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## FINAL TEXT OF A TREATY ON AN AFRICAN NUCLEAR-WEAPON-FREE ZONE

Progress made by the International Atomic Energy Agency  
in ensuring the full implementation of the safeguards  
agreement with South Africa

Report of the Secretary-General

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## I. INTRODUCTION

1. At its forty-eighth session, the General Assembly adopted resolution 48/86 of 16 December 1993, on the establishment of a nuclear-weapon-free zone in Africa, in which the Assembly, inter alia, requested that the Secretary-General report to the General Assembly at its forty-ninth session on the progress made by the Director General of the International Atomic Energy Agency in ensuring the full implementation of the safeguards agreement with South Africa.

2. The present report is submitted by the Secretary-General pursuant to that request.

## II. INFORMATION SUBMITTED BY THE INTERNATIONAL ATOMIC ENERGY AGENCY

3. In pursuance of the request of the General Assembly, the Secretariat contacted the International Atomic Energy Agency in order to obtain relevant information which would assist in the preparation of the report.

4. The International Atomic Energy Agency transmitted the following information to the Secretariat:

South Africa acceded to the Treaty on the Non-proliferation of Nuclear Weapons (NPT) on 10 July 1991. Since October 1991, when South Africa submitted to IAEA its initial report on the inventory of nuclear material in the State, the Agency has been engaged in activities to verify the completeness and assess the correctness of that initial report. Through sustained efforts and a high degree of cooperation and transparency on the part of the South African authorities, IAEA was able to resolve apparent discrepancies in the calculations of the high enriched uranium-235 balances associated with South Africa's pilot enrichment plant. The examination of the apparent discrepancy in the uranium-235 balance associated with the semi-commercial enrichment plant which is designed to produce low enriched uranium is still continuing.

Following the announcement of the President of South Africa, in March 1993, that his country had previously developed a limited nuclear deterrent capability which had been dismantled and destroyed before South Africa acceded to the NPT, Agency experts visited the facilities involved in the abandoned nuclear weapons programme at the invitation of the South African authorities. They reviewed associated historical data with the purpose of assessing the status of the nuclear weapons programme and verifying that all the nuclear material used in the programme had been fully accounted for and placed under Agency safeguards. By September 1993, on the basis of detailed examination of the production capacity of the pilot enrichment plant, of operating records and of supporting technical data, IAEA found it reasonable to conclude that the amounts of HEU which could have been produced by the pilot enrichment plant are consistent with the amounts declared in the initial report.

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5. Furthermore, the International Atomic Energy Agency forwarded the following documents to the Secretariat:

The Report of the Director General on an African nuclear-weapon-free zone, as contained in document GOV/2571-GC (XXXVIII)/13 of 22 August 1994

Resolution GC (XXXVIII)/RES/17 on an African nuclear-weapon-free zone, adopted on 23 September 1994 by the General Conference of the International Atomic Energy Agency

Resolution GC (XXXVIII)/RES/18 on the participation of South Africa in the activities of the International Atomic Energy Agency, adopted on 23 September 1994 by the General Conference of the International Atomic Energy Agency

These documents are contained in annexes I, II and III to the present report.

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ANNEX I

Report of the Director General of the International Atomic  
Energy Agency on an African nuclear-weapon-free zone

