



**James Martin Center for Nonproliferation Studies**  
Monterey Institute of International Studies  
*An Affiliate of Middlebury College*

## **ADVANCING THE ENTRY INTO FORCE OF THE PELINDABA TREATY: UNDERSTANDING THE LEGAL AND INSTITUTIONAL REQUIREMENTS**

*A paper by Jean du Preez<sup>1</sup> presented at the March 2008  
Southern African regional workshop on the entry-into-force of the Pelindaba Treaty*

### **Introduction**

The Pelindaba Treaty reaffirms African states' legal commitments under the NPT not to develop or acquire nuclear weapons programs. It also holds significant advantages for regional peaceful nuclear cooperation with potential commercial advantages. The Treaty furthermore requires the dismantlement and destruction of any nuclear explosive device manufactured prior to coming into force. In this sense the Pelindaba Treaty is very unique as it is the first NWFZ accord to include a disarmament provision setting a new standard for future NWFZs, including the recently established Central Asian zone and, even more importantly, a future NWFZ in the Middle East. It also legally binds NWS not to use or threaten to use nuclear weapons against African states parties to the treaty, and not to test or place nuclear weapons on African territories. In order to avoid any future loopholes related to the potential use of peaceful nuclear explosions, the Treaty not only covers nuclear weapons, but more broadly based "nuclear explosive devices" which is defined as "any nuclear weapons or other explosive device capable of releasing nuclear energy, irrespective of the purpose for which it could be used."

The Pelindaba Treaty represents a more balanced and comprehensive approach to nonproliferation and disarmament than the NPT. As such it seeks to strike a balance between nonproliferation and the promotion of the use of nuclear energy and science on the one hand, while also serving as a building block towards a nuclear weapons free world on the other.

The Treaty has 7 basic legal obligations and provides for the creation of a regional commission which will be tasked with verification responsibilities as well promotion of peaceful nuclear uses among African states. A Conference of State parties will also be held upon entry into force and at least every two years thereafter.

### **Legal Obligations**

#### **i. Renunciation of nuclear weapons/explosive devices (Art 3):**

While the permanent renunciation of nuclear weapons is a core obligation under Article II of the NPT, the Pelindaba Treaty is all-encompassing covering every aspect from research, to development, manufacturing, stockpiling or control. Unlike the NPT and other NWFZ treaties, the Pelindaba Treaty also covers research on nuclear weapons or

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explosive devices. Like the NPT it requires its members not to seek or receive, nor to assist others in seeking and receiving research, development, manufacturing, stockpiling or control of nuclear weapons or nuclear explosive devices.

ii. **No placement of nuclear weapons on territories of state parties (Art 4):**

While the NPT (Article I) prohibits nuclear weapon States (NWS) from sharing nuclear weapons, the United States has consistently argued – even during the Treaty’s negotiations – that the placement of U.S. weapon systems on the territories of some NATO states, is not in breach of its NPT obligations since these systems remain under supreme U.S. control. Like other NWFZ, the Pelindaba Treaty closes this loophole in the NPT by reinforcing African states’ NPT obligations not to receive or have nuclear weapons or explosive devices placed on their territories.

Given the provisions of the Rarotonga treaty – establishing the South East Asia NWFZ – and at the insistence of some NWS during the negotiations of the Pelindaba Treaty, each party to the Treaty is allowed to decide for itself whether to allow foreign ships or aircraft that might be suspected of carrying nuclear explosive devices to visit its ports, provided that the exercise of this right should be without prejudice to the purposes and objectives of the Treaty. This means should nuclear weapons enter the zone on board vessels or aircraft, they should move out of the territories of African states, as soon as possible.

iii. **No testing of any nuclear explosive device (Art 5 & Protocol II):**

Bearing in mind that the Pelindaba Treaty was negotiated before the CTBT was concluded in 1996, the Treaty shuts another loophole in the NPT. While Article V of the NPT recognizes the right of states to benefit from the technical advantages of peaceful nuclear explosions, the Pelindaba Treaty explicit prohibits the testing of any nuclear explosive device on any part of the zonal territory, either by a member state, or by any other state. If read together with the definition of a nuclear explosive device, it is clear that peaceful nuclear explosion are specifically prohibited.

