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FINAL TEXT OF A TREATY ON AN AFRICAN NUCLEAR-WEAPON-FREE ZONE

Note by the Secretary-General

The Secretary-General has received a letter dated 2 August 1995 from Ambassador Oluyemi Adeniji, Chairman of the Group of Experts to Prepare a Draft Treaty on an African Nuclear-Weapon-Free Zone, informing him of the successful outcome of the Group's work.

Pursuant to the request contained in resolution 49/138, adopted by the General Assembly on 19 December 1994, the Secretary-General hereby submits to the Assembly the "Final Text of the African-Nuclear-Weapon-Free Zone Treaty".

* A/50/150.

Annex

FINAL TEXT OF A TREATY ON AN AFRICAN NUCLEAR-WEAPON-FREE ZONE

CONTENTS

	<u>Page</u>
Foreword by the Secretary-General	3
Letter of transmittal	5
Pelindaba text of the African Nuclear-Weapon-Free Zone Treaty, as amended by the OAU Council of Ministers, and subsequently approved by the OAU Assembly of Heads of States and Government	7
<u>Appendix.</u> Resolution on the implementation of the Treaty Declaring Africa a Nuclear-Weapon-Free Zone (OAU CM/RES.1592 (LXII) Rev.1)	28

FOREWORD BY THE SECRETARY-GENERAL

Thirty-one years have passed since the leaders of Africa adopted in July 1964, at Cairo, the pioneering resolution of the First Ordinary Session of the OAU Summit, which declared Africa a denuclearized zone. That resolution has been reaffirmed by the General Assembly in the relevant resolutions it has adopted since December 1965.

I am gratified by the historic decision taken by the African Heads of State during the thirty-first Ordinary Session of the OAU Summit in June 1995 at Addis Ababa, whereby they adopted the Final text of the African Nuclear-Weapon-Free-Zone Treaty. The establishment of An African nuclear-weapon-free zone will advance global norms and contribute to efforts to prevent the proliferation of nuclear weapons and strengthen the international non-proliferation regime.

An African nuclear-weapon-free zone will also contribute greatly to the stride towards a world free from nuclear weapons. It is a promising example to others wishing to contribute to broadening the areas of the world from which nuclear weapons will be forever proscribed. I encourage the establishment of additional nuclear-weapon-free zones.

In an "Agenda for Peace", I have made it clear that the maintenance of international peace and security is a shared undertaking, a partnership between the United Nations and regional organizations and arrangements. In disarmament, the "globalization" of the subject means that it should be understood as a global enterprise, involving regional organizations, States and the international community as a whole. The African Nuclear-Weapon-Free-Zone Treaty has been prepared under "United Nations auspices" in cooperation with the Organization of African Unity (OAU). The United Nations stands ready to help its Member States to fulfil the wish of the international community to turn the logic of non-proliferation into concerted action.

The Treaty on the Non-Proliferation of Nuclear Weapons continues to provide an indisputable framework for the global non-proliferation efforts. I have already had occasion to refer to developments which demonstrate the interaction between global and regional dimensions of arms control and disarmament. It is my conviction that an African nuclear-weapon-free zone will enhance global as well as regional peace and security.

The year 1995 has already witnessed the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons. There is no doubt that the historic decision of the African leaders to adopt the Final text of the African Nuclear-Weapon-Free-Zone Treaty would be a most welcome way to commemorate the Fiftieth Anniversary of the United Nations.

As we pay tribute to African leaders, let us not forget that the most safe, sure and swift way to deal with the threat of nuclear arms is to do away with them in every regard. This should be our vision of the future. No more testing. No more production. No more sales or transfers. Reduction and destruction of all nuclear weapons and the means to make them should be humanity's great common cause.

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I wish to express my appreciation to the OAU/United Nations Group of Experts to Prepare a Draft Treaty on an African Nuclear-Weapon-Free-Zone Treaty for completing this important undertaking.

Letter of transmittal

2 August 1995

Sir,

I have the honour to refer to General Assembly resolution 49/138 of 19 December 1994 on the establishment of an African nuclear-weapon-free zone. In paragraph 9 of that resolution, the Assembly requests the Secretary-General, in consultation with the Organization of African Unity, to take appropriate action to enable the Group of Experts designated by the United Nations in cooperation with the Organization of African Unity to meet jointly with the Intergovernmental Group of Experts of the Organization of African Unity early in 1995 at Pretoria in order to finalize the drafting of a treaty on a nuclear-weapon-free zone in Africa, and to submit the text of the treaty to the General Assembly at its fiftieth session under the item entitled "Final text of a treaty on an African nuclear-weapon-free zone".

