



NATIONAL ASSEMBLY OF ZAMBIA

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Background paper on

**PROMOTING THE ROLE OF WOMEN PARLIAMENTARIANS IN AFRICA IN PREVENTING
THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION**

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INTRODUCTION

The existence of Weapons of Mass Destruction (WMD) remains a serious threat to mankind, leaders have acknowledged that it is now appropriate and timely that both men and women parliamentarians engage themselves in activities that will promote the prevention of the proliferation of WMD, for the purpose of maintaining international peace and security. Parliamentarians have a fundamental role to play in promoting ratification and implementation of international treaties that seek to prevent the usage, manufacture, development and proliferation of WMD. Legislators are equipped with the power to carry out oversight of the Executive and are therefore, well-placed to make decisive contributions that can prevent the proliferation of WMD within their countries and beyond.

Since the adoption of the Security Council Resolution (SCR) 1325 and the Women, Peace and Security (WPS) agenda, efforts have been made to engage women in the prevention of proliferation of WMD. This development has been advanced by involving women who are directly affected by armed violence as well as initiating women led policy initiatives, as it is obvious that men and women are differently affected by WMD. The need to involve all decision-makers including women parliamentarians stems from the danger posed by these weapons, if they find themselves either in the hands of rebels such as Al-Shabaab in Somalia.

The paper discusses “*the promotion of the role of women parliamentarians in Africa in preventing the proliferation of weapons of mass destructions.*” The paper will first give a general overview of WMD, then discuss the role women parliamentarians can play to prevent proliferation, before discussing the Zambian situation as a case study.

DEFINITION OF TERMS

Weapons of Mass Destruction

A Weapon of Mass Destruction (WMD) is a nuclear, radiological, chemical, biological, or any other weapon that can kill and bring significant harm to a large number of humans or cause great damage to human-made structures (e.g., buildings) and natural structures (e.g., mountains), or the biosphere.¹

¹ https://en.wikipedia.org/wiki/Weapon_of_mass_destruction

Proliferation

Proliferation refers to the rapid increase in the number or amount of something. For example, a continuing threat of nuclear proliferation may increase the danger of nuclear terrorism. On the other hand, non-proliferation is the controlling of the spread and/or amount of something, especially nuclear or chemical weapons.²

OVERVIEW: WEAPONS OF MASS DESTRUCTION (WMD)

WMDs are designed to kill large numbers of people at a single blow. They were once known as Nuclear Biological Chemical weapons, (NBC), but after adding radiological weapons to the NBC group of weapons, the name changed and the collective arsenal is now called weapons of mass destructions. With time, WMD have become broad and now includes weapons based on new technologies that have the potential for mass destruction, such as genetics, proteomics, artificial intelligence, and robotics. As a result, WMD have devastating effects on human life and the environment, and their possession threatens global human security.³

The need for greater involvement of women parliamentarians in Africa arises from the alarming increase in extreme violence perpetrated by terrorists in Africa, Europe, the Middle East, Asia and North America. The variety of methods used by these groups and their supporters is quite remarkable. It is worth noting that terrorist groups which include, Boko Haram, Al-Shabaab or Al-Qaida in the Islamic Maghreb have made inroads in a number of African countries. Affected countries include Burkina Faso, Cameroon, Kenya, Mali, Niger, Nigeria, Somalia and Tunisia. The consequences of their heinous acts would be significantly greater if they can manage to acquire nuclear, chemical or biological weapons.

In view of the foregoing, if non-proliferation is to succeed, it must receive substantial international cooperation. Given the number of countries affected, it is clear that no nation or small group of nations by themselves can prevent the proliferation or contain its consequences, hence the need for cooperation.

THE UNITED NATIONS SECURITY COUNCIL RESOLUTION (UNSCR) 1540

² <https://dictionary.cambridge.org/dictionary/english/non-proliferation>

³ <https://www.ipu.org/our-work/peace-and-security/disarmament-and-non-proliferation>

In order to respond to the growing threat of the proliferation of nuclear, chemical and biological weapons and other WMD by non-state actors, the United Nations Security Council (UNSC) adopted the UNSCR 1540 in 2004. The UNSCR 1540 is a measure aimed at preventing non-state actors from acquiring nuclear, biological, and chemical weapons, their means of delivery, and related materials. The resolution filled a gap in international law by addressing the risk that terrorists might obtain, proliferate, or use weapons of mass destruction.

