

AFRICAN UNION

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CONCEPT NOTE

**THE FIRST ORDINARY SESSION OF THE AFRICAN COMMISSION
ON NUCLEAR ENERGY (ACNE)**

4TH MAY 2011, ADDIS ABABA, ETHIOPIA

I. INTRODUCTION AND RATIONALE

1. The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) was adopted by the 31st Ordinary Session of the OAU held in Addis Ababa in June 1995, and signed at Cairo, on 11 April 1996, entered into force on July 15, 2009 following the deposit of the 28th instrument of ratification. The Treaty came as a result of a continent-wide commitment to strengthening the non-proliferation regime, the promotion of cooperation in the peaceful uses of nuclear energy, complete disarmament, and the enhancement of regional peace and security.
2. Pursuant to Article 12 of the Treaty, The States Parties agreed to establish the African Commission on Nuclear Energy (ACNE) as the body responsible for, *inter alia*, ensuring compliance with states' obligations under the Treaty and Protocols. More specifically, Article 12 of the Treaty states that ACNE shall be responsible for:
 - a) Collating the reports and the exchange of information as provided for in article 13;
 - b) Arranging consultations relating to complaints procedure and settlement of dispute as provided for in annex IV, as well as convening conferences of Parties on matters arising from the implementation of the Treaty;
 - c) Reviewing the application to peaceful nuclear activities of safeguards by IAEA as elaborated in annex II;
 - d) Bringing into effect the complaints procedure elaborated in annex IV;
 - e) Encouraging regional and sub-regional programmes for cooperation in the peaceful uses of nuclear science and technology;
 - f) Promoting international cooperation with extra-zonal States for the peaceful uses of nuclear science and technology.
3. The First Conference of States Parties to the Treaty was held in Addis Ababa on November 4, 2010 in accordance with Article 14 which calls for a Conference of all States Parties as soon as possible after the entry into force to, *inter alia*, elect members of the ACNE and determine its Headquarters. The parties elected, with due regard to equitable regional representation, twelve Members of ACNE for a three-year period. These are: Algeria, Burkina Faso, Cameroon, Ethiopia, Kenya, Libya, Mali, Mauritius, Senegal, South Africa, Togo and Tunisia. The Conference also endorsed the decision to establish the Headquarters of ACNE in South Africa.
4. Following the First Conference of States Parties, the elected Members submitted to the Chairperson of the Commission the names and credentials of high caliber professionals with vast experience in the area of nuclear science and technology, diplomacy and security as their Representatives.
5. With the completion of the list of Representatives to ACNE and pursuant to Article 12, paragraph (3) of the Treaty, which commits the ACNE to meet in annual ordinary sessions, the African Union Commission will hold the First Ordinary Session of the ACNE on May 5, 2011.

II. OBJECTIVES OF THE MEETING

Given that this will be the First Ordinary Session of the ACNE and the first meeting of the newly elected Members, the meeting will focus on matters relating to the operationalization of ACNE. These include:

a) Election of the Chair and Vice-Chair of the Board of Representatives of ACNE

Pursuant to Annex III, paragraph 2 to the Treaty, the ACNE shall have a Bureau consisting of the Chairperson, the Vice Chairperson and the Executive Secretary. The Chairperson and Vice-chairperson for the current term will be elected at the Session by a two-thirds majority of Representatives present and voting.

b) Adoption of the Rules of Procedure of ACNE Board of Representatives

Pursuant to Annex III, paragraph (2) to the Treaty, ACNE is required at its First Ordinary Session to adopt its Rules of Procedure to serve as internal organizational and operational rules. The African Union Commission will present draft Rules of Procedure to the Session to be discussed, enhanced, finalized and adopted.

c) Structure of the ACNE

The meeting is expected to agree on a proposal to be put before the Second Conference of States Parties on the Statute and Structure of the ACNE. This structure should define the governing bodies of ACNE, their functions and powers. The African Union Commission will present a draft proposal for the Session's consideration.

The meeting will also discuss the terms of reference of the Executive Secretary who will be recruited following the Session.

d) Programme of Work

Based on the responsibilities of ACNE as outlined in Article 2, paragraph 2 of the Treaty, the Session is expected to discuss and agree on a programme of work.

e) Scale of assessment and ACNE's budget

The scale of assessment and ACNE's budget, pursuant to Article 14, paragraph 2 of the Treaty, should be adopted by the Conference of the States Parties. The Session will thus make a proposal for the scale of assessment of Parties' contributions to the ACNE's Regular Budget based on the structure, and programme of work agreed upon under objectives (c) and (d) above.

III. PARTICIPANTS

Participants in the meeting will consist of:

a) The 12 Representatives of the States Members to ACNE:

- Mr. Messaoud Baaliouamer – Algeria
- Mr. Badiori Outtara - Burkina Faso
- Augustin Simo - Cameroon
- Mr. Atnatiwos Zeleke Meshesha - Ethiopia
- Professor Shaukat Abdurazak - Kenya
- Dr. Bulgasem Hammouda Ali El-Fawaris - Libya
- Mr. Tezana Coulibaly - Mali
- Mr. Anund P. Neewor - Mauritius
- Mr. Christian Sina Diatta - Senegal
- Mr. Abdul Samad Minty - South Africa
- Lieutenant-Colonel Manzi Pidalatan - Togo
- Mr. Mourad Telmini – Tunisia

b) The representatives of the following bodies will attend the meeting as Observers:

- African Regional Cooperative Agreement for Research, development and Training related to Nuclear Science and Technology (AFRA)
- Forum of Nuclear Regulatory Bodies (FNBRA)
- International Atomic Energy Agency (IAEA)
- Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO)

IV. DATE AND VENUE

The Session will be held on May 4th at the African Union Conference Center in Addis Ababa, Ethiopia

V. CONTACT

All Communication regarding the Session should be addressed to:

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