

INTERVIEW WITH:

Ambassador Taous Feroukhi



Pathways to Peace with Ambassador Taous Feroukhi

Ambassador Taous Feroukhi of Algeria is a seasoned diplomat with a profound understanding of international non-proliferation and disarmament issues. Following her studies at the Université d'Alger, she joined the Algerian Ministry of Foreign Affairs in 1977, where she gained extensive experience in both bilateral and multilateral diplomacy, covering areas such as protocol, consular and legal affairs. Her expertise led to significant roles, including serving as Deputy Permanent Representative of Algeria in Geneva, Switzerland, and as the first female Permanent Representative of Algeria to the UN Office in Vienna, Austria, and the first female Ambassador of Algeria to Slovakia, and Spain.

But perhaps most notable of all is her leadership in international nuclear issues. Ambassador Feroukhi presided over the 2015 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and has also held key positions including the presidency of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) and the Board of Governors of the International Atomic Energy Agency (IAEA). These roles have equipped her with a comprehensive perspective on global non-proliferation efforts and the critical importance of international legal instruments in promoting disarmament.

During this interview, Ambassador Feroukhi discusses the complementary roles of United Nations Security Council resolution 1540 (UNSCR 1540) and the NPT in enhancing global security. She highlights Algeria's achievements and priorities in non-proliferation, emphasizing the nation's commitment to disarmament and the establishment of Nuclear-Weapon-Free Zones. Through her extensive diplomatic experience, Ambassador Feroukhi underscores the vital role of international cooperation in addressing the challenges of nuclear proliferation and advancing global disarmament initiatives.

How did you approach the presidency of the 2015 NPT Review Conference? What were the main outcomes from the event?

My approach to the Conference was based on trust and confidence of State parties' commitment to reaching a successful outcome of the 2015 NPT Review Conference, as a contribution to the preservation of international peace and security.

Concretely, an intensive programme of work was prepared by the Secretariat of the UN Office for Disarmament Affairs (UNODA) for the period 2014–2015, with the able assistance of Mr Thomas Markram, Secretary General of the 2015 NPT Review Conference. The programme of work consisted of meetings with regional groups, bilateral talks, several seminars and events¹ that allowed interactive exchanges on the three interdependent pillars of the NPT, namely: non-proliferation, nuclear disarmament and promotion of peaceful uses of the atom.

This said, it's important to mention the context in which the 2015 NPT Review Conference took place. Unfortunately, renewed tensions, particularly among key actors, were palpable from the commencement of the Conference. Public accusations² were exchanged, for the first-time, by the heads of delegation from the United States and the Russian Federation. In addition, expectations were very high regarding the implementation of Article VI of the Treaty (nuclear disarmament) amid the emergence of the "Humanitarian Impact"

process, which gave a new sense of urgency to nuclear disarmament; and the 1995 Resolution³ calling for the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction.

Despite entrenched positions and the lack of coordination among key actors that prevented the emergence of the spirit of compromise, the Conference was able to produce a draft final document covering all the three pillars of the Treaty. This document looked at both parts of the Review: the backward-looking part (implementation of past commitments) and the forward-looking part (future measures for the next quinquennial review cycle) with the following results:

- Universality of the NPT: Accession of the State of Palestine to the Treaty, raising the NPT's total membership to 191 nations;
- Nuclear disarmament: Seven new agreed measures for implementation under Article VI of the NPT;
- Non-proliferation and promotion of peaceful uses of nuclear energy: Renewed commitments for the fulfilment of State parties' undertakings in these two pillars of the Treaty;
- The 1995 Resolution on the Middle East: New approach for its implementation entrusting the UN Secretary General to convene a Conference on the Middle East in 2016.

1 Regional groups: The Non-Aligned Movement; the African, Asian and Latin American Groups; the Arab Group, as well as the Western and Eastern Groups. Bilateral talks: with heads of non-proliferation and arms control from China, France, Japan, the Russian Federation and the United States, including visits to Hiroshima and Nagasaki. Seminars: in Algiers in cooperation with the European Consortium, in Nancy (France) and Gyon (Switzerland), under the leadership of the Monterey Institute. Events: with vibrant civil society, including with the Hibakushas, the victims of nuclear bombing of Hiroshima and Nagasaki.

2 The US delegation accused Russia of violating the Intermediate-Range Nuclear Forces Treaty (INF) and the Budapest Memorandum. The Russian delegation denounced the US and NATO countries for pursuing the "nuclear sharing policy," which undermines the NPT.

3 NPT/CONF.1995/32 (Part I), Annex.

Regrettably, the three co-sponsors of the 1995 Resolution⁴ did not show the political will necessary to coordinate efforts to reach an agreed text on the Middle East, a region that had already seen a disproportionate number of NPT verification and compliance issues.

