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Africa as a nuclear-weapon-free zone

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The entry into force on July 15 (IAEA 2009) of the African Nuclear-Weapon-Free Zone Treaty, also known as the Treaty of Pelindaba, was largely ignored by the world's mainstream news media. That's too bad. It is a significant development and a further nudge toward a world without nuclear weapons.

Background

In 1964 the heads of state of the Organization of African Unity issued a "Declaration on the Denuclearization of Africa," affirming their "readiness to undertake in an International Treaty to be concluded under the auspices of the United Nations not to manufacture or acquire control of nuclear weapons" (OAU 1964). South Africa's historic decision to destroy its nuclear arsenal and to accede, in 1990, to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as a non-nuclear weapon state made possible the realization of this objective.

The Treaty was agreed to in 1995 (Stott, du Rand & du Preez 2008). Since then all 53 African states have signed on, due in part to the role of persistent civil society attention. The South African Institute for Security Studies and the American Monterey Center for Nonproliferation Studies carried out research and drew political attention to the proposal. Earlier this year a delegation of the World Council of Churches and the Africa Peace Forum visited Burundi and Namibia to encourage ratification of the Treaty. They helped to spur Burundi to action and the treaty entered into force when Burundi became the 28th nation to ratify it. Namibian ratification may also be close at hand.

Provisions of the treaty

The Pelindaba Treaty, named after South Africa's central nuclear research complex, confirms key provisions of the NPT, including the pledge of all signatories not to develop, produce, or otherwise acquire nuclear weapons, as well as the commitment to enter into comprehensive safeguard agreements with the International Atomic Energy Agency (IAEA) to verify each state's non-nuclear-weapon status (21 states have yet to conclude such agreements).

The Treaty prohibits the testing of any nuclear explosive device and, in effect, fulfills the basic conditions of the Comprehensive Nuclear Test Ban Treaty on the African continent. The

Pelindaba Treaty also prohibits the stationing of nuclear weapons on the territory of any state party to the treaty, raising serious questions about Diego Garcia.

Diego Garcia is the largest Island in the Chagos Archipelago. Parties to the Pelindaba Treaty consider it part of the territory of Mauritius and so bound by the provisions of the treaty. But the UK regards Diego Garcia as part of its British Indian Ocean Territory and has allowed the US to build a major military base there. One of its functions is to serve as a staging base for nuclear-capable strategic bombers. Now that the Treaty has entered into force, we will be hearing more about Diego Garcia, because the possible presence of nuclear weapons puts Mauritius in violation of its Treaty obligations (Sand 2009).

The Treaty also prohibits the dumping of radioactive waste in Africa and requires African states to apply the “highest standards of security and effective physical protection of nuclear material, facilities and equipment to prevent theft or unauthorized use and handling” of such materials and facilities. It prohibits any armed attack on nuclear installations within the African nuclear-weapon-free zone.

Sola Ogunbanwo (2003, p. 132), a Nigerian nonproliferation expert, argues that the Treaty’s entry into force will yield significant security benefits by reducing proliferation risks and improving verification measures. Most notably, Protocol I of the Treaty provides for assurances from states with nuclear weapons that they will “not...use or threaten to use a nuclear explosive device against...any Party to the Treaty,” and Protocol II provides for assurances that they will “not...test or assist or encourage the testing of any nuclear explosive device anywhere within the African nuclear-weapon-free zone.” China, France, and the UK have ratified both protocols. The US and Russia have signed but not ratified (Horovitz 2009).

A southern hemisphere free of nuclear weapons

With the entry-into-force of the Pelindaba Treaty, all sovereign territories in the southern hemisphere, plus Antarctica, are now in legally binding nuclear-weapon-free zones:

- South America — the Tlatelolco Treaty
- the South Pacific — the Rarotonga Treaty
- Southeast Asia — the Bangkok Treaty
- Antarctica — the Antarctic Treaty.

In the northern Hemisphere the Central Asian Nuclear-Weapon-Free Zone covering Kazakhstan, Tajikistan, Kyrgyzstan, Uzbekistan, and Turkmenistan came into force in March 2009.

The Blix Commission (WMDC 2006, p. 79) called the concept of nuclear-weapon-free zones “a success story.” They “complement and reinforce” the nonproliferation commitments made through the NPT and they fill in “gaps” left by the NPT. Thus the entry-into-force of the Pelindaba Treaty should be registered as a significant advance in nuclear nonproliferation and disarmament efforts.

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