Not only does this article reinforce African nations’ obligations under the NPT not to acquire nuclear explosive devices, but it also prevents extra zonal states from testing within the zone territory. It also reinforces the commitment to the CTBT that bans testing by any state anywhere.

This provision of the treaty places a legal obligation on the five NWS since they are required to sign and ratify Protocol II attached to the Treaty which requires them “not to test or assist or encourage the testing of any nuclear explosive device anywhere within the African nuclear weapons free zone.” Sadly, neither the United States nor Russia has ratified this important obligation. While these states have never tested nuclear devices on African territories, their refusal to ratify the no-testing protocol not only puts into question their commitment to a permanent ban on nuclear testing, but also to the African nuclear weapon free zone.

iv. **Declaring, Dismantling and destruction and conversion of nuclear explosive devices and associated production facilities under international and regional verification (Art 6):**

Another unique feature of the Pelindaba Treaty is the requirement that each state party declare any capability for the manufacture of nuclear explosive devices, to dismantle and destroy any nuclear explosive device that it has manufactured prior to the coming into

force of the Treaty, and to destroy associated production facilities. The IAEA, together with the African Commission on Nuclear Energy (AFCON) will be responsible for the verification of this process. While this article may seem to be defunct after South Africa's unilateral announcement that it had destroyed its nuclear weapons program in 1990, and after Libya's 2006 denouncement of all weapons of mass destruction (WMD) programs, it does establish a unique disarmament mechanism by linking a regional organization – AFCON – to an international institution – the IAEA – to ensure that nuclear disarmament in the region is complete. Not only would such a mechanism enhance confidence that all African states remain nuclear weapons free, but this model could be used in other regions such as the Middle East when the time is right for establishing a NWFZ in that part of the world. As such this provision of the Pelindaba Treaty could potentially be used as a way to resolve the challenge on how to capture Israel under a future Middle East NWFZ.

v. **Legally binding assurances to African states against the use or threat of use of nuclear weapons (Protocol I)**

Clearly recognizing that a major incentive for African states to not acquire nuclear explosive devices is the inclusion of legally binding security guarantees by NWS not use or threaten to use nuclear weapons against any African state. For this reason, just as in the case with other NWFZs, the NWS are required to sign and ratify a Protocol (I) to the Treaty thereby committing them not to use or threatened to use nuclear weapons against any Pelindaba state party.

While the United Kingdom, France and China have already signed and ratified this “negative security assurances” protocol, the United States and Russia have yet to ratify. In this regard it is worth mentioning that soon after the signing of the treaty in 1996, the United States threatened that if what they suspected as a chemical weapons production site at Tarhunah in Libya could not be destroyed with conventional weapons, that “by the end of the year, the United States would have a nuclear warhead based on the B61 that would be able to do the job.”<sup>2</sup> A senior White House official later added that “each party (to the negative assurances protocol) pledges not to use or threaten to use nuclear weapons against an ANFWZ party. However, [the treaty] will not limit options available to the United States in response to an attack by an ANWFZ party using weapons of mass destruction.”<sup>3</sup> The United States has since not made any effort to ratify this very important security guarantee to African states, not even after combined US/UK intelligence operations verified that Libya no longer has any remnants of a WMD program. Russia's ratification of the protocol is clearly linked to that of the United States. Bringing the treaty into force would not only increase pressure on these two NWS to provide legally binding negative security assurance to all African states, but would make the Pelindaba Treaty a significant zonal approach to global legally binding assurances.

vi. **No dumping of radio-active waste (Art 7):**

The prevention of the dumping of radio-active wastes in Africa is another unique and important feature of the Treaty that places a self control mechanism on African states. While not a prerequisite to ratification, the treaty requires parties to implement or to use as guidelines the Bamako Convention on the Ban of the Import into Africa and Control of

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<sup>2</sup> See Greg Mello “The Birth of a New Bomb”, *Washington Post*, June 1 1997.

<sup>3</sup> Robert Bell, Special Assistant to President Clinton for National Security Affairs and NSC Senior Director for Defence Policy and Arms Control quoted in “The Birth of a New Bomb”, *Washington Post*, June 1 1997.

