

# FONAS position against a softening of the Separation of civil and military research

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FONAS demands:

1. maintaining and strengthening the separation of civilian and military research,
2. clear and visible statements of the universities and research facilities,
3. strengthening of the civil clauses.

The Research Network Science, Disarmament and International Security (FONAS) sees with concern how scientific academies, national governments and the European Commission is increasingly launching initiatives that have a civil-military dual-use research funding policy and the previously partially existing dividing lines between military and civilian research funding. Serious are in particular the "White Book on Options for Increased Support for Research and development on potentially dual-use technologies" of the European Commission (EC) of January 2024 and the "Position Paper of the Federal Ministry of Education and Research on Research Security in the Light of the Turning point" of March 2024.<sup>1</sup> The EC paper aims to abolish the separation of civil and military EU research funding in order to promote "better integration and mutual enrichment of civil and defense-related technology". The Federal Ministry of Education and Research is pursuing a revival and deepening of dual-use funding programs, which have long been a tradition in Germany have.<sup>2</sup> For this purpose, it is heading for an undermining of civil clauses that universities and research institutions themselves have given.

FONAS fears that the realization of these plans for the deliberate creation or expansion of civil-military gray areas in research and development (R&D). The offered funding creates incentives for civilian research institutions and universities and can thus be a back door to the militarization of research and open universities. Militarily relevant research orientations would be concealed.

Many researchers, especially employees, would be left in the ostensible in the dar as to where the research paths should ultimately lead. Ethical dilemmas for researchers are foreseeable.<sup>3</sup> The conscious decision to participate in military research or to be active in science exclusively for civilian purposes would be made more difficult or undermined. The hardly recognizable influence of young

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<sup>1</sup> Europäische Kommission. 2024. WHITE PAPER On options for enhancing support for research and development involving technologies with dual-use potential. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52024DC0027>.

Bundesministerium für Bildung und Forschung. 2024. Positionspapier des Bundesministeriums für Bildung und Forschung zur Forschungssicherheit im Lichte der Zeitenwende.

<https://www.bmbf.de/SharedDocs/Downloads/DE/2024/positionspapier-forschungssicherheit.html>.

Zum Weißbuch der Europäischen Kommission gab es bereits eine Stellungnahme von FONAS, siehe Europäische Kommission. 2024. Feedback from: Research Association for Science, Disarmament and International Security (FONAS). [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14060-RD-on-dual-use-technologies-options-for-support/F3464511\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14060-RD-on-dual-use-technologies-options-for-support/F3464511_en).

<sup>2</sup> Liebert, Wolfgang, Rainer Rilling, und Jürgen Scheffran, Hrsg. 1994. Die Janusköpfigkeit von Forschung und Technik: zum Problem der zivil-militärischen Ambivalenz. Marburg: BdWi-Verlag.

<sup>3</sup> Liebert, Wolfgang. 2021. Dual-use-Forschung und -Technologie. In Handbuch Technikethik, Hrsg. Armin Grunwald und Rafaela Hillerbrand, 289–294. Stuttgart: J.B. Metzler.

scientists through early contact with militarily relevant fields of work and clients is considered by FONAS as highly problematic.

FONAS emphasizes that science thrives on transparency and public accessibility of research results and data. This is the only way to independently review results and ensure the quality of research. This is the only way to maintain public confidence in science and its findings. And only in this way can insights and data develop their full potential and be used by as many people and institutions as possible. The European Commission's Open Science Strategy is also based on this foundation.<sup>4</sup> However, military research is associated with confidentiality interests that counteract disclosure and which, in the event of a mixture with civilian research, also endanger their transparency.

Other central building blocks of science are cooperation and internationality. Foreign specialists make a significant contribution to research at German universities, especially in mathematics and the natural sciences. According to the DAAD's cosmopolitanism report, almost every fourth university employee comes from abroad.<sup>5</sup> More than half of the international staff at German universities come from non-EU countries. Strengthening this international cooperation and increasing Germany's attractiveness for foreign researchers are declared goals in the Federal Government's Future Strategy for Research and Innovation.<sup>6</sup>

These objectives cannot be achieved if military and dual-use research at universities are strengthened at the same time. The increased security and confidentiality precautions of these research branches can exclude a significant part of the international staff from the outset. The fact that one is willing to impose such restrictions on projects with dual-use potential has already been made clear, for example, in the White Book of the EC. Without a clear separation of civilian and military research, Germany runs the risk of unnecessarily restricting researchers and research projects. This harms the entire research site.

