The IAEA Legal Framework for Nuclear Safety:

At a Glance

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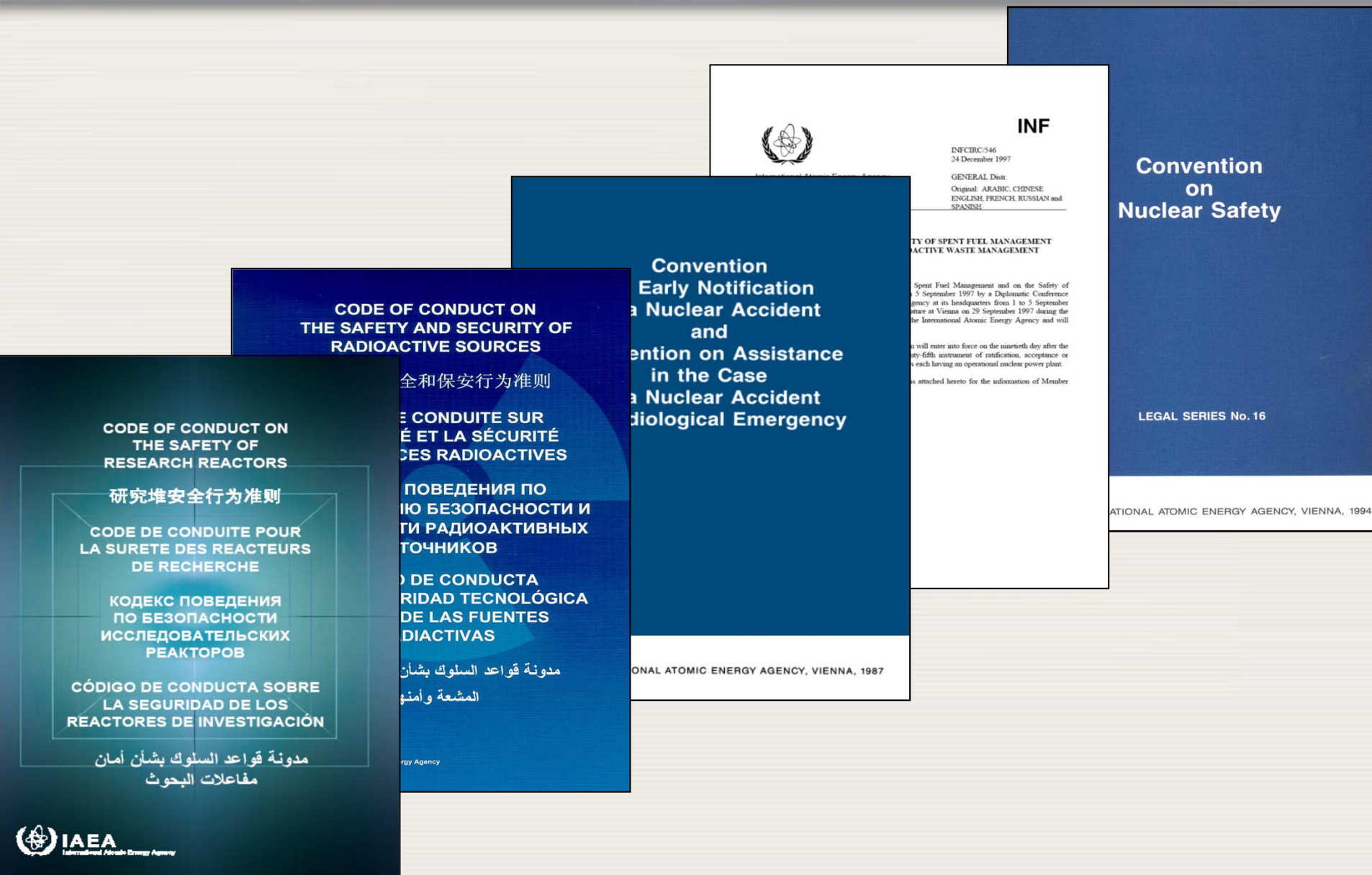
International Atomic Energy Agency

International Instruments



International Instruments contd.

