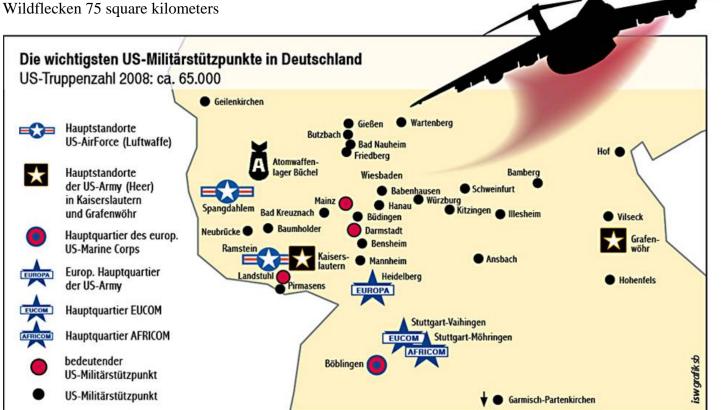
Munster 176 square kilometers

Meppen 192 square kilometers

Oberlausitz 163 square kilometers

Baumholder 118 square kilometers

Senne 116 square kilometers
Wildflecker 75 square kilometers

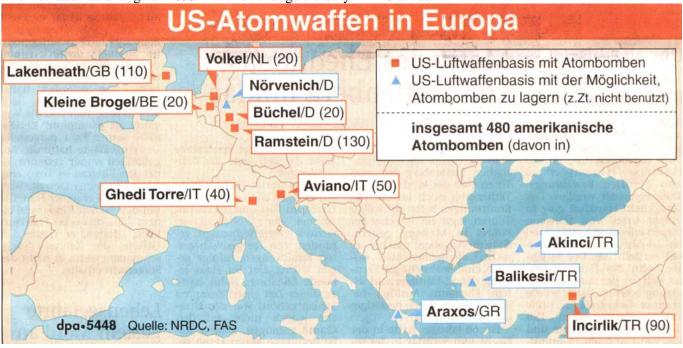


Geilenkirchen Air Base, Germany

NATO Airborne Early Warning and Control Force E-3A Component is stationed at NATO Air Base Geilenkirchen, Germany. The unit includes 3,000 military members and NATO civilians representing 13 nations of NATO as they fulfill the mission tasking of the Supreme Allied Commander Europe and the Supreme Allied Commander Atlantic. The E-3A component is NATO's only operational unit. Geilenkirchen is the home of the NATO (North Atlantic Treaty Organization) Airborne Early Warning Force Command's E-3A Component. The Component's mission is to provide aircraft and trained aircrews to deliver a surveillance and/or control platform wherever and whenever directed by the North Atlantic Treaty Organization Airborne Early Warning Force Commander on behalf of the three major North Atlantic Treaty Organization (NATO) Commanders: the Supreme Allied Commander, Europe (SACEUR), Supreme Allied Commander, Atlantic (SACLANT) and Commander-in-Chief, Channel (CINCHAN).

NATO and Nuclear Weapons

In Europe we still have US nuclear bombs. The nuclear bombs are ready for use, when the US president gives the order and after the special code for the security systems has arrived on a separated way of commands. The USA claim to have the right to use their nuclear bombs, deployed in Europe, outside the NATO area for the support of their regional headquarter GENICOM which is "responsible" for the Middle East. Experts estimate, that there are still 240 nuclear bombs in Europe. The graphic shows the status before the nuclear bombs were removed from Ramstein in 2005 and from Lakenheath in July 2008. On the German airbase Büchel US special forces with 50 soldiers guard the nuclear bombs. In case the order comes from Washington they would release the safety catch and fix them under the German Tornado-plane, which the German pilot then has to fly to the designated target. That these nuclear bombs still has to ready for the German Tornados from the 33rd Air Squadron makes no sense, because against whom can they be used? The Tornado has a range of 1853 km. In this range are only NATO allies.