Transboundary Movement and Management of Hazardous Waste within Africa, and not to assist or encourage the dumping of radio-active wastes anywhere within the Zone. Since the Bamako Convention was adopted following the outcry by African nations against dumping of hazardous wastes in some African countries – a practice that unfortunately continues today – it was considered appropriate by the Treaty's negotiators to at least require Pelindaba state parties to use the Bamako Convention as guideline. The Treaty therefore serves as an important tool to assist African states to protect the environment by prohibiting the dumping of radio active waste within the zone. This is particular important given increasing efforts by nuclear waste producing countries from outside the zone to seek waste disposal storage sites.

It is useful to note that a number of Pelindaba non-ratifying states have already ratified Bamako and should therefore have no concerns that this provision in the Pelindaba Treaty would require additional legal and practical implementation measures. Moreover, it would be of serious concern if African nations that have not yet ratified Pelindaba are doing so in opposition to the undertaking in the Treaty not to allow the dumping of radio active material in the zone.

vii. **Implementation of comprehensive safeguard agreements with the IAEA to verify peaceful use of nuclear energy and technology (Art 9):**

One of the core advantages for African states is that the Treaty is designed to both stimulate and facilitate cooperation among African nations in the various key areas in which nuclear energy and technology are used for peaceful uses, including health care, nutrition and crop production; insect and pest control; the promotion of nuclear energy as a sustainable energy source; and as a framework to accelerate peaceful nuclear cooperation among African states, and between African states and extra-zonal states.

However, as in the case of the NPT, the Pelindaba Treaty requires its members to implement comprehensive safeguards agreements (CSAs) with the IAEA to verify that such peaceful nuclear activities are not used to support a clandestine nuclear weapons program. The Treaty also require state parties not to provide source or special fissionable material or equipment to any non-nuclear weapons state unless subject to a CSA. This requirement was included to ensure that African states, in their commercial nuclear activities, remain conscious of their nonproliferation responsibilities.

Since the acceptance and implementation of CSAs are already required by the NPT – of which all 53 African states are party to - this is not an additional obligation and requires no additional legal measures from African states. Although the legal and technical aspects of CSAs are often held as reasons by some for not being able to ratify the Pelindaba Treaty, adherence to safeguards is not a precondition since the treaty allows states parties an 18 month grace period to implement this obligation. This timeframe extends with a full year the timeframe of 180 days required under the NPT.

It is useful to note that 15<sup>4</sup> of the Pelindaba non-ratifying states already have CSAs in place, and should therefore have no legal problems in ratifying the treaty. Bearing in mind the political turmoil in the Sudan, it is highly unlikely that Khartoum will do so soon. Despite having hosted the treaty's signing ceremony in April 1996, Egypt is also not

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<sup>4</sup> Burundi, Cameroon, the Democratic Republic of Congo, Egypt, Ethiopia, Ghana, Niger, Malawi, Morocco, Namibia, Seychelles, Sudan, Tunisia, Uganda and Zambia.

likely to ratify until there is significant progress toward, if not complete establishment of, a Middle East NWFZ. But Sudan and Egypt's ratifications are not required for the treaty to enter into force. Any combination of four countries with or without a CSA in place could tip the treaty over its entry into force point. And since implementing CSAs is not a precondition to ratifying the treaty, their ratification procedures should be relatively easy to accomplish in a short timeframe.

viii. **Physical protection of nuclear materials and facilities (Art 10):**

The Pelindaba Treaty also serves to underline African states' commitment to international efforts to secure nuclear materials and facilities. This is of particular importance in view of widely held concerns over the potential that terrorist groups or other non-state actors could gain access to dangerous nuclear materials. As such, Pelindaba state parties are required 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," and they undertake to "apply measures equivalent to those provided for in the Convention on the Physical Protection of Nuclear Material and in the recommendations and guidelines developed by the IAEA for that purpose."

It is again useful to note that a number of African states have already ratified and implemented the CPPNM. In addition, since the adoption of the Pelindaba Treaty, the United Nations Security Council adopted resolution 1540, which *inter alia* require all states, under Chapter VII of the UN Charter – to "develop and maintain appropriate effective measures to account for and secure such items [materials related to WMD] in production, use, storage or transport" and to "develop and maintain appropriate effective physical protection measures."