1. Convention on Nuclear Safety, 1994 (INFCIRC/449)
2. Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, 1997 (INFCIRC/546)
3. Convention on Early Notification of a Nuclear Accident, 1986 (INFCIRC/335)
4. Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, 1986 (INFCIRC/336)
5. Code of Conduct on the Safety and Security of Radioactive Sources, 2003 (INFCIRC/663)
6. Code of Conduct on the Safety of Research Reactors, 2004 (IAEA/CODEOC/RR/2006)

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Objective

To provide a legal framework for conducting activities related to the peaceful uses of nuclear energy and ionizing radiation in a manner which adequately protects individuals, property and the environment

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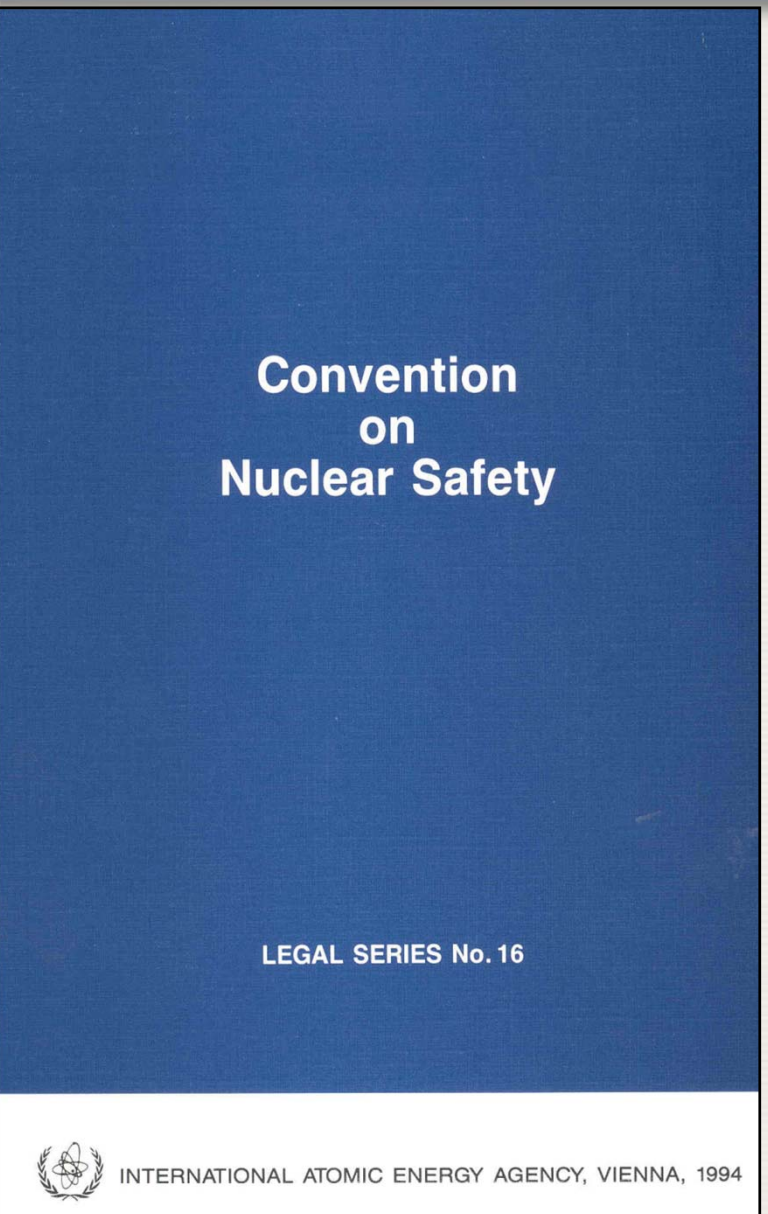
Convention on Nuclear Safety (CNS)



The CNS applies to:

- **The safety of nuclear installations:**
  - **“Nuclear installation" defined as any land-based civil nuclear power plant including such storage, handling and treatment facilities for radioactive materials as are on the same site and are directly related to the operation of the nuclear power plant**
- **Does not apply to research reactors**
- **At present 72 Contracting Parties**

