

## **Statement on secrecy and disclosure about South Africa's past Nuclear Weapons Program**

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The following is a short summary of my thoughts on the matter of secrecy and disclosure of information about South Africa's past Nuclear Weapons Program. These are my personal views and do not represent those of any other individual or organisation.

### **Reasons for disclosure**

#### 1. History

South Africans and others have the right to know the history about South Africa's past Nuclear Weapons Program. Not only is it part of our national history, but it is also part of the world's history. The "need-to-know" principle used during the period under consideration, should now be reversed to one of "the-need-not-to know". Non-disclosure of information should only apply where there are valid reasons why it should not be made public.

#### 2. Lessons for the future

In the global context, South Africa's program has many unique features – it was a low-cost project, it was done in complete secrecy and is the only program to date that was voluntarily abandoned. The program is thus a case study with many valuable lessons in areas such as global security, non-proliferation and disarmament.

#### 3. Human rights

The past Nuclear Weapons Program could have impacted negatively on humans and the environment. I am not aware of such situations, but if they do exist, the State has the moral obligation to provide access to this information and compensate affected parties where justified.

### **Reasons for non-disclosure**

#### 1. Political embarrassment

Past clandestine government-to-government cooperation can embarrass current governments if this becomes public knowledge. Such cooperation was entered into with solemn assurances (formal or informal agreements)

that the cooperation would not be disclosed by either party without the consent of both governments. This argument was validity at the time of the announcement of the existence of the program in 1993, but this can no longer be the case.

## 2. Commercial interests

It is known that there were clandestine equipment and technology procurement from overseas private companies by South African state organisations (such as the Atomic Energy Corporation and Armscor) during the Apartheid period. Criminal charges has and can still be brought against such companies in cases where this contravened the legislation of their home country (e.g., US government vs. Ivy). In most cases, undertakings regarding long-term secrecy were included in the original procurement contracts. Where there are continuing business between the parties, breach of such past contractual undertakings could harm current business relations. Again, this argument could have had some validity at the time of the announcement in 1993, but it is very unlikely that it is still the case.

## 3. Non-proliferation

Certain information about past nuclear programs could be of value to potential proliferators. This is clearly the case for technical information relating to the design and production of nuclear weapons. This information should remain classified.

Information about sources of relevant technology, equipment and materials could also be of value to the potential proliferator. This might no longer be a big issue after so many years has passed, but it could still be a valid concern. Caution and discretion should therefore be exercised in disclosing such information.

## **The road ahead**

My proposal is that the following three steps be considered:

- A search to find out if any classified documents and other information still exist.
- Instituting a process of controlled declassification. A panel of experts should be appointed to evaluate the proliferation value of the information and advise the government on declassification or not. (I thought the input by Roger Heusser was very valuable in this regard.)
- We should encourage individuals to record their recollections. Such reports should be declassified before deposition in an archive. (See previous point). This process will probably only be effective if an appropriate person facilitates it.

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