The Procedure, how to drop Nuclear Bombs is so be trained in the "Kyritz-Ruppiner Heide" (Bombodrom)

In the operation plan of the German ministry for defense for the air-ground-bombing-area Wittstock from 2008, August 28th the "nuclear sharing" is mentioned. The German Tornados coming with the nuclear bombs from Büchel should exercise here how to drop the bomb. Therefore they have to train the "loft-procedure". Due to the operation plan from 2003 the Tornados would come from south and at the training area go down to a low flight level and accelerate up to 1000 km/h. at a short distance to the goal they would go up steeply and release their training bombs. By this loft-procedure the bomb has a longer way, so that the pilot has enough time to escape with his plane from the explosion, that otherwise could destroy his own plane. Until up today the resistance of several citizens initiatives has hindered the

German air force to train in Wittstock. They did this exercises mainly in the USA. Many experts thought that this training is no longer possible, because in the next years the Tornados will be replaced by Eurofighters, which cannot drop nuclear bombs. But in the latest operation plan you can read, that for the "nuclear sharing" 85 Tornados will be kept for this task, even after the year 2017.

Legal Status

NATO bases are like US-bases. The bases are **de facto exterritorial areas**. The US-expert Chalmers Johnson wrote about the US bases: "America-s 703 officially acknowledged foreign military enclaves (as of September 30, 2002), although structurally, legally, and conceptually different from colonies, are themselves something like microcolonies in that they are completely beyond the jurisdiction of the occupied nation. The United States virtually always negotiates a "status of forces agreement" (SOFA) with the ostensibly independent "host" nation, including countries whose legal systems are every bit (and perhaps more) sophisticated than our own...

Rachel Cornwell and Andrew Wells, two authorities on status of forces agreements, conclude, "Most SOFAs are written so that national courts cannot exercise legal jurisdiction over U.S. military personnel who commit crimes against local people, except in special cases where the U.S. military authorities agree to transfer jurisdiction.".

You can find the legal frame for Germany in the **NATO-Status of forces agreement** (**SOFA**) from June, 19., 1951. There are **Additional Agreements to SOFA** (**ZA-NTS**) between Germany, Canada, Great Britain, Netherlands, Belgium and France, which have been modified 1993. There are special agreements for admission and coordination of manoeuvers from March 18., 1994. SOFA can be terminated with a deadline of two years. ZA-NTS is also terminable within a deadline of one year, but only for "important reasons". What this means is not known.

Also for three US-German training shooting and bombing ranges there are **administration agreements**, which adapt regulations to the practice of the Bundeswehr. The same happened with three shared UK-German, and one shared range with Belgium, France and Netherlands.

In the **Headquarter Protocol** are the rules for free movements, if the target is a NATO country.

For all this treaties exist **Protocols**, which include that the USA/NATO has to inform the German government about military transports; but this happens only seldom. They include also the provision of the infrastructure of the military bases, but also the **right for inspection** by German authorities, but this also does not happen. Also included are the special rights for private companies (In 2006 this concerned 90 treaties for 1700 employees).

NATO and US soldiers and civil cortege and their families are under NATO or US law. The law of the host nation should be considered only. Only crimes, committed our of duty can be prosecuted.

There is no control of the flights, because they have a **permanent allowance** (Military Diplomatic Clearance), see http://www.useg.net/useg.html

All these treaties are terminable. In great parts the are even illegal, because the often violate the constitution of the host nation and/or the international right. (see later).

The question is if the "allied forces" will obey this regulations, and if not what happens. I remind the incident in 1998 in **Cavalese (Italy)** where a US warplane killed 20 people of an alpine carriage lift while flying at dangerously low (and not permitted) levels. **A US-military tribunal** found the pilots not guilty.

This reflects an experience elsewhere in the world with US bases, violators and criminals will not be punished. They act in this awareness and make the military bases an **outlaw area**. Even worse is that using the military bases means **breaking international law**.