The opposition of the United States to the text of the President, which was based on previous discussions and views expressed by the majority of State parties, caused the collapse of the Conference.

What are the key obligations of State parties under the NPT, and how do these differ from the obligations imposed by UNSCR 1540?

As a starting point, it's important to recall that the NPT is a treaty which has been negotiated by all States parties, then signed and ratified voluntarily, whereas UNSCR 1540 is an obligation imposed on Member States by the UN Security Council.

NPT key provisions: State parties to the NPT have committed not to assist, encourage or induce, in any way, a non-nuclear weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices.

Article III of the NPT requires each non-nuclear weapon State party to enter into a comprehensive safeguards agreement with the IAEA. In doing so, non-nuclear weapon States accept to give up part of their sovereignty to the IAEA, as

the international safeguards inspection body, entrusting it with the responsibility of control and verification of compliance with the Treaty's obligations.

In addition to this obligation, the voluntary adoption of the Model Additional Protocol provide the Agency to have broader access to sites and information, in order to detect undeclared nuclear materials and activities and give additional assurances that States are complying with the safeguards.

The IAEA can engage the responsibility of a State in the event of breach or violation of the safeguards and refer the case to the UN Security Council.

UNSCR 1540 obligations: Adopted under chapter VII of the UN Charter, the resolution was conceived in the context of September 11 terrorist attacks in order to address the issue of non-State actors,⁵ as they are not recognized as subjects of international law.

In accordance with the resolution, States have a legal obligation to take measures in domestic law to criminalize the possession, manufacture or use of nuclear, chemical or biological weapons by non-State actors.

In terms of key differences between the NPT and resolution 1540, under the resolution, the scope of the fight against nuclear proliferation is enlarged to include biological and chemical weapons. States are also requested to legislate

⁴ The three co-sponsors of the 1995 Resolution: the Russian Federation, the United Kingdom and the United States.

⁵ Non-State actors are defined as any natural person or legal entity that, not acting under the legal authority of a State, carries out illicit activities enshrined in resolution 1540. It is not focused solely on armed terrorist groups, but on all types of non-State actors.

with regard to vectors⁶ of such weapons under the resolution. Additionally, the resolution addresses the lack of a universal international export control regime.

The UN Security Council established the 1540 Committee, composed of its 15 members, with the aim to assist States in the implementation of the provisions of the resolution. The Committee is not a sanctions committee nor a verification or investigation body. The 1540 Committee cannot engage the responsibility of a State in the event of a violation of the obligations recognized by resolution 1540.

Since 2016, States are invited to present to the Committee, on a voluntary basis, a “national implementation action plan,” listing the priorities and the projects they have established to implement the main provisions of the resolution.

In your opinion, which aspects of UNSCR 1540 are most important for the Algerian context?

Algeria welcomes all efforts aimed at enhancing the global non-proliferation regime and nuclear disarmament norms, as a contribution to preserving international peace and security. UNSCR 1540 is considered to be a complement to the State’s efforts vis-à-vis their obligations under international treaties.

The Algerian approach to non-proliferation, which

encompasses UNSCR 1540 provisions, is rooted in the mutually reinforcing three pillars of nuclear disarmament, non-proliferation and promotion of peaceful uses of nuclear energy. This position is in coherence with the fulfilment of my country’s obligations under the NPT, the comprehensive safeguards agreement and Additional Protocol in force with the IAEA, the Comprehensive Test Ban Treaty (CTBT), the Biological and Chemical Weapons Conventions, and UNSCR 1540 provisions.

As regards the implementation of UNSCR 1540, the assessment of the 1540 Committee of the State’s national reports showed that the risk of a non-State actor obtaining a nuclear weapon remains low, with likelihood concerning biological and chemical weapons. The 1540 Committee also warned that only few countries have established provisions in the area of nuclear, biological and chemical weapon vectors.

This said, I wish to share my experience as President of the 2015 NPT RevCon, during which I heard the profound dissatisfaction expressed by the overwhelming majority of States parties regarding the expansion of obligations under the non-proliferation regime, in contrast with the unimplemented past commitments⁷ regarding Article VI of the Treaty (nuclear disarmament).

At the same time, I also witnessed strong and enthusiastic support for the “Humanitarian Impact” process, which gave a new sense of urgency to nuclear disarmament. This culminated

6 The term “nuclear, chemical or biological weapons” is not defined in the resolution; the resolution does not include radiological weapons, neither the term weapons of mass destruction. However, it defines the term “vectors”, which include missiles, rockets, and other unmanned systems capable of delivering nuclear, chemical or biological weapons to their targets and specially designed for this use. This excludes ballistic missiles carrying a conventional warhead.