Civil clauses do not always prohibit research that takes place in cooperation or under the leadership of military actors and appropriate funding.<sup>7</sup> However, they create a stop at which the scientific institutions take responsibility for the direction of their research efforts. In addition, they create a framework in which the researchers themselves can consider, discuss and evaluate their project in a differentiated way on the basis of different perspectives and criteria and can derive responsible decisions from it. Such a process can take place in advance, during the project and in the exploitation of results, at best with experts from ethics, arms control research and technology impact assessment. It is possible that there is a convincing added value of research, among other things, for a peaceful conflict resolution, also taking into account the international law of war.

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<sup>4</sup> Directorate-General for Research and Innovation. o. J. Open Science. [https://research-and-innovation.ec.europa.eu/strategy/strategy-research-and-innovation/our-digital-future/open-science\\_en](https://research-and-innovation.ec.europa.eu/strategy/strategy-research-and-innovation/our-digital-future/open-science_en).

<sup>5</sup> Deutscher Akademischer Austauschdienst und Deutsches Zentrum für Hochschul- und Wissenschaftsforschung, Hrsg. 2024. Wissenschaft weltweit 2024. Daten und Fakten zur Internationalität von Studium und Forschung in Deutschland und weltweit. Bielefeld: wbv Publikation.

<sup>6</sup> Bundesministerium für Bildung und Forschung. 2023. Zukunftsstrategie Forschung und Innovation. [https://www.bmbf.de/SharedDocs/Publikationen/DE/1/730650\\_Zukunftsstrategie\\_Forschung\\_und\\_Innovation.pdf](https://www.bmbf.de/SharedDocs/Publikationen/DE/1/730650_Zukunftsstrategie_Forschung_und_Innovation.pdf).

<sup>7</sup> Zur Vielfalt der Zivilklauseln in Deutschland vgl. beispielsweise Nielebock, Thomas, Simon Meisch, und Volker Harms, Hrsg. 2012. Zivilklauseln für Forschung, Lehre und Studium. Hochschulen zum Frieden verpflichtet. 1. Aufl. Baden-Baden: Nomos.

By abolishing or even prohibiting differentiated civil clauses<sup>8</sup>, the space for discourse for the assessment of military, militarily relevant or dual-use research at the universities would be lacking. Individual scientists would then be on their own. To publish under pressure and to solicit third-party funding, there is a risk that insufficiently reflected problematic projects will be pursued. However, the necessary assumption of responsibility within science should not be shifted solely to the individual researchers.

Instead of a planned dual-use research funding, which wants to ensure a convergence of civil and military research paths, a divergence of civil and military programs is to be sought from FONAS' point of view.

Instead of creating civil-military gray areas, their unbundling is desirable, as far as possible.<sup>9</sup> This requires the targeted promotion of appropriate technology impact assessment, preventive arms control research and ethical discourses. On this basis, it would be possible to create transparency about development trends, employment opportunities and normative guidelines that could prepare or support appropriate and morally acceptable decisions within research and policy.

FONAS believes that efforts to separate civilian and military research remain important and should be strengthened. This also applies to the institutions: Universities and publicly funded civilian research institutions should continue to be focused on civilian purposes and the treatment of relevant urgent future issues. Military research institutes or defense companies may pursue the other side of the research spectrum and dual-use research as long as war as an institution is not banned.

FONAS calls on universities and research institutions to position themselves and stand up for this very separation. This would also protect the individual researchers. Responsibility would not be shifted to the purely individual level.

FONAS also advocates strengthening the civil clauses and against the abolition or prohibition of these clauses. With their help, institutions can give themselves general research guidelines. They also offer individual researchers support and a discourse space to analyze and evaluate the research projects in relation to possible military use.

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<sup>8</sup> Bayerische Staatsregierung. 2024. Gesetz zur Förderung der Bundeswehr in Bayern. München. <https://www.verkuendung-bayern.de/gvbl/2024-257/>.

<sup>9</sup> Vgl. dazu beispielsweise Liebert, Wolfgang. 2006. Navigieren in der Grauzone: Kontrolle oder Gestaltung von Forschung und Technik? In Einstein weiterdenken: Verantwortung des Wissenschaftlers und Frieden im 21. Jahrhundert, Hrsg. Stephan Albrecht, Reiner Braun und Thomas Held, 143–160. Frankfurt am Main, Berlin, Bern, Bruxelles, New York, Oxford, Wien: Peter Lang.