Violation of International Law

In a verdict on June 21, 2005, (BVerwG 2 WD 12.04) the highest administration court in Germany stated that the war against Iraq violated international law. It was a violation of the ban against violence of the Charter of the United Nations. There was neither a UN mandate nor could the USA use the excuse of self defence, which would only have

been possible in the case of a direct attack against the USA and only as long the UN took no measures. Neither was the case. The (alleged) enemy's possession of weapons of mass destruction is no reason for war anyway.

The verdict stated that Germany gave aid for the violation of international law and therefore violated international law also, for the following reasons:

- allowing the use of the US and UK military bases on German territory,
- allowing the USA and UK to fly over German territory,
- guarding the US and UK military facilities in Germany,
- participation of German soldiers in AWACS-planes for Turkish air space.

The court stated: "The act of a state allowing that its territory, given for use to another state, is used by this state for an act of aggression is in itself an act of aggression." Germany should have been neutral in the US war against Iraq. This means the following acts are forbidden:

- transport of soldiers
- use of communication
- use of cars, airplanes and rockets.

Germany was obliged to arrest US soldiers

The court was even more strict: "Troops of conflicting parties, who pass a neutral territory, coming to the neutral territory after the start of the armed conflict are to be arrested. Only officers giving their word of honour not to leave the neutral Territory without permission, can be released.".."The obligation for internment comes from the very meaning of the law of neutrality, because only in this way can it be hindered, that armed conflicts are supported from neutral territory thus leading to an escalation of armed conflicts and including the neutral state. The Federal Republic of Germany was not released from this obligation of international law, in the case of the war, which began on March 20th, 2003, and in which we see severe violations of international law, by being a member of NATO, which includes also the USA and the UK (and other members of the war coalition)."..

"Neither the NATO treaty nor the NATO Status of Forces Agreement nor the additional agreements to SOFA oblige the Federal Republic of Germany to support acts of NATO partners that violate international law or the UN Charter." "A NATO state that prepares and makes war against international law, violates not only the UN Charter but also article I of the NATO treaty. Therein all NATO states are obliged "in accordance with the statutes of the United Nations to solve every international conflict, in which they take part, with peaceful means, so that the international peace and the security and justice are not endangered and to abstain from every threat or use of violence, which is not in the framework of the goals of the United Nations." "This means also that a war, which is not justified by article 51 of the UN Charter, also cannot represent or justify a 'NATO case of alliance' according to Art. 5 of the NATO treaty."

"A war of aggression by a NATO state, prohibited by the UN Charter, cannot become a war of defence by declaring the 'NATO case of alliance'".

According to the additional agreements to SOFA, the USA and UK have to ask the German government for allowance "if their military planes -outside the framework of NATO- use the German air space or airfields given for their disposal for transport of troops, deployed in the USA or UK, for stopover, refuelling or taking material or weapons on board on their way without NATO mandate to the war theatre outside the NATO area." Therefore the concerned German authorities, especially the German government, have the legal right in a case of conflict to control, if the deployed military forces use the yielded facilities (and the air space above) in every case only for 'duties of defence' according to the additional agreements to SOFA and the NATO treaty, or use or prepare them for other activities." The German government has to start and take "all necessary measures to hinder that actions and support for war in violation of international law are initiated from the territory of the Federal Republic of Germany. One more reason for this is Art. 2 of the treaty, concerning the final regulations about Germany (so called Two-Plus-Four Treaty), which was adopted as part of the framework for German reunification. This was the essential basis for establishment of the German union of states. By this treaty Germany is obliged by international law to take care, "that only peace comes from German territory."

Secret Agreements are invalid

"This is also valid for the case of secret agreements between the Federal Republic of Germany and the USA and the UK, which are not registered and published by the Secretary of the United Nations in spite of Art. 102 of the UN

Charter and which might foresee different arrangements in the case of a military conflict. Independent from the validity of such secret agreements, Art. 103 of the UN Charter, has to be fulfilled strictly. It says: 'In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.'"