7 The 13 steps adopted at the 2000 NPT Review Conference presided by my compatriot, Ambassador Abdallah Baali, and the action plan endorsed by the Parties at the 2010 NPT RevCon chaired by Ambassador Cabactuclan (Philippines).

with negotiations, outside the NPT framework, of a legally binding instrument: the Treaty for the Prohibition of Nuclear Weapons (TPNW), which entered into force on 22 January 2021.

Reflecting on the achievements of UNSCR 1540 and the NPT over the years, what do you consider to be the most significant milestones or successes in preventing the proliferation of weapons of mass destruction and their means of delivery in Algeria?

Undoubtedly, the implementation of obligations under the NPT and UNSCR 1540 –which should be considered as work in progress– helped to raise awareness in the field of nuclear disarmament and non-proliferation, including on risks and threats posed, to both humankind and the planet, by the use of nuclear weapons and other weapons of mass destruction.

In a context of global geopolitical shift, international treaties remain solid bases for sharing common understanding on ways and means to prevent catastrophic consequences of States' inaction with regard to the preservation of peace and security worldwide.

The other merit of international treaties lies in the incentive to join efforts at national, regional and international levels. As a result, international cooperation is enhanced through efficient partnerships in areas such as exchange of information, capacity building, and awareness raising, including on emerging threats.

The proliferation of nuclear weapons is virtually non-existent in Algeria and in the African region, thanks to the adherence of the overwhelming

majority of African nations to the NPT and international legal instruments, in addition to the entry into force of the Pelindaba Treaty establishing Africa as a Nuclear-Weapon-Free Zone.

African countries suffering from armed conflicts, particularly in the Sahelian region, are in urgent need of bold assistance and sustained cooperation for the restoration of peace and security. Rather than non-proliferation, the key priorities of this region remain conflicts resolution, socioeconomic development, fight against violent terrorist groups and their criminal activities such as drug trafficking, illegal migration, trafficking in human beings and trafficking of small arms.

Do you believe these international legal instruments can help mitigate current WMD risks?

There is no viable alternative to these international legal instruments, including the recent Treaty for the Prohibition of Nuclear Weapons, except the most logical and viable means of mitigating the dangers of weapons of mass destruction, namely, the realization of a world free of nuclear weapons.

In the meantime, the merit of treaties is that they open avenues for building up human and technical capabilities, exchange of knowledge, experience and best practices among experts and nations, as a contribution to mitigating risks and threats of proliferation of nuclear, biological and chemical weapons. Moreover, international legal instruments can also help tackle new challenges of technological advances and emerging threats, including the risk of new pathogens becoming a source of global pandemics (i.e.,

COVID-19).

However, concern exists regarding multilateral export control arrangements adopted by some countries⁸ imposing restrictions beyond the NPT, Chemical and Biological Weapons Conventions. It is feared that they could favour, on one hand, the fragmentation of the global non-proliferation and disarmament regime;⁹ and, on the other hand, the erosion of the authority and credibility of the NPT due –among other factors– to:

- the persistent impasse facing Article VI of the Treaty (nuclear disarmament) that lacks any deadline for elimination of nuclear weapons, in addition to the absence of any verification mechanism of the fulfilment of the obligation by nuclear weapon States.
- the unimplemented 1995 Resolution calling for the establishment of a Nuclear-Weapon-Free Zone in the Middle East.

In your opinion, how can regional perspectives and expertise be better implemented in the efforts to prevent WMD

proliferation?

Article VII of the NPT clearly refers to regional dimension, as groups of States are entrusted with the right to conclude regional treaties establishing Nuclear-Weapon-Free Zones. Regional efforts preventing the proliferation of WMDs are mutually reinforcing international efforts within global nuclear non-proliferation and disarmament norms, in preparing for a world free of nuclear weapons.

In this context, five treaties on regional Nuclear-Weapons-Free Zones have been created, covering Latin America and the Caribbean, the South Pacific, Southeast Asia, Central Asia, and Africa¹⁰ (Algeria played prominent role in the negotiation of the Pelindaba Treaty establishing a Nuclear-Weapon-Free Zone on the African continent).

Mongolia’s self-declared nuclear-weapon-free status has been recognized internationally following the adoption of UN General Assembly [resolution 55/33S](#) on “Mongolia’s international security and nuclear weapon free status.” It is also important to recall the other treaties which deal with the denuclearization of certain areas.¹¹

In accordance with the provisions of the NPT, States parties to a Nuclear-Weapons-Free

8 The Missile Technology Control Regime (MTCR, 1987) with a number of agreements on export of equipment, components, and technology for delivery systems of chemical, biological and nuclear weapons. The Wassenaar Arrangement (WA, 1995) with a number of agreements on conventional weapons between the NATO States, Russia and a number of Eastern European countries on arms transports and prevention of accumulation of weapons. The Nuclear Supply Group (NSG, 1976): a number of industrialized countries established a consultative group on additional control measures preventing proliferation of nuclear goods and technologies for nuclear and radiological weapons.

