Africa’s contribution to a treaty banning nuclear weapons

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Make an appraisal. Nothing more logical after five years of hard work, sacrifice and commitment trying to influence the debate on nuclear weapons and have a potential positive result on the outcome of the Review Conference of the Non-Proliferation Treaty (NPT) of 2015. Beyond an assessment of the past years, we’ll propose a projection into the future and we will focus on the African area. What has been the involvement of Africa in this process? And what should we expect from them in the coming years?

On May 22, the Review Conference of the Non-Proliferation Treaty (NPT) ended. Success or failure, the results are quite mixed. What has been an obvious failure is the impossibility to have a final text due to the refusal the United Kingdom, the United States, and Canada to agree on the proposal about the Nuclear Weapon Free Zone (NWFZ) in the Middle East. On the other hand most non-nuclear weapon states gave cause for optimism, best represented by the success of the Humanitarian Pledge, (previously called Austrian Pledge), now supported by 114 States, which affirms their commitment to “fill the legal gap to prohibit and eliminate nuclear weapons.”

While it is clear that these 114 states have taken an undoubtedly important step toward a treaty banning nuclear weapons, it is interesting to look closely at the involvement of the different regional groups. This article wishes to be a contribution, having a sight on the past and the future and focusing on the African group. It will assess the commitment of the African group on the issues of nuclear disarmament in general and its involvement, especially during the NPT Review Conference in May 2015. While noting the regrettable shortcomings, this article will try to identify ways to go forward.

Promoting the ban in the African agenda

Although most African states have signed and ratified various treaties on weapons of mass destruction, their impact in many discussions remain limited. For many states, nuclear disarmament and related issues are not a top priority. To increase discussions and participation with African diplomats, the conferences on the Humanitarian Impact of Nuclear Weapons in Oslo, Nayarit, and Vienna have played an important role. These conferences have allowed various stake holders, including African diplomats, to regain ownership over issues in nuclear disarmament as well as related risks and consequences.

Despite increased attention to the impact of nuclear weapons, few African states highlight the urgent need to eliminate nuclear weapons, prioritizing other regional issues including conflicts, instability and serious and imminent threats. While nuclear weapons may not be on the African continent, they remain an important problem not only in regards to the
catastrophic humanitarian consequences they may cause, but also in light of the insufficient international response to these threats. The non-prioritization of nuclear disarmament in is favoring the lack of involvement of African states in the process to ban and eliminate nuclear weapons.

Another significant challenge is the low representation of African countries in international conferences on nuclear disarmament. This is the logical consequence of the non-prioritization of disarmament issues, in Africa, as mentioned. Indeed, several African states have great difficulties sending a sufficient number of representatives to various international meetings, particularly in meetings and negotiations on nuclear disarmament, as was the case at the 2015 NPT Review Conference. It is clear that when states do not have the necessary human and financial resources, their participation in discussions and debates is severely limited. This situation puts African states in the position of spectator and not actor, making them the first victims of decisions made in their absence. And this phenomenon, present also in the lack of civil society representation in international meetings, should encourage broader changes in democratizing international processes.

Another regret was the low number of African endorsements of the Humanitarian Pledge by the end of the NPT Review Conference. According to some states, this delay was due to strategic and political considerations, but administrative challenges in ministries and missions in Geneva and New York are also an important factor. The high number of African endorsements collected since the end of the Review Conference are clearly showing this. Among the 114 states that have endorsed the Humanitarian Pledge, 38 are African states. This number is very crucial in following-up the initiative of humanitarian disarmament, hence the need to preserve and consolidate the gains previously capitalized.

*Preserving and consolidating achievements*

We must first start by focusing on the fact that the Treaty of Pelindaba, making Africa a zone free of nuclear weapons, expressed the commitment of the African region to move towards a world free of nuclear weapons. This treaty was guided by the Tlatelolco Treaty for Latin America and the Caribbean by stressing the need to destroy any facility dedicated to nuclear weapons. Given the number of states parties (38) not all provisions in the treaty have been fulfilled, but almost all states have signed it. It is therefore important to continue this virtuous dynamic by continuing advocacy for the ratification of other States.