1. In resolution GC(XXXVII)/RES/625, the General Conference last year requested the Director General to report on the progress made in implementing that resolution to the Board of Governors and to the General Conference at its thirty-eighth regular session under an agenda item entitled "An African nuclear-weapon-free zone".
2. The Conference welcomed the progress made at the third meeting of the UN/OAU (United Nations/Organization of African Unity) Group of Experts to draft a treaty on an African nuclear-weapon-free zone (which had been held in Harare from 5 to 8 April 1993), took note of the report by the Director General contained in document GC(XXXVII)/1075, commended "the African States in their efforts directed towards the establishment of an African nuclear-weapon-free zone" and requested the Director General "to continue to assist them [the African States] in these efforts".
3. In resolution 48/86 of 16 December 1993, the United Nations General Assembly, inter alia, requested the Secretary-General of the United Nations, in consultation with the Organization of African Unity, "to take appropriate action to enable the Group of Experts designated by the United Nations in cooperation with the Organization of African Unity to meet during 1994 at Windhoek and Addis Ababa, in order to finalize the drafting of a treaty on a nuclear-weapon-free zone in Africa".
4. In 1993, the United Nations requested the Agency to assist the Group of Experts by preparing draft treaty provisions relevant to verification requirements in a future nuclear-weapon-free zone in Africa. Subsequently, at the invitation of the United Nations, the Agency's Assistant Director General for External Relations also participated in the meetings of the Group held in Windhoek from 16 to 25 March 1994 and in Addis Ababa from 11 to 14 May 1994.
5. During these meetings, the Group of Experts reached agreement on the draft text of a treaty which would, inter alia, entrust to the Agency the task of verifying compliance with the peaceful use undertakings of the States parties. The Group requested its Chairman to transmit its report and the draft treaty text to the Secretary General of OAU for submission to the OAU Council of Ministers for consideration at its sixtieth ordinary session, held in Tunis in June 1994. The Group agreed that its report and the draft treaty text should be submitted to the United Nations General Assembly at its forty-ninth session in accordance with its resolution 48/86 of 16 December 1993.

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ANNEX II

Resolution GC (XXXVIII)/RES/17 on an African nuclear-weapon-free zone adopted on 23 September 1994 by the General Conference of the International Atomic Energy Agency

The General Conference

(a) Recalling resolution GC (XXXVII)/RES/625 of 1993 and all other relevant resolutions and decisions of the General Conference and the Board of Governors,

(b) Welcoming the progress made towards the conclusion of a treaty on an African nuclear-weapon-free zone, on the basis of the Declaration on the Denuclearization of Africa, adopted by the Summit of the Organization of African Unity (OAU) at its first ordinary session, held in Cairo from 17 to 21 July 1964, and of resolution A/RES/48/86 adopted on 16 December 1993 by the General Assembly of the United Nations,

1. Takes note of the report of the Director General on the establishment of an African nuclear-weapon-free zone, contained in document GC (XXXVIII)/13;

2. Commends the African States for their efforts towards the establishment of an African nuclear-weapon-free zone and requests the Director General to continue to assist them in this regard;

3. Requests the Director General to report on the implementation of this resolution to the General Conference at its thirty-ninth regular session under an agenda item entitled "An African nuclear-weapon-free zone".

ANNEX III

Resolution GC (XXXVIII)/RES/18 on the participation of South Africa in the activities of the International Atomic Energy Agency adopted 23 September 1994 by the General Conference of the International Atomic Energy Agency

The General Conference,

(a) Bearing in mind the provisions of the Statute of the International Atomic Energy Agency,

(b) Recalling resolutions GC (XX)/RES/336 of 1976, GC (XXVII)/RES/408 of 1983, GC (XXIX)/RES/442 of 1985 and GC (XXX)/RES/468 of 1986 regarding South Africa's participation in the activities of the Agency,

(c) Taking into account recent resolutions and decisions of the United Nations and its specialized agencies, including resolution 919 (1994) adopted by the Security Council and resolution A/RES/48/258 A of 23 June 1994 adopted by the General Assembly of the United Nations, and welcoming South Africa back into the United Nations family,

(d) Noting that South Africa, as a result of her dismantling her nuclear weapons programme, has contributed to the evolution of an African nuclear-weapon-free zone, thus enhancing the promotion of peaceful uses of nuclear energy in Africa,

(e) Welcoming with deep satisfaction the new Government of National Unity in South Africa as representative of all the peoples of that country,

1. Invites South Africa to resume participation in all activities of the Agency;

2. Requests the Board of Governors to review the designation of South Africa to the Board in the light of the preceding new developments;

3. Further requests the Board of Governors to submit a report to the General Conference at its thirty-ninth regular session on this matter.

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