

2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Activities of the African Commission on Nuclear Energy relating to the African Nuclear-Weapon-Free Zone Treaty

Memorandum of the African Commission on Nuclear Energy

Introduction

1. On 11 April 1996, 47 African countries came together to sign the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), the main objectives of which are to ensure that the African continent remains free of nuclear weapons and to promote the peaceful uses of nuclear energy for sustainable development in Africa. The signing of the Treaty of Pelindaba was a declaration by African countries of their determination to counter the spread of nuclear weapons in Africa and throughout the world. Today, the number of signatory States and States parties are 52 and 44 respectively.

2. The present memorandum on the activities of the African Commission on Nuclear Energy (AFCONE) covers four key areas, namely: (a) mission and governance of the Commission; (b) implementation of the Commission's programme of work; (c) international cooperation in the nuclear field; and (d) outcomes of the fifth ordinary session of the Conference of States Parties to the African Nuclear-Weapon-Free Zone Treaty.

I. Mission and governance of the African Commission on Nuclear Energy

3. The Commission is an African intergovernmental organization established under article 12 of the Treaty of Pelindaba, with the purpose of ensuring compliance of States parties with their obligations under the Treaty. The scope of the Commission's mandate includes the promotion of nuclear disarmament, the prevention of nuclear proliferation and encouraging regional and subregional cooperation in safe and secure peaceful uses of nuclear science and technology.

4. The fourth Conference of States Parties, held on 14 June 2018 in Addis Ababa, Ethiopia, elected a Commission composed of 11 States parties for a mandate of three years. The elected States were: Algeria, Chad, Ghana, Mali, Mauritania, Mauritius, Namibia, the Niger, Nigeria, South Africa and Zimbabwe.



5. Since the fourth Conference of States Parties, three ordinary sessions and three extraordinary sessions of the Commission have been held, as well as one Conference of States Parties, the fifth ordinary session of the Conference of States Parties, which was held in May 2022.

II. Implementation of the programme of work of the African Union Commission on Nuclear Energy

6. The Commission's programme of work consists of three strategic pillars: (a) nuclear activities; (b) universalization of the Treaty of Pelindaba; and (c) national compliance and verification.

A. Nuclear activities

7. The Commission has developed programmes and activities related to nuclear disarmament, nuclear non-proliferation including nuclear safeguards, nuclear safety and security, the management of radioactive wastes, nuclear legislation and regulations, the peaceful applications of nuclear energy and capacity-building in nuclear science and technology.

8. In addition to activities related to the assurance of compliance with the provisions of the Treaty of Pelindaba, some key activities undertaken by the Commission since the previous Review Conference in 2015 include the following:

- Elaboration of a strategic plan 2021–2025, which covers nuclear disarmament and non-proliferation, nuclear safety and security and international cooperation.
- Establishment of four thematic working groups in the following areas: (a) scientific nuclear applications; (b) national compliance and verification; (c) safety, security and safeguards; and (d) international cooperation and partnerships.
- Development of a roster of experts to enhance capabilities in the different areas within the scope of the Treaty of Pelindaba.

B. Universalization of the Treaty of Pelindaba

9. The Commission has maintained its efforts to promote the universalization of the Treaty of Pelindaba. Since the ninth Review Conference, in 2015, the following African States have ratified the Treaty of Pelindaba: the Niger (2017), Cabo Verde (2020), Morocco (2022) and the Democratic Republic of the Congo (2022), bringing the number of States parties to 44.

C. National compliance and verification

10. The reporting obligations contained in article 13 of the Treaty are designed to enhance transparency between States parties and enable the Commission to monitor States parties' compliance with their obligations under the Treaty. In this respect, the Commission finalized and disseminated a template and guidelines for reporting by States parties. Furthermore, the Commission has cooperated with States parties to designate national points of contact in order to facilitate communications on reporting and other aspects of national implementation.