The commitment of African states for a world without nuclear weapons has grown since the NPT Review Conference of 2010. This conference helped to launch a new basis of discussion based on the catastrophic humanitarian impact of the use nuclear weapons. It has also allowed a growing number of African states to appropriate the issue relating to humanitarian disarmament. Whether in this 2010 Review Conference, or in Oslo, Nayarit, or Vienna, African states have taken advantage of the opportunities available to them to express their deep concern for the consequences of nuclear weapons and finally hope there
will be soon a banning treaty. These meetings provided valuable opportunities to revitalize the African Group and realise the key role it can play in this historic process.

In addition to the gains and advances to consolidate, it is also very important to include the influential rise of "small states", such as Togo and Congo, alongside great ones such as South Africa and Egypt. These states are beginning to take strong initiative on this issue in order, to add their distinctive voice to discussions and negotiations in favor of humanitarian disarmament. These precious achievements must be preserved and strengthened, to achieve an Africa even more active on the issue of humanitarian disarmament.

**Hopes for a more active Africa**

The time of hope is the one which underscores the importance and the urgency for a more active Africa on issues relating to nuclear disarmament. This is crucial not only to preserve the achievements outlined above, but also to initiate decisive action.

At the first line of actions, we can have the revitalization of the Treaty of Pelindaba with regard to what is done in the framework of the Treaty of Tlatelolco. This revitalization could, in addition to ratification by missing states, strengthen the African Commission on Nuclear Energy, the implementation and monitoring organ of the Pelindaba Treaty. The African Commission on Nuclear Energy (AFCONE) ensures that all parties respect their obligations regarding non-proliferation, including the obligation to prevent, by all possible means, the non-actors State to manufacture, acquire, possess, develop, transport, transfer or use nuclear weapons. This reinvigoration of the Treaty of Pelindaba remains crucial since it will immediately strengthen the Forum of Nuclear Regulatory Bodies in Africa (FNRBA). This forum is intended to allow Member States (32 in 2012) to improve their nuclear regulation, changing outdated practices and filling gaps in legislation.

Additional progress will also demand that states include the prohibition of nuclear weapons in national and continental policies. Indeed, almost all African states are parties to the NPT. In compliance with this treaty, and for their collective security, states parties must implement incentive measures for the achievement of nuclear disarmament. African States have also played a major role in negotiations on the agreements on cluster munitions and landmines; this same unified voice could speak to demand the prohibition of nuclear weapons.

It is also important to strengthen the involvement of religious organizations and critical populations, such as women and youth. It is also important to strengthen the participation and representation of African States and African civil society in discussions and negotiations on nuclear disarmament.

Regarding African states that have endorsed the Humanitarian Pledge, they must now consider the latter as the basis for a new process to develop a binding and comprehensive legal instrument prohibiting nuclear weapons. The 70th anniversary of the bombing of
Hiroshima and Nagasaki should thus be an opportunity for them to reaffirm their attachment to that pledge and express their desire to make the prohibition of nuclear weapons a priority in their national, regional and international policies, recognizing the catastrophic humanitarian consequences of nuclear weapons.

The 2015 NPT Review Conference has just ended. It has further underpinned the fact that the NPT is not an effective way to achieve nuclear disarmament. It is important, nevertheless, to remain optimistic and continue to hope that states endorse the Humanitarian Pledge and act with the purpose to bridge the existing legal gap. This is also an opportunity to remind these states that forgetting humanitarian engagement would be the abandonment of the struggle of civil society, such as the International Campaign to Abolish Nuclear Weapons (ICAN). A fight that lies on the consideration of the NPT as an inadequate instrument to move toward a world free of nuclear weapons. A fight that lies in filling the legal gap in order to stigmatize, prohibit and eliminate these weapons of mass destruction that are not yet subject to prohibition.

At the end of the NPT Review Conference, the main conclusion to be drawn by African states remains this: if the nuclear-weapons states refuse to move toward a comprehensive ban treaty, it is obvious that African States, with the other states involved in the process, move to achieve it. And it is exactly where the responsibility of those African states lies, with regards to the great progress they have made in terms of denuclearization.