

***Statement to the***

*United Nations Meeting*

*Open Consultations on the Comprehensive Review of the Status  
of Implementation of Resolution 1540 (2004)*

*31 May – 02 June 2022/ UN Headquarters New York*

*Delivered by*

**The AFRICAN COMMISSION ON NUCLEAR ENERGY  
(AFCONE)**

**Chair**

I join previous speakers in congratulating the 1540 Committee for convening this Open Consultation as part of the Comprehensive Review of the Implementation of UNSC Resolution 1540. It is an important occasion for us and IROs to share and exchange views with members of the Committee, member states and other stakeholders.

## **Excellencies, Ladies and Gentlemen,**

The African Union Constitutive Act recognized the need for the continent to promote peace, security, and stability as a prerequisite for the implementation of our development and integration agenda. In this regard, the African Union leads policy making and implementation of decisions aimed at ensuring that Africa achieves Aspiration 4 of Agenda 2063 which aspires for “A peaceful and secure Africa”.

The African Peace and Security Architecture (APSA) was established by the African Union, in collaboration with Africa’s Regional Economic Communities (RECs) to prevent, manage and resolve conflicts in Africa. Its core organ is the African Union Peace and Security Council, which is the standing decision-making organ for the prevention, management, and resolution of conflicts. It is a collective security and early warning arrangement intended to facilitate timely and efficient responses to conflict and crisis situations in Africa.

Weapons of Mass Destruction (WMDs) are part of the common security threats to AU Member States as stated in the Common African Defence and Security Policy.

It should also be recalled that at the 50th Anniversary Solemn Declaration of the Union of 2013, the Assembly undertook to maintain a nuclear-free Africa and called for global disarmament, non-proliferation, and peaceful uses of nuclear energy.

The objective for the strategic priority 4 of the APSA roadmap is to contribute to enhancing the timeliness and effectiveness of the response to strategic security challenges by all stakeholders.

Implementing the international regimes on Weapons of Mass Destruction (WMD) disarmament and non-proliferation needs to be enhanced through domestication of legal and policy instruments against WMDs; strong operational and institutional capacities of Members States; and sufficient research and data on the threat and risks of illicit chemical, biological and nuclear proliferation, and trafficking.

The specific objective is to effectively implement instruments and policies to address WMD disarmament and non-proliferation.

## **Excellencies, Ladies and Gentlemen,**

Resolution 1540 and the Pelindaba Treaty share common objectives and complementary obligations in the area of nuclear security and we recognize the opportunities for synergies and cooperation.

**While** resolution 1540 and the Pelindaba Treaty differ in scope and application, they share the same objectives of preventing the proliferation of nuclear weapons and strengthening nuclear security. Pelindabathen specifically makes provisions for how Africa, even in light of obvious prohibitions, must utilize nuclear energy for peaceful uses.

Of specific relevance to the requirements of Resolution 1540 are the obligations of the Pelindaba Treaty for parties to prohibit the development, manufacture, stockpiling, acquisition and possession of any nuclear explosive devices as well as to assist or encourage any such activities.

In addition, Article 10 of the Treaty obliges Parties to maintain the highest standards of security and effective physical protection of nuclear materials, facilities and equipment to prevent theft or unauthorized use and handling.

The African Commission on Nuclear Energy (AFCONE) as the African Nuclear Weapons Free Zone Treaty (Pelindaba Treaty) Body and Considered as the African Union Specialised Agency for Nuclear matters, is aligning its strategic goals and enablers with those adopted by the African Union Commission.

## **Excellencies, Ladies and Gentlemem,**

The African Ministers and Heads of Delegations (Nb: 21), gathered at the International Conference on Nuclear Security: Sustaining and Strengthening Efforts (Vienna/10-14 February 2020), reiterated their commitment to sustain and strengthen effective and comprehensive nuclear security of all nuclear and other radioactive material and facilities: They adopted the Ministerial Declaration.

The declaration integrates the following important aspects:

- ✓ The responsibility for nuclear security within a State rests entirely with that State in accordance with its respective national and international obligations.
- ✓ concern about existing and emerging nuclear security threats and a commitment to addressing such threats.
- ✓ Acknowledgement that nuclear security measures may enhance public confidence in the peaceful use of nuclear applications.

- ✓ Acknowledgement that those applications contribute to Member States' sustainable development and assurance that measures to strengthen nuclear security do not hamper international cooperation in the field of the peaceful uses of nuclear applications.
- ✓ Reaffirmation of the common goals of nuclear non-proliferation, nuclear disarmament and peaceful uses of nuclear energy and recognition that nuclear security contributes to international peace and security, and progress in nuclear disarmament is critically needed and will continue to be addressed in all relevant fora, consistent with the relevant obligations and commitments of Member States.

The legal foundation for nuclear security consists of international instruments and recognized principles designed to control nuclear material and other radioactive substances. This broad range of instruments, many of which were developed under IAEA auspices, provides a framework for using such material in ways that protect all States.

The IAEA Nuclear Safety and Security Department is actively implementing, including in Africa, the Nuclear Security Approved Plan of Action, in particular through the Integrated Nuclear Security Support Plan (INSSP) (more than 45 African Member States have approved, finalized, or drafted their INSSP).

In cooperation with the UNSC 1540 Committee and relevant regional and sub-regional organizations, The UNODA assists Member States in their efforts to fully implement the key requirements of resolution 1540 (2004), including the preparation of voluntary national implementation and capacity building plans.

### **Excellencies, Ladies and Gentlemen,**

The AFCONE plays, with the support of the AUC Departments (in particular the Peace & Security Department), the AUC Peace & Security Council, a major Role in Assisting the African Member States to set up their national regulatory bodies and update/upgrade their national legislation and regulations according to their regional and international commitments.

The AFCONE informs, periodically, the African Union Peace and Security Council (AU PSC) on the implementation of the Pelindaba Treaty (Reference. 1071<sup>st</sup> AU-PSC Communique/ 31 March 2022/ <https://www.peaceau.org/uploads/eng-communique-1071st-psc-meeting-on-treaty-of-pelindaba.pdf> ).

Furthermore, we wish to underline AFCONE's commitment to cooperate with the Committee on strengthening Nuclear Security in line with the complementary provisions of Resolution 1540 and the Treaty of Pelindaba.

AFCONE reiterates the region's commitment to resolution 1540 as expressed by the African Union Peace and Security Council in 2016 and 2019.

AFCONE welcomes the recent exchange of letters between UNODA and AFCONE to formalise cooperation and ongoing consultations including an Action Plan for 2022-2023, which includes cooperation on supporting enhanced implementation of Resolution 1540 among member states.

### **In Conclusion Chair,**

In view of the current global security challenges to deal with potential avenues for illicit acquisition of nuclear material by non-state actors, AFCONE wishes to emphasize its readiness to collaborate with the Africa Groups in Vienna, Geneva and New York, including the 1540 committee.

The AFCONE and the UNODA & UNSC 1540 Committee have the unique opportunity to implement joint programmes and activities to optimize the resources allocated and concretely achieve their respective missions. Consultations are underway with the UNODA Representatives.

In preparation for the 10<sup>th</sup>NPT Review Conference planned for this August 2022, the AFCONE fully supports the "Inalienable Right" to use nuclear energy for peaceful purposes in conformity with Articles I and II of the Treaty. This is particularly important for developing countries in view of the pressing needs for cleaner energy at a time when climate driven energy shortages are becoming more acute.

**Thank You for your kind attention.**

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