Adopted under Chapter VII of the UN Charter, UNSCR 1540 formally established the proliferation and possession of WMD by non-state actors as “a threat to international peace and security.” The resolution mirrors the approach taken under UNSCR 1373 in 2001, which required all countries to adopt national counter-terrorism laws, and imposes legally binding obligations on all States to adopt appropriate effective measures to prevent the proliferation of WMD by non-state actors. The resolution includes three primary obligations:

1. All States are prohibited from providing any form of support to non-state actors seeking to acquire weapons of mass destruction, related materials, or their means of delivery.
2. All States must adopt and enforce laws criminalising the possession and acquisition of such items by non-state actors, as well as efforts to assist or finance their acquisition.
3. All States must adopt and enforce domestic controls over nuclear, chemical, and biological weapons, their means of delivery, and related materials, in order to prevent their proliferation.

THE ROLE OF WOMEN PARLIAMENTARIANS IN AFRICA IN PREVENTING THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTIONS

African countries have been active in the fight against WMD, as evidenced by the high number of African states that have ratified disarmament and non-proliferation treaties. They have also made considerable efforts to transpose these obligations into national law and develop national mechanisms. While most of the treaties domesticated focus on how states behave domestically, Resolution 1540 bridges a gap by emphasising the dangers of proliferation by non-state actors.⁴

⁴ IPU, (2016), ‘Effective Implementation of Resolution 1540 in Africa: opportunities for Parliaments,’ Regional Seminar for African Parliaments, Abidjan, 22nd to 23rd February, 2019.

The successful implementation of Resolution 1540 depends to a large extent on national and regional parliamentarians' awareness of the risks of non-state actors acquiring WMD. At parliamentary level, there are many practical legislative steps by which women parliamentarians could impact the overall prevention of proliferation and a culture of weapons acquisition, such as through instituting laws that prohibit government pension fund investments in industries that build nuclear weapons. Women parliamentarians can also get involved in exercising their oversight function in respect of government budget and policies on arms. No single State or institution can cope with the threat of WMD proliferation, and the challenges and complexities it entails. This can only be addressed through the broadest degree of international cooperation and interaction. Therefore, women parliamentarians in Africa should encourage their governments to participate in the world's disarmament endeavour, and continue to contribute to important arms control agreements. In addition to the above roles, and in order to prevent the proliferation of weapons of mass destruction in Africa, it is cardinal that women parliamentarians do the following:

1. Advocate for women parliamentarians' equal, full and effective participation in all decision-making processes related to disarmament.
2. Use any of the available opportunities to participate in national delegations of UN meetings on issues relating to WMD and non-proliferation.
3. Urge their governments to ensure that adequate funds are allocated to policies designed to combat proliferation and to various control measures.
4. Urge their governments to ratify and honour existing treaties and conventions.
5. Urge and work with their governments to eliminate the role of nuclear weapons in security doctrines, and encourage them to use all available tools to monitor implementation of commitments to disarm.
6. Encourage governments to come up with disarmament plans which should include giving up WMD from falling into the hands of non-state actors through the UNSCR 1540.
7. Ensure that nuclear non-proliferation and disarmament issues are kept at the forefront of policy agendas, and must use every available opportunity to renew momentum for action.
8. Encourage their governments to embark on a multilateral approach to non-proliferation as this would provide the best means of countering the threat of proliferation of weapons of mass destruction between borders.

9. Hold governments to account, by observing how treaties and conventions are brought into force, bring the prohibition of nuclear testing to the attention of governments and push forward for a new consensus on the need to tackle the issue, while working together to find an acceptable solution.
10. Ensure increased cooperation between all nations and parliaments, through regional parliamentary bodies such as the IPU and the UN as this is essential, not only because of the global implications of the use of nuclear weapons, but because of the global scope of weapons commodities markets. Further, joint efforts and cooperation between all nations on disarmament and non-proliferation is likely to promote increased dedication of parliaments around the world.
11. Urge African countries and the whole world to pledge to end nuclear weapons production, stop proliferation and destroy nuclear weapons stockpiles.
12. Urge African countries to make provisions in their national legislation to prevent terrorists from accessing nuclear weapons and materials and technologies for the production of nuclear weapons.
13. Call for the strict observance of Resolution No. 1540 of the United Nations Security Council, which stresses the need for the more active involvement of parliaments in African countries in UN activities, such as the promotion of nuclear non-proliferation and disarmament.