While there may be a perception among some African nations that the CPPNM and Security Council resolution place additional burdens on their industries, this burden is outweighed by the potential negative consequences which may occur if African installations are targeted as sources for non-state actors. Moreover, the perception that an act of nuclear terrorism is a "northern" problem is simply irresponsible. Any nuclear incident in a major industrialized nation will have a domino effect on all nations, but especially those who are depended on the free trade and access to technologies and materials. Even worse would be a nuclear incident for which the source material came from Africa.

ix. **No armed attack on nuclear installations (Art 11):**

Clearly reacting to concerns about the potential of a hostile attack on nuclear installations by another country (such as the 1981 Israeli attack on the Iraqi reactor at Ozark) or by insurgent groups supported by another country, the Pelindaba negotiators included an undertaking that has become of increasing importance. As such state parties to the Treaty are "not to take, or assist, or encourage any action aimed at and armed attack by conventional and other means against nuclear installations in the African nuclear weapon free zone.

## **Institutional Mechanisms**

i. **Role of AFCONE**

The Pelindaba Treaty holds significant advantages for peaceful regional nuclear cooperation with potential commercial benefits. The Treaty actually does more for peaceful nuclear cooperation than the NPT since it requires its state parties to promote

“individually and collectively” the use of nuclear science and technology for economic and social development. Given the worldwide renewed interest in the peaceful application of nuclear energy as an alternative energy source and the proven advantages of other peaceful applications of nuclear science (e.g. the eradication of the tsetse fly in Africa), this aspect of the Treaty should be one of the most attractive incentives to move the treaty into force.

Under Article 12 (Mechanism for compliance) and after entry-into-force the Parties agree to establish an African Commission on Nuclear Energy (AFCONe) in order to ensure compliance with their undertakings. The Commission will be responsible inter alia for:

- a) Collating reports and the exchange of information as provided for in Article 13;
- b) Arranging consultations as provided for in Annex IV, as well as convening conferences of Parties on the concurrence of simple majority of State Parties on any matter 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 programs 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.

The Commission will meet in ordinary session once a year, and may meet in extraordinary session as may be required by the complaints and settlement of disputes procedure in Annex IV and in a shared arrangement with the IAEA.<sup>5</sup>

Despite some guidance provided in Annex III to the Treaty, there have been limited discussions on and preparations for the establishment of this unique and potentially very important regional organization. Issues that remain unclear are how this organization will work, where it will be located, and what tangible benefits will flow to its members.

## ii. **Conference of State Parties**

Under Article 14, a Conference of all Parties to the Treaty shall be convened by the Depositary as soon as possible after the entry into force of the Treaty in order to, inter alia, elect members of the AFCONe and determine its headquarters. Further conferences of State Parties shall be held as necessary and at least every two years, and convened in accordance with paragraph 2 (b) of article 12. The Conference of all Parties to the Treaty will adopt the Commission's budget and a scale of assessment to be paid by the State Parties.

## **Conclusion**

While it is often argued that the legal and institutional mechanisms required by the Treaty are impediments to its ratification by more African states, the legal requirements of the treaty place no additional burden on its member states. For instance, assuming states with CSAs in place already have the necessary legislation and institutional mechanisms in place to implement safeguards, implementation of Pelindaba will not require additional legislation. This means that at least 15 non-ratifying states should be

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<sup>5</sup> UNIDIR, “Coming To Terms With Security”, 2003/22 p. 86.

able to implement Pelindaba. Moreover, all NPT state parties should have all-inclusive legislation that covers not only their legal obligations as NNWS, but establishes the infrastructure to implement the requirements of the Treaty as well as IAEA safeguards.

There are many resources and expertise available including at the IAEA, among African and in states from outside the region to assist states in implementing the legal requirements. The ratification pack prepared by ISS and CNS is designed to assist and guide non-ratifying states to take the necessary legal and practical steps toward ratification.

While there are obviously some costs involved in setting up the legislative framework and national implementation mechanisms required by both the NPT and the Pelindaba Treaty, this is nominal, especially in countries with small or no nuclear industries. What is unclear, however, is the cost of establishing and maintaining AFCONE. Although the Treaty determines that the Commission's budget will be borne by Pelindaba state parties in accordance with a scale of assessment determined by the parties themselves, it is not clear what such an organization will cost, and who will bear the brunt of such costs. It is reasonable to expect that African governments will be concerned that the entry into force of the Treaty will trigger the establishment of yet another organization to which they will have to contribute.