“Peer Review Process”

Contracting Parties must report to Review Meetings on how they implement each of the obligations under the Convention (Article 20)

- **Preparatory Meeting: April 1997**
- **To-date, five Review Meetings:**
  - **1999, 2002, 2005, 2008 and 2011**
- **Extraordinary Meeting scheduled for 2012, inter alia, to analyse the relevant issues arising from the accident at the Fukushima Daiichi NPP**

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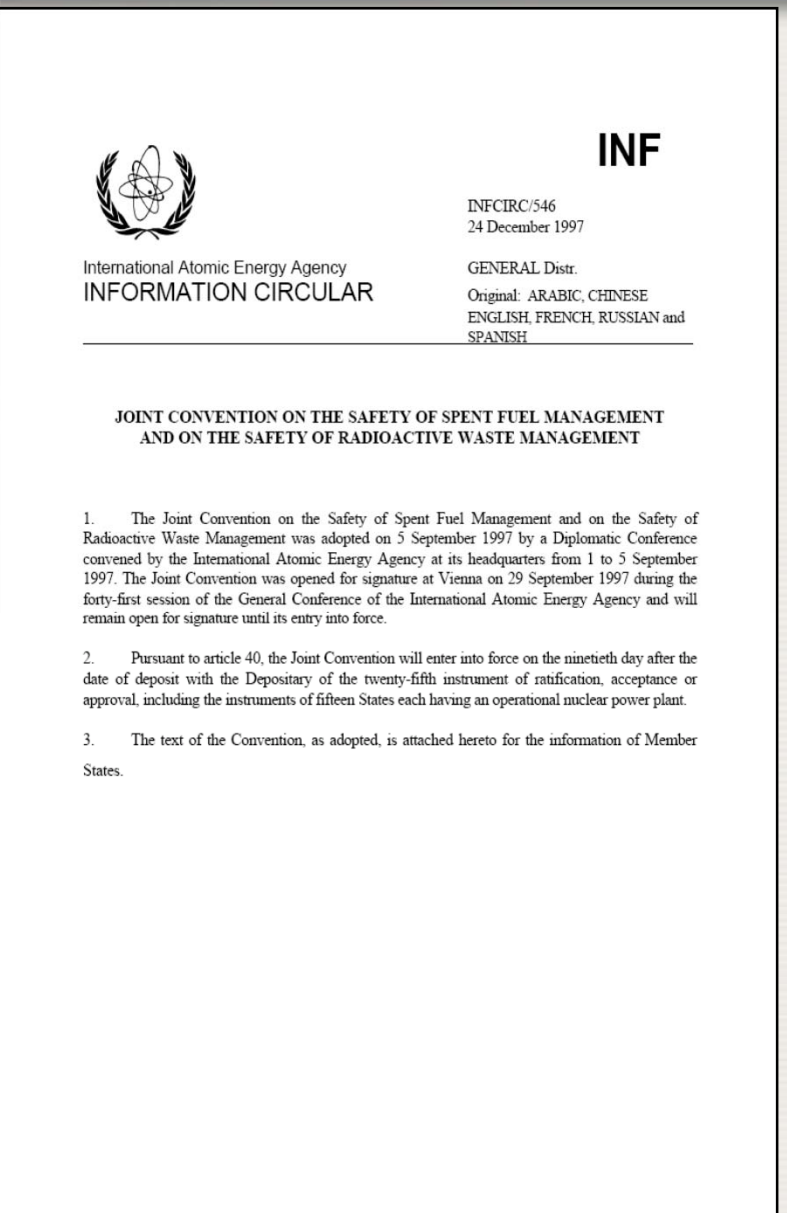
Key Points:

- **Considered as an “incentive” convention i.e. no enforcement mechanism**
- **“Peer Review Process”**

Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management



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INFCIRC/546
24 December 1997

International Atomic Energy Agency
INFORMATION CIRCULAR

GENERAL Distr.
Original: ARABIC, CHINESE ENGLISH, FRENCH, RUSSIAN and SPANISH

JOINT CONVENTION ON THE SAFETY OF SPENT FUEL MANAGEMENT AND ON THE SAFETY OF RADIOACTIVE WASTE MANAGEMENT

1. The Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management was adopted on 5 September 1997 by a Diplomatic Conference convened by the International Atomic Energy Agency at its headquarters from 1 to 5 September 1997. The Joint Convention was opened for signature at Vienna on 29 September 1997 during the forty-first session of the General Conference of the International Atomic Energy Agency and will remain open for signature until its entry into force.