Indeed there seems to be such a secret agreement between the German government and the USA. This was mentioned in a radio broadcast with author Albrecht Müller, who worked in former German governments. He said that at the time of German reunification the US government was very anxious to loose their military bases in Germany. But that Chancellor Kohl made a secret agreement with the USA that they could use their bases for any reasons they wanted at any time. I heard the same from the former member of the German government Oskar Lafontaine at a conference in January 2006 in Berlin. He said that Germany in this sense is not a sovereign country like France.

This explains why the USA was allowed use of its German bases for the illegal war against Iraq.

In March 2009 a **secret NATO agreement** was unveiled. Dick Marty, former special reporter of the European Council made reports about CIA-actions in Europe in the June 2006 and June 2007. He reported about illegal CIA rendition flights from secret jails in NATO bases in Poland and Romania. These secret jails were on the NATO base <u>Szczytno-Szymany</u> in Poland and at the Mihail Kogalniceanu Airpot in <u>Constanta</u> (Romania). He found out, that there was a secret agreement by NATO states, which was contracted in Athens in October 2001. By this the CIA agents got blank hands and immunity for their actions.

I agree with the analysis of Chalmers Johnson: Generally international law and the constitution of the host nation is broken by the SOFA and additional agreements. By this agreements the host nations give up their sovereign rights, they give up the control, if their country is misused for violation of the international right or not.

In August 2008 the parliamentary party "Die Linke" ordered an **legal expertise**. "Military Bases and military used airports in Germany". It was done by Prof. Dr. Andreas Fischer-Lescano from the Centre for European Legal Politics at the university in Bremen. In this my statements about the legal status are confirmed (see www.linksfraktion.de). Prof. Dr. Fischer-Lescano states especially, that the ban of violence in the international common law is violated. If the German government does not inspect the military bases it does not fulfil their duty to protect the citizen. The citizens can go to court against military bases.

7.5 The legal Status for Stationing Nuclear Bombs

The NATO treaty from 1949 regulates the stationing of nuclear bombs. As mentioned above in Germany are still nuclear bombs from the USA. This "nuclear sharing" violates international law. The Non-Proliferation-Treaty (NPT) forbids in article 1 that states, which have nuclear bombs give the control over them to states, which have no nuclear bombs, like Germany. This is valid – as it was defined by the parties of this treaty – for all times and under all conditions, also in wars. Furthermore nuclear bombs are banned by the humanitarian international martial law, because weapons are banned, which do not distinguish between soldiers and not involved civil persons. The humanitarian international martial law is due to article 25 part of the German consittution. The USA have not adopted this law.

The German minister of defense Josef Jung has issued a new version of a manual for the soldiers of the German Army concerning the humanitarian international martial law in combat. In this order from June 2008 is printed on page 5 very clearly: "Especially the use of the following weapons is forbidden for German soldiers in combat: anti-person-mines, nueclear weapons, chemical weapons."

A short version for the pocket of the central service regulation number 15/2 describes the legal situation due to the international law, adopted by Germany. For the first time the minister of defense declares clearly, that German soldiers are not allowed to use nuclear weapons. Before this there was left a backdoor, when it was said, that the international law has to be respected "as far as practically possible". This backdoor is now closed. But it is not clear, what it means for the pilots of the Tornados, which before were allowed to drop nuclear bombs in the frame of a NATO intervention. The pilots now are in trouble. They exercise in peace, what is prohibited in war. That they are not allowed to use nuclear bombs is ordered to them by the ministry of defense. But if there is an order by NATO, they have to decide if

they follow this order or not. What would be worse, violating the international law, or refuse the order? So the expert for defense for the Green party Winfried Nachtwei means: "The German government washes its hands of it in advance and by this makes the use of nuclear weapons a private problem for the pilots."

The NATO governments allows, that act of violation of the international law comes from its territory and by this breaks the international law itself. They order their soldiers to train acts, which violate the international law and the constitution. To justify this it speaks of "solidarity with the alliance" and somtimes about "fair burden sharing". But this reason cannot be superior over the international law. The real reasons are questions of power. By defending their "interests" in Afghanistan, the NATO countries show that they will participate militarily worldwide. It is high time that some members of the NATO government are taken to account for violating the international law and the constitution constantly.