III. International cooperation and partnership

11. Since 2018–2019, the Commission has intensified its interaction with regional and international bodies, particularly those recognized by the Treaty. In this regard, the following are key developments:

- The Commission has continued coordination and consultations with the various departments of the African Union.
- Signature of practical arrangements with IAEA in September 2019.
- Establishment of a partnership with the Comprehensive Nuclear-Test-Ban Organization (CTBTO) since 2018.
- Signature of a memorandum of understanding with the European Safeguards Research and Development Association (ESARDA) in May 2019.
- A cooperation project with the European Commission on safeguards training, managed by the Government of Finland Radiation and Nuclear Safety Authority (STUK) is in progress (2022).
- Signature of a memorandum of understanding with the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) in December 2021.
- Maintaining close cooperation with the National Nuclear Security Administration of the Department of Energy in the United States of America.
- Signature of a memorandum of understanding with the Russian State Atomic Energy Corporation (Rosatom) in September 2020.
- Signature of a memorandum of understanding with the International Science and Technology Center (ISTC) in August 2019.
- A memorandum of understanding with the European Atomic Energy Community (EURATOM) is under consideration.
- A memorandum of understanding with the Central Asia Nuclear-Weapon-Free Zone is in the process of being concluded.
- The Commission also has close cooperation with other international non-governmental organizations, such as: the International Campaign to Abolish Nuclear Weapons (ICAN); the Verification Research, Training and Information Centre (VERTIC) (United Kingdom); and the Vienna Center for Disarmament and Non-Proliferation (VCDNP).

IV. Outcomes of the fifth ordinary session of the Conference of States Parties to the Treaty of Pelindaba

12. The fifth ordinary session of the Conference of States Parties to the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) took place on 17 and 18 May 2022 at the African Union Headquarters in Addis Ababa, Ethiopia.

13. States parties took note of the Commission's efforts towards the promotion and the universalization of the Treaty of Pelindaba and appreciated the greater visibility achieved since the fourth Conference of the States Parties, in 2018, at the regional and international levels.

14. States parties expressed their concern regarding the conflict in Ukraine, which increases the risk of using nuclear weapons. They reiterated their apprehension

regarding the actions undermining the long-standing international efforts towards nuclear disarmament and non-proliferation. The State Parties called upon all members of the international community to contribute urgently to re-establishing peace and security through diplomatic efforts, stand by their obligations pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons and uphold the principles of peaceful resolution of disputes in line with the Charter of the United Nations.

15. States parties welcomed the entry into force of the Treaty on the Prohibition of Nuclear Weapons (TPNW) on 22 January 2021. They recalled that African Union member States have overwhelmingly voted in favour of the adoption of this important instrument. In this regard, they called upon African Union member States to speedily sign and ratify the treaty.

16. States parties considered the comprehensive report of the Commission on the implementation of the Treaty, according to the strategy note and programme of work adopted by the fourth Conference of the States Parties in 2018.

17. States parties discussed and resolved to adopt the programme of work proposed by the Commission for the period 2021–2023. They noted that the proposed programme of work aims, inter alia, to focus on the Commission’s mission as a unique treaty body in Africa mandated to advise and support the African Union and African Union organs, as well as the African Union Commission in addressing nuclear matters. Additionally, the proposed programme of work aims to build capacity in nuclear science and technology to address the African demand for peaceful nuclear applications in contribution to the African Union’s Agenda 2063 and the United Nations Sustainable Development Goals, as well as strengthening nuclear safety, security and safeguards.

18. Several States parties proposed the convening of a review conference for the Treaty of Pelindaba in 2023 before the sixth Conference of the States Parties planned in 2024. This review will allow for a review of the Treaty based on the implementation experience since its entry into force in 2009.

19. States Parties proceeded with elections of a new Commission in line with the relevant provisions of annex III to the Treaty of Pelindaba. The following 12 State Parties were elected by acclamation by the fifth Conference of the States Parties: Algeria, Congo, Democratic Republic of the Congo, Côte d’Ivoire, Niger, Libya, Mauritania, Mauritius, Namibia, South Africa, the United Republic of Tanzania and Zimbabwe.