While this concern should not prevent Pelindaba from entering into force, it may result in AFCONE never being established unless there are clear financial and other tangible benefits involved. For this reason it would be very important to start considering at political, technical and commercial levels, the potential role of AFCONE and the tangible benefits for African states.

## NUCLEAR-WEAPON-FREE ZONE

### ANWFZ, IAEA CSA, BAMAKO CONVENTION & CPPNM

| COUNTRY                               | Signed    | Ratified  | Deposited | IAEA<br>CSA | Bamako | CPPNM |
|---------------------------------------|-----------|-----------|-----------|-------------|--------|-------|
| Algeria                               | 11 Apr 96 | 23 Dec 97 | 11 Feb 98 | Yes         |        | Yes   |
| Angola                                | 11 Apr 96 |           |           |             |        |       |
| Benin                                 | 11 Apr 96 |           |           | Yes         | Yes    |       |
| Botswana                              | 09 Jun 98 | 04 Feb 99 | 16 Jul 99 | Yes         |        | Yes   |
| Burkina Faso                          | 11 Apr 96 | 12 May 98 | 27 Aug 98 | Yes         | Yes**  | Yes   |
| Burundi                               | 11 Apr 96 |           |           | Yes         | Yes    |       |
| Cameroon                              | 11 Apr 96 |           |           | Yes         | Yes    | Yes   |
| Cape Verde                            | 11 Apr 96 |           |           | Yes**       |        | Yes   |
| Central African<br>Republic           | 11 Apr 96 |           |           | Yes         | Yes**  | Yes   |
| Chad                                  | 11 Apr 96 |           |           | Yes***      | Yes**  |       |
| Comoros                               | 11 Apr 96 |           |           | Yes**       | Yes    | Yes   |
| Congo (Republic of)                   | 27 Jan 97 |           |           |             | Yes    |       |
| Congo (Democratic<br>Republic of the) | 11 Apr 96 |           |           | Yes         | Yes    | Yes   |
| Cote d'Ivoire                         | 11 Apr 96 | 20 May 99 | 28 Jul 99 | Yes         | Yes    |       |
| Djibouti                              | 11 Apr 96 |           |           |             | Yes**  | Yes   |
| Egypt                                 | 11 Apr 96 |           |           | Yes         | Yes    |       |
| Equatorial Guinea                     |           | 20 Dec 02 | 19 Feb 03 | Yes***      |        | Yes   |
| Eritrea                               | 11 Apr 96 |           |           |             |        |       |
| Ethiopia                              | 11 Apr 96 |           |           | Yes         | Yes    |       |
| Gabon                                 | 11 Apr 96 | 18 May 07 | 12 Jun 07 | Yes***      | Yes    | Yes   |
| Gambia                                | 11 Apr 96 | 03 Sep 96 | 16 Oct 96 | Yes         | Yes    | Yes   |
| Ghana                                 | 11 Apr 96 |           |           | Yes         | Yes**  | Yes   |
| Guinea-Bissau                         | 11 Apr 96 |           |           |             | Yes**  |       |
| Guinea                                | 11 Apr 96 | 26 May 99 | 21 Jan 00 |             | Yes**  | Yes   |
| Kenya                                 | 11 Apr 96 | 15 Nov 00 | 09 Jan 01 |             | Yes**  | Yes   |
| Lesotho                               | 11 Apr 96 | 06 Mar 02 | 14 Mar 02 | Yes         | Yes**  |       |
| Liberia                               | 09 Jul 96 |           |           |             | Yes**  |       |
| Libyan Arab<br>Jamahiriya             | 11 Apr 96 | 12 Feb 05 | 11 May 05 | Yes         | Yes    | Yes   |
| Madagascar                            |           | 12 Dec 03 | 23 Dec 03 | Yes         | Yes**  | Yes   |
| Malawi                                | 11 Apr 96 |           |           | Yes         |        |       |
| Mali                                  | 11 Apr 96 | 27 May 99 | 22 Jul 99 | Yes         | Yes    | Yes   |
| Mauritania                            | 11 Apr 96 | 10 Jan 98 | 24 Feb 98 | Yes**       |        | Yes   |
| Mauritius                             | 11 Apr 96 | 19 Apr 96 | 24 Apr 96 | Yes         | Yes    |       |
| Morocco                               | 11 Apr 96 |           |           | Yes         |        | Yes   |
| Mozambique                            | 11 Apr 96 | 26 Mar 08 |           | Yes***      | Yes    | Yes   |
| Namibia                               | 11 Apr 96 |           |           | Yes         |        | Yes   |
| Niger                                 | 11 Apr 96 |           |           | Yes         | Yes    | Yes   |
| Nigeria                               | 11 Apr 96 | 20 Apr 00 | 18 Jun 01 | Yes         |        | Yes   |
| Rwanda                                | 11 Apr 96 | 23 Jan 07 | 1 Feb 07  |             | Yes**  | Yes   |

