

STATEMENT BY AMBASSADOR AS MINTY
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IAEA FORUM ON EXPERIENCE OF POSSIBLE RELEVANCE TO THE CREATION OF A NUCLEAR-
WEAPON-FREE ZONE IN THE MIDDLE EAST

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Chairperson,

Thank you for the opportunity to share some experiences of the African Nuclear-Weapon-Free Zone. Norway has a long and proud tradition of facilitating efforts towards the achievement of a lasting peaceful situation in the Middle East, and I assure you of my full co-operation in your efforts to successfully conclude this important Forum.

On behalf of the African Commission on Nuclear Energy (AFCON), I also sincerely thank the Director-General of the IAEA, Mr Yukiya Amano, for his untiring efforts in implementing the long-outstanding mandate of the IAEA General Conference to convene this Forum, and for his invitation to the Commission to share relevant experiences.

The establishment of a Nuclear-Weapon-Free Zone in the Middle East is an issue of special interest for Africa. This not only relates to the possible membership of some African States to a zone free of nuclear weapons in the Middle East, but also, as noted in the Pelindaba Treaty, that the establishment of other nuclear-weapon-free zones, especially in the Middle East, would enhance the security of States Parties to the African Nuclear-Weapon-Free Zone.

Chairperson,

Nuclear-weapon-free zones play an important role in preventing the proliferation – both vertical and horizontal – of nuclear weapons. We all share the conviction, as reaffirmed in the outcome documents of Treaty on the Non-Proliferation of Nuclear Weapons (NPT) that the establishment of nuclear-weapon-free zones enhances global and regional peace and security, strengthens the nuclear non-proliferation regime and contributes towards realizing the objectives of nuclear disarmament.

In this context, the entry into force of the Treaty on the Nuclear-Weapon-Free Zone in Africa, the Pelindaba Treaty, on 15 July 2009, is the realization of the Declaration on the Denuclearization of Africa, adopted by the First Ordinary Session of the Assembly of Heads of State and Government of the then Organization of African Unity (OAU), held from 17-21 July 1964, in Cairo, Egypt.

This Declaration was borne out of Africa's deep concern with the effects resulting from the dissemination of nuclear weapons, and in particular the nuclear explosions undertaken in the atmosphere and underground in the Sahara desert by a nuclear-weapon State in the early sixties.

Our vision of a treaty on nuclear weapons only came to fruition in Africa after 32 years, with the signing of the Pelindaba Treaty in Cairo on 11 April 1996. The main factor inhibiting the conclusion of this Treaty was the nuclear weapons programme of Apartheid South Africa.

The presence, or suspected presence, of nuclear weapons within a region obviously undermines efforts to establish nuclear-weapon-free zones; much as Apartheid South Africa's nuclear capabilities did in the case of achieving the African Nuclear-Weapon-Free Zone.

Therefore, the struggle to eliminate and prohibit all nuclear weapons in Africa became an important element in the overall anti-Apartheid struggle. In the seventies and eighties, African States sought to not only highlight the dangers posed by the nuclear programme of South Africa to international peace and security, but also to isolate the regime, including here at the IAEA.

The announcement of political reforms in South Africa and the abandonment of its nuclear weapons programme in 1990 was the catalyst that enabled the commencement of negotiations on the establishment of a zone free of all nuclear weapons in Africa.

Chairperson,

With the support of the United Nations, the OAU held meetings of experts in 1991 and 1992 to examine the modalities and elements for the preparation and implementation of a convention or treaty on the denuclearisation of Africa. At these expert meetings observers from other nuclear-weapon-free-zones, notably the Treaty of Tlatelolco and Treaty of Rarotonga, as well as representatives from the IAEA provided valuable contributions by sharing their experiences.

The work of these experts in considering issues such as the scope of territorial application, scope of the treaty, peaceful uses of nuclear energy, verification and institutional arrangements, provided a firm basis upon which the formal negotiations and subsequent drafting of the Pelindaba Treaty took place from 1993 until 1995.

Although the experiences of other nuclear-weapon-free zone treaties provided a valuable insight into how their respective treaties were negotiated, no such treaty is merely a copy of another, as region-specific security interests and concerns have to be taken into account.

The nuclear weapons programme of Apartheid South Africa therefore had a significant impact on how the Pelindaba Treaty was finally negotiated, as Africa had to deal with the unique situation of nuclear weapons programme that existed, and was then voluntarily dismantled. In this regard, the following were some of the issues that reflected a unique African approach:

The negotiators adopted a clear renunciation of nuclear explosive devices, including prohibiting the testing of nuclear explosive devices. Furthermore, the Treaty makes provision for the dismantling and destruction of nuclear explosive devices manufactured by a Party prior to the entry into force of the Treaty. This latter inclusion, which was then unique to the African nuclear-weapon-free zone, was included due to the nuclear weapons programme in South Africa, and the need to fully verify the absence of nuclear weapons on the African continent.