9 Such was the case with the collapse of a decade of negotiation on the Protocol for Biological Weapons Convention in Geneva between 2001–2002. Under the said Protocol, it was envisaged to establish a verification mechanism for enhancing non-proliferation and disarmament of biological weapons.

10 The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco, 1967); South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga, 1985); Treaty on the Southeast Asia Nuclear Weapon-Free Zone (Treaty of Bangkok, 1995); African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba, 1996); Treaty on a Nuclear-Weapon-Free Zone in Central Asia (Treaty of Semipalatsinsk, 2006).

11 [Antarctic Treaty](#); [Outer Space Treaty](#): Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies; [Moon Agreement](#): Agreement Governing the Activities of States on the Moon and Other Celestial Bodies; [Seabed Treaty](#): Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof.

Zone treaty or convention are committed to ensure “the statute of total absence of nuclear weapons to which the zone shall be subject, including the procedure for the delimitation of the zone and international system of verification and control to guarantee compliance with the obligations deriving from that statute.” Consultations are needed with nuclear-weapon States during the negotiations of each treaty and its relevant protocol(s) establishing a Nuclear-Weapons-Free Zone, in order to facilitate their signature and ratification. Through this process, nuclear-weapon States undertake legally binding commitments to the status of the zone and to not use or threaten to use nuclear weapons against States parties to the treaty (negative assurances).

In my capacity as President of the 2015 NPT RevCon, I witnessed strong frustrations in relation to the absence of implementation in good faith of the 1995 Resolution for the establishment of a Nuclear-Weapons-Free Zone in the Middle East¹² as Arab countries agreed to the indefinite extension of the NPT, and hence for their adherence to the Treaty.

At the regional level, the EU launched a global initiative in 2010 to promote: chemical, biological, radiological and nuclear (CBRN) risk mitigation and security governance as a contribution to the promotion of peace, stability and conflict prevention.

The initiative consists of the establishment of Centres of Excellence (CoE) in partner countries, involving 64 countries in the following eight

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regions: African Atlantic Façade; North Africa and the Sahel (Algeria host the Centre of Excellence of this region); Central and Eastern Africa; Middle East; Gulf Cooperation Council; Central Asia; South East Asia; South East and Eastern Europe.

Funded and implemented through the Neighbourhood, Development and International Cooperation Instrument (NDICI) – Global Europe, this global initiative is led by the European

¹² The 1995 Resolution, co-sponsored by the Russian Federation, the United Kingdom and the United States, calling for the establishment of a Zone free from nuclear weapons and other arms of mass destruction in the region of the Middle East, was adopted as an integral part of the package agreed for the indefinite extension of the NPT at the 1995 Review and Extension Conference.

Commission's Service for Foreign Policy Instruments (FPI), in close coordination with the European External Action Service (EEAS). The European Commission's Joint Research Centre provides technical support to partner countries, while the United Nations Interregional Crime and Justice Research Institute (UNICRI) ensures effective national, regional and international cooperation through a wide range of CBRN risk mitigation projects, including needs and risk assessments, national and regional action plans, capacity building activities and legal framework reviews.

What are some of Algeria's priorities in the coming years with regard to non-proliferation?

Algeria is attached to the realization of a world free from nuclear weapons and other weapons of mass destruction in compliance with its obligations under international treaties.

In this regard, the accountability of States regarding their undertakings vis-à-vis international legally binding instruments is key for the preservation of their authority and credibility, as they remain the cornerstone for the preservation of international peace and security.

The devastating ongoing war in Gaza gives a new sense of urgency to the establishment of the Nuclear-Weapons-Free Zone in the Middle East. In this regard, the UN involvement in the 1995 Resolution could be perceived as means to find a solution to the entrenched positions: "disarmament first" or "peace first".

In this context, there is a need for the establishment of an organic link between the UN process and the NPT review process in order to ensure the required complementarity on the awaited implementation of the 1995 resolution, which remains the primary focus for the NPT.

Lastly, do you have any advice to share with our readers from your impressive international career?

Major actors have a key role in boosting the health and vitality of international treaties, as they have the political, financial and technological means to reach constructive and balanced outcomes in the implementation of the interdependent areas of non-proliferation, nuclear disarmament and peaceful uses of the atom.

In the meantime, international treaties encourage States to enter into a binding legal obligation for systematic and progressive efforts in these three pillars in preparation for a world free from these lethal arms.

Positive prospects are expected for international cooperation in the area of peaceful uses of the atom, as nuclear energy becomes a credible option in the context of the energy and climate crisis. This development could pave the way for increased financial resources in crucial areas such as medicine and agriculture to help non-nuclear weapon States achieve their Sustainable Development Goals.