| COUNTRY                           | Signed         | Ratified  | Deposited | IAEA<br>CSA | Bamako          | CPPNM     |
|-----------------------------------|----------------|-----------|-----------|-------------|-----------------|-----------|
| Sahrawi Arab Democratic Republic* | 20 Jun 06*     |           |           |             |                 |           |
| Sao Tome and Principe             | 09 Jul 96      |           |           |             |                 |           |
| Senegal                           | 11 Apr 96      | 20 Sep 06 | 25 Oct 06 | Yes         | Yes             | Yes       |
| Seychelles                        | 09 Jul 96      |           |           | Yes         |                 | Yes       |
| Sierra Leone                      | 11 Apr 96      |           |           | Yes**       | Yes**           |           |
| Somalia                           | 23 Feb 06      |           |           |             | Yes**           |           |
| South Africa                      | 11 Apr 96      | 13 Mar 98 | 27 Mar 98 | Yes         |                 | Yes       |
| Sudan                             | 11 Apr 96      |           |           | Yes         | Yes             | Yes       |
| Swaziland                         | 11 Apr 96      | 13 Nov 96 | 17 Jul 00 | Yes         | Yes**           | Yes       |
| Togo                              | 11 Apr 96      | 26 Jun 00 | 18 Jul 00 | Yes**       | Yes             | Yes       |
| Tunisia                           | 11 Apr 96      |           |           | Yes         | Yes             | Yes       |
| Uganda                            | 11 Apr 96      |           |           | Yes         | Yes             | Yes       |
| United Republic of Tanzania       | 11 Apr 96      | 27 May 98 | 19 Jun 98 | Yes         | Yes             | Yes       |
| Zambia                            | 11 Apr 96      |           |           | Yes         | Yes**           |           |
| Zimbabwe                          | 11 Apr 96      | 2 Feb 98  | 6 Apr 98  | Yes         | Yes             |           |
| <b>Membership Total:</b>          | <b>52*(51)</b> | <b>24</b> | <b>23</b> | <b>38</b>   | <b>39**(23)</b> | <b>34</b> |

#### Protocol I

| COUNTRY            | Signed    | Ratified  | Deposited |
|--------------------|-----------|-----------|-----------|
| China              | 11 Apr 96 | 06 Sep 96 | 20 Sep 96 |
| France             | 11 Apr 96 | 31 Jul 97 | 10 Oct 97 |
| Russian Federation | 05 Nov 96 |           |           |
| United Kingdom     | 11 Apr 96 | 27 Feb 01 | 19 Mar 01 |
| United States      | 11 Apr 96 |           |           |

#### Protocol II

| COUNTRY            | Signed    | Ratified  | Deposited |
|--------------------|-----------|-----------|-----------|
| China              | 11 Apr 96 | 06 Sep 96 | 20 Sep 96 |
| France             | 11 Apr 96 | 31 Jul 97 | 10 Oct 97 |
| Russian Federation | 05 Nov 96 |           |           |
| United Kingdom     | 11 Apr 96 | 27 Feb 01 | 19 Mar 01 |
| United States      | 11 Apr 96 |           |           |

#### Protocol III

| COUNTRY | Signed    | Ratified  | Deposited |
|---------|-----------|-----------|-----------|
| France  | 11 Apr 96 | 31 Jul 97 | 10 Oct 97 |
| Spain   |           |           |           |

\*Listed by the African Union, however, the Sahrawi Arab Democratic Republic is not recognized by the United Nations and therefore has no legal nonproliferation status under the NPT

\*\*States that have signed but not ratified

\*\*\* CSA approved, but not yet in force