ZAMBIAN SITUATION

Zambia became a state party to the Biological Weapons Convention (BWC) on 15th January, 2008, and is affiliated to the group of Non-aligned and Other States. It is also important to note that Zambia does not possess any Biological Weapons for its operations as prescribed by the BWC. Despite this, the institutions mandated to keep peace and securities are very vigilant and have put in place mechanisms to monitor the possible acquisition, distribution and possession of Biological weapons.

In addition to the above, Zambia remains strongly committed to the notion of general and complete disarmament and reaffirms her support for a world free of WMD. To affirm its commitments, the country in 2013, successfully hosted the 4th Meeting of States Parties (4MSP) to the Convention on Cluster Munitions (CCM). This was the first time the CCM was held on African soil. The meeting allowed Zambia to join other countries to urge all States that were yet to ratify or accede to the CCM to do so. The 4MSP highlighted the broad rejection of cluster weapons by the majority of world States.

Further, Zambia worked tirelessly to successfully conclude the negotiations that led to the adoption of the Arms Trade Treaty (ATT) that was signed on 25th September, 2013. The ATT regulates international trade in conventional arms, from small arms to battle tanks, combat aircraft and warships.

Furthermore, Zambia is a state party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the Comprehensive Nuclear Test Ban Treaty (CTBT). The NPT is an international treaty meant to prevent the spread of nuclear weapons and weapons technology, to promote cooperation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament and general and complete disarmament. The Treaty entered into force in 1970 and a total of 190 parties have joined the Treaty, including the five nuclear-weapon States. More countries have ratified the NPT than any other arms limitation and disarmament agreement, according to the UN Office for Disarmament Affairs (UNODA).

On its part, the Parliament of Zambia in 2018, passed legislation called Anti-Terrorism and Non Proliferation Act, No. 6 of 2018. The Act seeks to prevent and prohibit the carrying out of terrorism financing and proliferation activities; provide for measures for the detection and prevention of terrorism and proliferation activities; provide for the offences of proliferation and proliferation financing; domesticate the international conventions and treaties on anti-terrorism and proliferation, among others.

The Act defines proliferation as follows:

“Proliferation includes the manufacture, acquisition, possession, development, export, transshipment brokering, transport, transfer, stockpiling, supply sale or use of nuclear, ballistic, chemical, radiological or biological weapons or any other weapon capable of causing mass destruction and their means, of delivery and related materials, including both technologies and dual use goods used for non-legitimate purposes including technology goods, software, services or expertise, in contravention of this Act, or where applicable. International obligations derived from relevant Security Council Resolution and proliferation activity shall construe accordingly.”

In addition to passing legislation, the Zambian Parliament through its Committee on National Security and Foreign Affairs, oversees the activities of the Ministries of Defence, Home Affairs and Foreign Affairs, wings of the Executive that play a role in the implementation of measures aimed at preventing the proliferation of WMD. The Committee is mandated to carry out detailed scrutiny of the activities

being undertaken by the Ministries of Defence, Home Affairs, Foreign Affairs, departments and/or agencies under their portfolio and make appropriate recommendations to the House for ultimate consideration by the Government. The Committee comprises ten (10) Members, two (2) of which are female.

The Zambian Parliament has also been contributing to the prevention of the proliferation of WMD through the approval of the national budget. The national budget approved by the National Assembly on an annual basis has contributed towards the allocation of resources to security wings, who include the Zambia Security Intelligence Service; the Zambia Police Service; the Zambia Army; the Zambia Air Force; the Zambia National Service; the Immigration Department; Financial Intelligence Centre; Drug Enforcement Commission; among others, that work to combat terrorism and proliferation of WMD.

CONCLUSION

Extensive cooperation between African States is crucial if the battle on the prevention of proliferation of weapons of mass destruction is to be won. Although national legislation can attain disarmament and non-proliferation goals in individual countries, women parliamentarians have an indispensable role to play in encouraging individual legislatures in Africa to ratify treaties, enact legislation, ensure consistency between international obligations and domestic provisions, and oversee implementation.

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