Due to the fears that African States' nuclear installations could be a target for an armed attack, a specific provision was inserted that placed a prohibition of such attacks on nuclear installations in the African nuclear-weapon-free zone. The dumping of radioactive wastes within the zone was also prohibited, and importantly, each party committed themselves to maintain the highest standards of security and effective physical protection of nuclear materials, facilities and equipment.

The negotiators also adopted a definition as to what territory the African nuclear-weapon-free zone consists of, namely the territory of the continent of Africa, islands States members of the OAU (now the African Union), and importantly, all islands considered by the OAU in its resolutions to be part of Africa.

There was also a realisation of the enormous benefits that the peaceful application of nuclear science and technology hold for the economic and social development of the continent. Therefore, the objective of the African nuclear-weapon-free zone was not only related to the elimination of nuclear weapons or nuclear explosive devices, but also as a firm commitment by the Parties to promote peaceful nuclear activities in Africa.

The negotiators agreed to refer to the Treaty on the Nuclear-Weapon-Free Zone in Africa as the Pelindaba Treaty. This title is derived from the Zulu words "iphelile indaba", which means that the matter is settled or the discussion is closed. It also refers to the location of the South African Nuclear Energy Corporation, at Pelindaba. The Apartheid regime thought that all was settled with the development of its nuclear capability but matters were only finally settled with the destruction of the Apartheid bomb.

Chairperson,

Nuclear disarmament, nuclear non-proliferation and the peaceful uses of nuclear energy are therefore firmly entrenched in the Pelindaba Treaty. To ensure compliance with their undertakings in terms of disarmament, non-proliferation and peaceful uses, the Treaty created a mechanism for compliance through the establishment of the African Commission on Nuclear Energy, referred to as AFCONE.

In addition, the Treaty permits the IAEA to verify the processes of dismantling and destruction of nuclear explosive devices. This provision again reflects South Africa's past nuclear-weapons capability and is in addition to provisions, which call for the conclusion of comprehensive safeguards agreements with the IAEA for purposes of verification of peaceful use activities.

Importantly, in terms of the Treaty's Annex on complaints procedure and the settlement of disputes, the Agency can be requested to conduct an inspection, and the Commission can designate its representatives to accompany the Agency's inspectorate team.

The main functions of AFCONE include collating reports and the exchange of information as provided, arranging consultations, reviewing the application to peaceful nuclear activities of safeguards by the IAEA, bringing into effect the complaints procedure, encouraging regional and sub-regional programmes for co-operation in the peaceful uses of nuclear science and technology, and promoting international co-operation with extra-zonal States for the peaceful uses of nuclear science and technology.

Chairperson,

The Pelindaba Treaty has to date been ratified by 32 African States, and 4 of the nuclear-weapon States have ratified the Protocols to the Treaty they have signed. Those States not yet party to the Treaty are encouraged to complete their ratification or accession procedures as soon as possible to enable all African States to be party to the Pelindaba Treaty.

Also, the one nuclear-weapon-State that still needs to complete its ratification process of the Protocols it has signed, as well as the one non-nuclear weapon State that also needs to become party to Protocol III of the Treaty, are encouraged to complete this process without delay.

It is my honour to report that after the entry into force of the Pelindaba Treaty and following the First Conference of Parties to the Treaty, the twelve Commissioners of AFCONE have been elected. The immediate focus of the Commission is to ensure that its headquarters is established in South Africa. This would enable the Commission, and its Secretariat, to commence with implementing their Treaty responsibilities. Progress has also been made towards the appointment of the Executive Secretary of AFCONE, and hopefully an announcement of the successful candidate will be made in due course.

The implementation of the Pelindaba Treaty is underpinned by important nuclear-related initiatives already on-going on the Continent. These include the important work being done by the African Regional Cooperative Agreement (AFRA) to enlarge the contribution of nuclear science and technology on the African continent, in co-operation with the IAEA. Also, African Ministers and Officials issued a Final Declaration on 10 January 2007, at the meeting in Algiers held in the framework of the High-level African Regional Conference on the contribution of nuclear energy to peace and sustainable development, which outlined priorities for Africa on this issue.

In conclusion Chairperson,

Nuclear-weapon-free zones are making a significant contribution towards the ultimate goal of achieving a world free of all nuclear weapons. However, the path to a nuclear-weapon-free zone is often not an easy one, but we should never abandon this objective, nor tire in the face of seemingly insurmountable obstacles.

As experienced in Africa, sustained efforts in achieving the vision of a continent free of nuclear weapons was only realised through a combination of determination, pressure, perseverance, and, ultimately, a display of leadership by all concerned.

This Forum is further evidence that we are firmly and irreversibly on the path to a Nuclear-Free-Zone in the Middle East, to the benefit of regional and international peace and security, thereby enhancing political stability, which contributes to economic and social development.

I thank you.