Following this resolution, the United Nations, in cooperation with the Organization of African Unity (OAU), organized the Joint Meeting of OAU/United Nations Group of Experts and the Intergovernmental Group of Experts to finalize the drafting of a treaty on a nuclear-weapon-free zone in Africa. The Joint Meeting was held at Johannesburg from 29 May to 2 June 1995.

I am pleased to inform your Excellency that the Joint Meeting adopted the Pelindaba text of the African Nuclear-Weapon-Free Zone Treaty. In my capacity as Chairman of the Meeting, I submitted the Pelindaba text to the Secretary-General of OAU, who in turn submitted it to the OAU Council of Ministers at its Sixty-second Ordinary Session held at Addis Ababa from 21 to 23 June 1995. After considering the Pelindaba text, the OAU Council of Ministers made some amendments and thereafter adopted resolution OAU CM/Res.1592 (LXII)/Rev.1. Subsequently, the Pelindaba text, as amended, was approved by the thirty-first Ordinary Session of the OAU Assembly of Heads of State and Government. Therefore, the text which I am submitting to your Excellency is the Pelindaba text as amended by the OAU Council of Ministers and subsequently approved by the OAU Assembly of Heads of State and Government.

At the opening session of the Joint Meeting, Mr. L. H. Evans, Director-General of the Department of Foreign Affairs of South Africa, delivered the keynote address. Statements were also made by Ambassador Oluyemi Adeniji, Chairman of the Group of Experts, Ambassador Ibrahima Sy, Representative of the Organization of African Unity to the United Nations, and by Mr. Sola Ogunbanwo, Chief Expert Adviser on the African Nuclear-Weapon-Free Zone. The closing session in Pelindaba was addressed by Dr. J. W. L. de Villiers, Chairman of the Atomic Energy Corporation of South Africa, Dr. W. E. Stumpf, Chief Executive of the Atomic Energy Corporation of South Africa, Ambassador Oluyemi Adeniji, Ambassador Ibrahima Sy, and by Mr. Sola Ogunbanwo.

The following experts took part in the Joint Meeting: Ambassador Oluyemi Adeniji, Chairman of the Group of Experts, Lagos; Ambassador Dr. Fathi Marei, Advisor on Arms Control to the Minister of Foreign Affairs, Cairo; Ambassador Abdelmahmoud Abdelhalim, Embassy of Sudan, Addis Ababa;

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Mr. Komi Menshah Afeto, Premier Conseiller, Permanent Mission of Togo to the United Nations, New York; Monsieur Sabri Boukadoum, Director, International Policy, Ministry of foreign Affairs, Algeria; Mr. P. Goosen, Minister (Disarmament), Permanent Mission of South Africa to the United Nations, Geneva, Switzerland; Mr. Essombe Edimo Joseph, First Secretary, Embassy of Cameroon, Addis Ababa; Mr. Kabouji Lukabu, Chargé d'affaires, Permanent Mission of Zaire to the United Nations, New York; Mrs. Liberata Mulamula, Counsellor, International Cooperation and Legal Affairs Department, Dar-es-Salaam; Mr. J. Nayeck, Second Secretary, Permanent Mission of Mauritius to the United Nations, New York; Mr. Arthur Pickering, Under-Secretary, Ministry of Foreign Affairs, Windhoek; Mr. Gift Punungwe, Chargé d'affaires, High Commission of Zimbabwe, Lagos; Ambassador Cheickh Sylla, Director, International Organizations Department, Ministry of Foreign Affairs, Dakar; Dr. Tilahun W. Selassie, General Manager of National Radiation Protection Authority, Science and Technology Commission, Addis Ababa; Ambassador Ibrahima Sy, Executive Secretary, Office of OAU, New York; and Colonel Gustave Zoula, Senior Military Officer, Military Unit, Conflict Division, Organization of African Unity, Addis Ababa.

Mr. Mohamed Elbaradei, Assistant Director-General for External Relations, International Atomic Energy Agency (IAEA), participated as an expert; and Ms. Bronte Moules, Alternative Representative on the Australian delegation to the Conference on Disarmament, participated as an expert observer from a party to the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga).

