

Briefing by African Commission on Nuclear Energy (AFCONE) on the implementation of Pelindaba Treaty

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Tomorrow (31 March), the African Union (AU) Peace and Security Council (PSC) is expected to convene its 1071st session to receive a briefing by the African Commission on Nuclear Energy (AFCONE) on the implementation of the Pelindaba Treaty.

Permanent Representative of Lesotho to the AU and the Chairperson of the PSC for the month of March, Mafa M. Sejanamane, is expected to make an opening remark. AU Commissioner for Political Affairs, Peace and Security (PAPS), Bankole Adeoye, is also scheduled to make presentation. A briefing by the representative of AFCONE will follow the presentation. The representatives of the United Nations Office to the African Union (UNOAU), the International Atomic Energy Agency (IAEA), and the International Committee of Red Cross (ICRC) are also expected to deliver their remarks.

This session is convened within the context of PSC's request of the AU Commission and the AFCONE, at its 763rd meeting held on 10 April 2018, to annually brief the Council on the 'status of the implementation of the Pelindaba Treaty and the activities of AFCONE'. The last time Council considered the Treaty was during its 837th session that took place on 4 April 2019 while addressing the broader theme of 'international disarmament' with a focus on Anti-Personnel Mine Ban

Convention (APMBC) and the Treaty on the Prohibition of Nuclear Weapons (TPNW).

Tomorrow's session takes place at a critical time given the current global crisis and the mounting tension between powers that possess nuclear weapons. Even before the outbreak of the war, the global nuclear dynamics has worsened in recent years as global powers arms race has intensified. At its 763rd session, the PSC also noted the 'slow pace of nuclear disarmament and the rising tensions among nuclear-weapon possessor states' and its impact in undermining confidence over the Non-Proliferation of Nuclear Weapons Treaty (NPT). Coming within this global context, members of the Council may reflect on how the Pelindaba Treaty could contribute in advancing global nuclear disarmament and non-proliferation agenda, thereby promote international peace and security.

It is to be recalled that the African Nuclear-Weapon-Free Zone Treaty Treaty—commonly referred to as the Pelindaba Treaty which is named after South Africa's central nuclear research complex—is one of the five Treaties on regional Nuclear-Weapons Free-Zones that came within the broader context of global initiative to strengthen the global nuclear disarmament and non-proliferation norms. The main objective of this Treaty is to enhance peace and security through the prohibition of the possession and stationing of nuclear weapons across the continent while it encourages the peaceful use of nuclear science and technology. The Treaty was opened for signature in Cairo on 11 April 1996 and entered into force on 15 July 2009 after the deposit of 28th instrument of ratification by Burundi. Three other protocols are also attached to the Treaty to ensure respect of the Treaty by non-African states, notably the Nuclear-Weapon States (NWS).

One of the challenges towards the full implementation of the Treaty likely to be raised in tomorrow's session is that considerable number of Member States are not still state

parties to the Pelindaba Treaty. According to an information note prepared for the session, 11 African countries, namely Central African Republic, Djibouti, Egypt, Eritrea, Liberia, Morocco, Sierra Leone, Somalia, Sao Tome and Principe, Sudan and Uganda, are not party to the Treaty. South Sudan is yet to accede to the Treaty. The rest 43 African countries have become state parties to the Treaty.

Another issue likely to be highlighted in tomorrow's session is the synergy and complementarity between the Pelindaba Treaty and other international disarmament and non-proliferation regime most notably the Non-Proliferation of Nuclear Weapons (NPT), the Treaty on Prohibition of Nuclear Weapons (TPNW), as well as the Comprehensive Test Ban Treaty (CTBT). ICRC's statement is likely to focus on this issue. As State Parties to some of the treaties that form disarmament and non-proliferation regime will convene during second and third quarters of the year (5th Conference of State Parties to the Pelindaba Treaty in April; 1st Meeting of the State Parties to the TPNW in July; and 10th Review Conference of the NPT in August), this session is an opportune moment to remind Member States to join these instruments.

The other aspect that AFCONE's briefing may highlight is the use of nuclear science and technology for peaceful purposes including power generation, human health, agriculture, industrial uses and scientific research. The Pelindaba Treaty encourages such peaceful use of nuclear power, but under strict non-proliferation measures. The Council, during its 763rd session also affirmed the 'inalienable right of all parties to apply chemical, biological and nuclear science and technology for peaceful civilian purposes'. In this regard, nuclear energy is particularly important in Africa where more than 640 million of its 1.2 billion population have no access to electricity and electricity access rate stands just over 40 percent, the lowest in the world, according to African

Development Bank report. Addressing this deficit in the continent may require the inclusion of nuclear power as an alternative source of energy.

Given that nuclear power is regarded as clean, reliable and cost-effective source of energy, it is considered to be an attractive option for Africa in its effort to tackle the twin challenges of energy poverty and climate change. It also plays critical role in realizing the developmental aspirations enshrined under Agenda 2063 and UN's Sustainable Development Goals (SDGs), which in turn enhance the peace and stability of the continent. Despite the enormous benefit that nuclear energy offers, it is only South Africa that has been able to harness the potential through its Koeberg nuclear power plant. Promoting the use of nuclear energy in Africa therefore leaves a lot to be desired.

It is also imperative for Africa to take a more coordinated approach that would strengthen nuclear infrastructure and enhance nuclear expertise and knowledge. In this respect relevant international and regional bodies such as the AFCONE, the African Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology (AFRA), and IAEA play critical role in providing the required technical support particularly in the areas of developing regulatory frameworks and the human resources, as well as nuclear research and training activities. In its briefing, AFCONE is expected to highlight the activities undertaken in this regard and the challenges faced.

Although key milestones have been achieved paving the way for AFCONE Secretariat to function fully, limited finance has become a major challenge affecting the effectiveness of the institution in discharging its envisaged mandate. This was flagged up by the AFCONE Vice Chairperson, Hadjaro Adam Senoussi, where he stated that 'significant operationalization of the Secretariat AFCONE, which is critical for the Treaty of Pelindaba to achieve its objective, has not progressed with

required speed and efficiency for the reasons explained in the AFCONE reports, particularly the critical budget issue'. The Vice Chairperson further asserted that without the 'urgent integration of the AFCONE to the AU Institutional Reform Process' and the 'designation of a Permanent Executive Secretary and facilitate the appropriate staffing of the Secretariat', AFCONE cannot sustain its function.

The expected outcome of tomorrow's session is a communiqué. Among others, Council is expected to express its concern over the nuclear escalation and may call upon all parties not to undermine the objectives and spirit of disarmament and non-proliferation regime. Council may stress the complementarity between the Pelindaba Treaty and the Comprehensive Test Ban Treaty (CTBT), the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and the Treaty on the Prohibition of Nuclear Weapons (TPNW) their relevancy to the African Peace and Security Architecture. The Council may further encourage Member States to participate in the upcoming meetings of State Parties to Pelindaba Treaty, NPT and TPNW, and urge them to join the Treaties. Regarding the use of nuclear science and technology for peaceful purposes, Council may encourage Member States to include nuclear power as an option of energy source and fully harness its benefits. Council may re-emphasize the need for the speedy operationalization of AFCONE Secretariat based in South Africa, given its role in the implementation of the Pelindaba Treaty and the promotion of the peaceful application of nuclear science and technology. In this respect, the Council may particularly call on State Parties to the Treaty to fulfil their financial obligations to address the budget challenge.