2. Pursuant to article 40, the Joint Convention will enter into force on the ninetieth day after the date of deposit with the Depositary of the twenty-fifth instrument of ratification, acceptance or approval, including the instruments of fifteen States each having an operational nuclear power plant.

3. The text of the Convention, as adopted, is attached hereto for the information of Member States.

- **The Joint Convention applies to:**
  - **spent fuel and radioactive waste when the spent fuel results from civilian applications/ nuclear reactors**
  - **uranium mining and milling wastes**
  - **discharges from regulated activities**
- **At present 58 Contracting Parties**

Scope of Application contd.

Generally does not apply to:

- **spent fuel held at reprocessing facilities as part of a reprocessing activity**
- **waste containing only naturally occurring radioactive materials (NORM) and which is outside the nuclear fuel cycle**
- **spent fuel and radioactive waste from military or defense programes**

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“Peer Review Process”

Contracting Parties must report to Review Meetings on how they implement each of the obligations under the Convention (Article 32)

Preparatory Meeting: Dec. 2001

To-date, three Review Meetings: 2003, 2006 and 2009

Also, an Extraordinary Meeting held in Nov. 2005

4th Review Meeting scheduled for 2012

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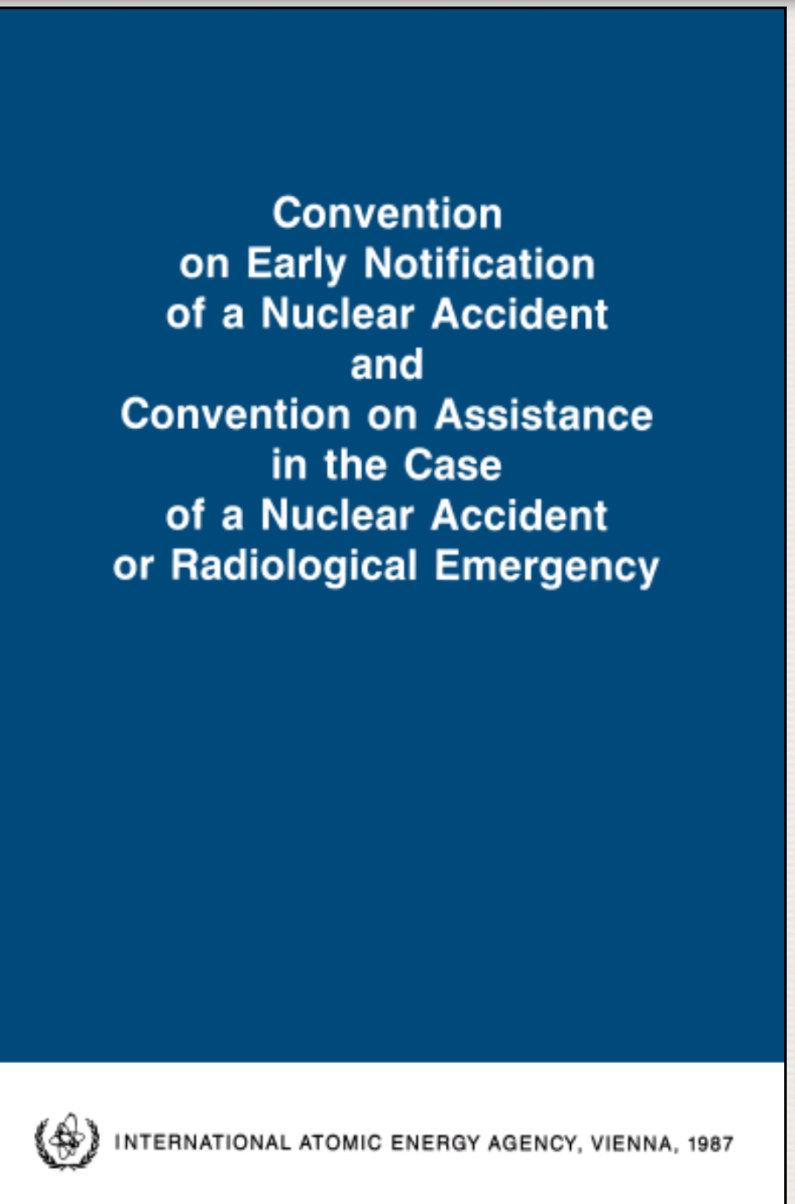
Key Points:

- **Relevant to all states (with or without a nuclear power programme)**
- **Specific (miscellaneous) provisions on transboundary movement of spent fuel and radioactive waste (Article 27) and disused sealed sources (Article 28)**
- **As for the CNS, “incentive” convention and “Peer Review Process”**

Early Notification & Assistance Conventions

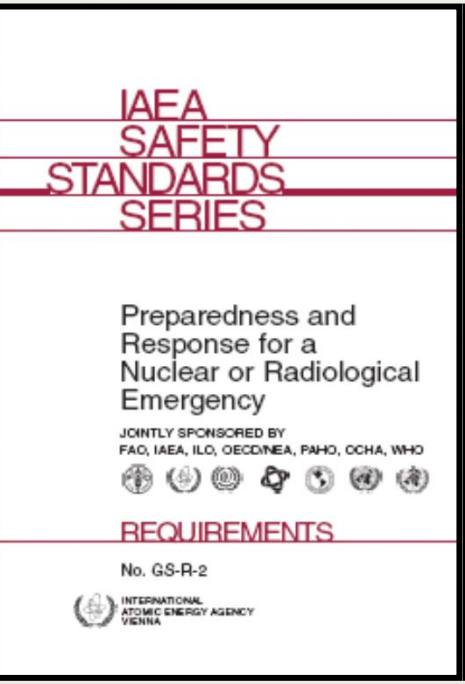


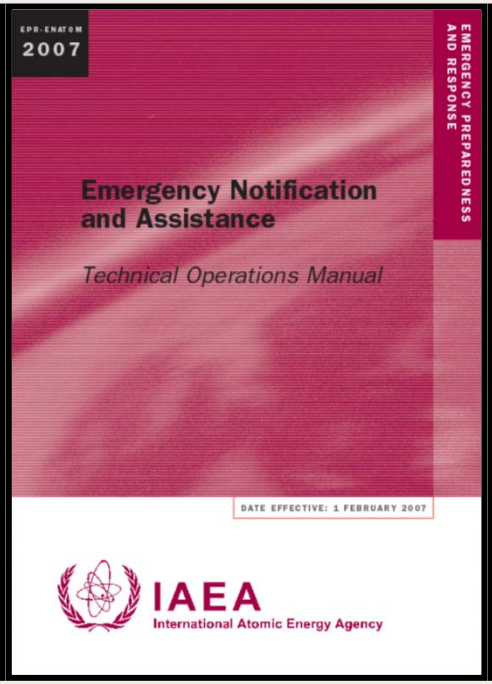
- Obligation to notify nuclear accidents
- Inform and assist in a nuclear accident or radiological emergency
- Based on a system of competent authorities and national contact points for information exchange
- Detailed information must be made known through these contact points so as to facilitate counter measures

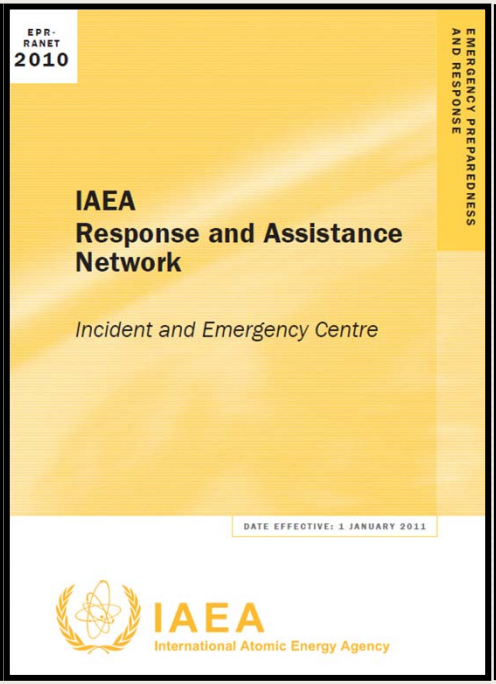
Early Notification & Assistance Conventions contd.

