Malawi ratifies the Pelindaba Treaty

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As of 1 July 2009, the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty) is one ratification away from entering into force. The treaty will enter into force on the date of deposit of the 28th instrument of ratification.

With Malawi depositing its ratification instrument with the African Union (AU) on 28 April 2009, any of the remaining non-ratifying African states could do so, thereby claiming the honour of being the state that tipped the 13-year-old treaty into force. Ongoing efforts by the AU, the Center for Nonproliferation Studies and the Institute for Security Studies (ISS), with the support of several other NGOs, including the Parliamentary Network for Nuclear Disarmament, Groupe de Recherche et d’Information sur la Paix et la Sécurité and the World Council of Churches, have been intensified. Given renewed hope, fuelled in part by US President Obama’s 5 April 2009 Prague speech in which he recommitted the US to arms control and the elimination of nuclear weapons, the opportunity exists for the African continent to play a leading role in ensuring that the whole of the southern hemisphere is legally nuclear-weapon-free.

General Assembly (UNGA) First Committee on Disarmament and International Security resolution calls upon the remaining African states to the treaty and relevant parties to the protocols to ratify them.

The Pelindaba Treaty seeks to declare Africa a zone free of nuclear weapons by prohibiting the development of nuclear weapons; their production, testing, acquisition, and stationing on any of the country in the zone. As an important part of the security architecture of the AU and an important step towards strengthening the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Pelindaba Treaty aims to promote international action and solidarity towards regional peace and security, as well as nuclear nonproliferation and disarmament. More importantly, it facilitates the use of nuclear energy for peaceful purposes on the continent. To this effect, and upon entry into force, the depository (the AU) is required to convene a conference of all parties in accordance with Article 14 on the establishment of an African Commission on Nuclear Energy (AFCONE) as envisaged under Article 12 of the treaty. AFCONE would promote international cooperation with extra-zonal states for peaceful uses of nuclear science and technology.

Like other nuclear-weapon-free zones treaties, the Pelindaba Treaty includes three protocols for eligible parties, the five nuclear weapon states, to be signed and ratified in order to respect the status of the zone and provide ‘negative security assurances’ to members of the zone. To date, the UK, France and China have signed and ratified these protocols, but the Russian Federation and the USA are yet to ratify them. By adhering to the protocols, nuclear weapon states undertake not to accumulate, stockpile, proliferate or assist in the manufacture of sensitive nuclear equipment in Africa.

Ammunition stockpile management in Africa: urgent need for intervention

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While all 53 members of the AU and Morocco have signed the treaty, there are (as of 10 May 2009) still 25 signatories that have yet to ratify it. These signatories are: Angola, Burundi, Cameroon, Central African Republic, Cape Verde, Chad, Comoros, Congo, Djibouti, Democratic Republic of Congo, Egypt, Eritrea, Ghana, Guinea-Bissau, Liberia, Niger, Seychelles, Sierra Leone, Somalia, São Tomé & Príncipe, Sudan, Tunisia, Uganda and Zambia, as well as the area known as the Sahrawi Arab Democratic Republic. The United Nations