The following representatives of the host Government attended the Meeting as observers: Mr. Johann Kellerman, Assistant-Director, Directorate, Disarmament and Nuclear Matters, Department of Foreign Affairs, South Africa and Mr. Neville Whiting, Atomic Energy Corporation of South Africa.

At the request of the Group of Experts, the representatives of France, Portugal, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed the Meeting, on 1 June. The representative of the Russian Federation addressed the Meeting on 2 June. The representative of China addressed a letter to the Group.

The members of the Group of Experts wish to express their appreciation for the assistance that they received from the staff members of the Secretariat of the United Nations. They wish, in particular, to convey their special thanks to the Secretary of the Group of Experts, Mr. Sola Ogunbanwo, Senior Coordinator of the United Nations Disarmament Fellowship, Training and Advisory Service Programme, who also participated as Chief Expert Adviser.

(Signed) Oluyemi ADENIJI
Ambassador
Chairman of the Group of Experts
to Prepare a Draft Treaty on an
African Nuclear-Weapon-Free Zone

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Appendix

CM/Res.1592 (LXII)/Rev.1

RESOLUTION ON THE IMPLEMENTATION OF THE TREATY
DECLARING AFRICA A NUCLEAR-WEAPON-FREE ZONE

The Council of Ministers of the Organization of African Unity, meeting in its Sixty-second Ordinary Session in Addis Ababa, Ethiopia, from 21 to 23 June 1995,

Recalling resolution AHG/Res.11 (I) on the Denuclearization of Africa adopted by the Assembly of Heads of State and Government in Cairo, in 1964,

Reaffirming its previous resolutions on global disarmament and the denuclearization of Africa, namely: resolutions CM/Res.3 (I), CM/Res.28 (II), CM/Res.718 (XXXIII), CM/Res.1101 (LVI)/Rev.1, CM/Res.1342 (LIV) and CM/Res.1395 (LVI),

Further recalling its resolution CM/Res.1529 (LX) requesting the Secretary-General to convene a joint meeting of the OAU Intergovernmental Experts' Group and the OAU/UN Experts' Group to study the draft Treaty and submit to it a final report thereon,

Bearing in mind relevant United Nations resolutions on this issue,

Recognizing that the establishment of nuclear-weapon-free zones contribute to strengthening the international non-proliferation regime,

Aware of the offer of the Government of the Arab Republic of Egypt to host the signing ceremony, and that of the Republic of South Africa to host the Headquarters of the African Nuclear Energy Commission,

Considering the fact that the joint meeting of the two Experts' Groups has taken place in Johannesburg (South Africa) from 29 May-2 June 1995, and that the final text of the draft Pelindaba Treaty Declaring Africa a Nuclear Free Zone was tabled at the session,

Having considered and amended the report of the Experts as well as the Draft Pelindaba Treaty as contained in document CM/318 (LXII),

Taking into account that the text under consideration had taken into account the comments and observations of OAU Member States:

1. Takes note and endorses the report of the joint meeting of the OAU Intergovernmental Experts' Group and the OAU/UN Experts Group as contained in document CM/318 (LXII) and as amended subsequently;

2. Agrees that the application of the African Nuclear-Weapon-Free-Zone should be without prejudice to the territorial integrity and sovereignty of OAU Member States;

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3. Expresses its profound gratitude and appreciation to the Government and people of South Africa for having hosted the said meeting;

4. Expresses gratitude to the United Nations for its technical support and financial assistance towards the organization of the joint experts' meeting;

5. Considers that the establishment of nuclear-weapon-free zones, especially in the Middle East, would enhance the security of Africa and viability of the African Nuclear-Weapon-Free Zone;

6. Endorses the offer of the Egyptian Government to host the signing ceremony, and that of the South African Government to host the Headquarters of the African Nuclear Energy Commission, and expresses gratitude to both Governments;

7. Decides to submit the draft Pelindaba Treaty, as formulated by the OAU/UN Group of Experts Declaring Africa a Nuclear Free Zone and as amended to the 31st Ordinary Session of the Assembly of Heads of State and Government for adoption;

8. Launches an appeal to the international community and, in particular, the nuclear-weapon States to bring the necessary support to the amended Pelindaba Treaty, especially by their accession to the Protocols that concern them;

9. Requests the Secretary-General to report to the 63rd Ordinary Session of the Council of Ministers on the implementation of this resolution.