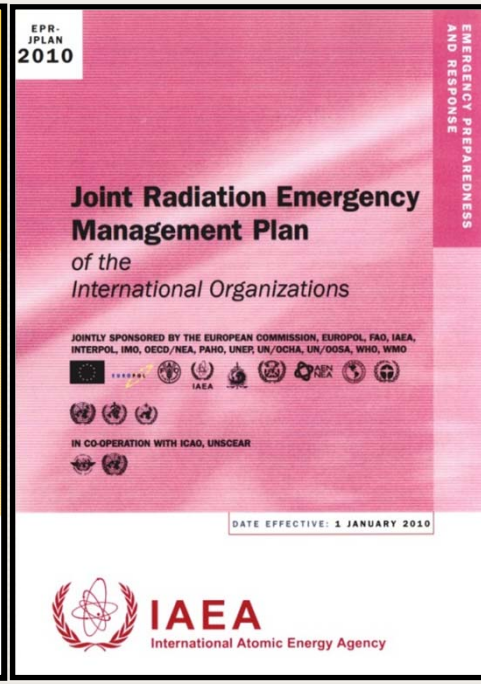
The Conventions are supplemented by:

- **Bilateral agreements between neighbouring States**
- **Standards, practical arrangements and mechanisms e.g:**









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Early Notification & Assistance Conventions contd.

Key Points:

- **More than 100 parties to each of the Conventions**
- **However, the system is not yet consolidated**

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Codes of Conduct

- Instruments of a legally non-binding nature prepared at the international level to offer guidance for the harmonization of national laws, regulations and policies

Radioactive Sources Code of Conduct

- Focus on “high risk” radioactive sources (Categories 1-3) based on IAEA TECDOC Series, the Categorization of Radioactive Sources, No. 1344 (2003)
- For the first time, cross-over with the nuclear security regime

Radioactive Sources Code of Conduct Contd.

Key Points:

- **A non-binding legal instrument**
- **No “Peer Review Process” but an informal review process**
- **More than 100 “political commitments” given to-date pursuant to GC resolution**
- **Supplemented by import/ export Guidance (also with “political commitments” pursuant to GC resolution)**

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Research Reactors Code of Conduct

- **Safety of “research reactors” i.e. nuclear reactors used mainly for the generation and utilization of neutron flux and ionising radiation for research and other purposes**
- **Addresses not only the role of the State and the Regulatory Body but also the Operating Organization**

Research Reactors Code of Conduct contd.

Key Points:

- **Also a non-binding legal instrument but no "political commitments"**
- **Covers all stages of Research Reactors lives from siting to decommissioning**
- **No "Peer Review Process" but ongoing activities including to examine progress and to promote sharing knowledge**

International Legal Instruments on Nuclear Safety contd.

IAEA Safety Standards Series:

- **Statutory basis – Article III.A(6)**
- **The Safety Standards Series comprises of:**
  - **Safety Fundamentals;**
  - **Safety Requirements; and**
  - **Safety Guides**
- **Publications of a regulatory nature covering various fields of nuclear safety**

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International Legal Instruments on Nuclear Safety contd.

Some important publications:

- **Fundamental Safety Principles, No. SF-1 (2006)**
- **Governmental, Legal and Regulatory Framework for Safety, No. GSR Part 1 (2010)**
- **International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources, No. 115 (1996)**
- **Regulations for the Safe Transport of Radioactive Material, TS-R-1 (2009)**

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Further Information

IAEA Office of Legal Affairs Website:

http://ola.iaea.org/OLA/default.asp