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(GC(XXXIV)/914)

MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN MATTERS RELATING TO NUCLEAR SAFETY AND RADIOLOGICAL PROTECTION

(d) CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL

Report by the Director General

1. In resolution GC(XXXIII)/RES/510, the Conference requested the Director General to report to it at its thirty-fourth regular session on the signature and ratification status of the Convention on the Physical Protection of Nuclear Material. A table showing the signature and ratification status of the Convention as of 31 July 1990 is contained in Attachment 1.
2. In the same resolution, the General Conference also requested the Director General to make available, within the Agency's existing budgetary resources, meeting room facilities and administrative and clerical assistance so that the parties to the Convention might hold, in 1990, a meeting of an open-ended group of experts with the task of drafting recommendations for facilitating co-operation between the national authorities of Member States parties to the Convention in the implementation of the Convention.
3. A meeting of an open-ended group of experts was held at the Agency's Headquarters in June 1990. The recommendations approved at that meeting are reproduced in Attachment 2, for the information of Member States.

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CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL

List of signature, ratification, acceptance, approval or accession
by States or organizations as of 31 July 1990

<u>State/Organization</u>	<u>Date of Signature</u>	<u>Place</u>	<u>Means/date of deposit of expression of consent to be bound</u>	<u>Entry into Force</u>
Argentina*	28 Feb 1986	Vienna	ratified* 6 Apr 89	6 May 1989
Australia	22 Feb 1984	Vienna	ratified 22 Sep 87	22 Oct 1987
Austria	3 Mar 1980	Vienna	ratified 22 Dec 88	21 Jan 1989
Belgium(*)	13 Jun 1980	Vienna		
Brazil	15 May 1981	Vienna	ratified 17 Oct 85	8 Feb 1987
Bulgaria*	23 Jun 1981	Vienna	ratified* 10 Apr 84	8 Feb 1987
Canada	23 Sep 1980	Vienna	ratified 21 Mar 86	8 Feb 1987
China			acceded* 10 Jan 89	9 Feb 1989
Czechoslovakia*	14 Sep 1981	Vienna	ratified* 23 Apr 82	8 Feb 1987
Denmark(*)	13 Jun 1980	Vienna		
Dominican Republic	3 Mar 1980	New York		
Ecuador	26 Jun 1986	New York		
EURATOM*	13 Jun 1980	Vienna		
Finland	25 Jun 1981	Vienna	accepted 22 Sep 89	22 Oct 1989
France(*)*	13 Jun 1980	Vienna		
German Democratic Republic*	21 May 1980	Vienna	ratified 5 Feb 81	8 Feb 1987
Germany, Federal Republic of(*)	13 Jun 1980	Vienna		
Greece	3 Mar 1980	Vienna		
Guatemala	12 Mar 1980	Vienna	ratified 23 Apr 85	8 Feb 1987
Haiti	9 Apr 1980	New York		
Hungary*	17 Jun 1980	Vienna	ratified* ^{1/} 4 May 84	8 Feb 1987
Indonesia	3 Jul 1986	Vienna	ratified* 5 Nov 86	8 Feb 1987
Ireland(*)	13 Jun 1980	Vienna		
Israel*	17 Jun 1983	Vienna		
Italy(*)*	13 Jun 1980	Vienna		
Japan			acceded 28 Oct 88	27 Nov 1988
Korea, Republic of*	29 Dec 1981	Vienna	ratified* 7 Apr 82	8 Feb 1987
Liechtenstein	13 Jan 1986	Vienna	ratified 25 Nov 86	8 Feb 1987
Luxembourg(*)	13 Jun 1980	Vienna		
Mexico			acceded 4 Apr 88	4 May 1988
Mongolia*	23 Jan 1986	New York	ratified* ^{1/} 28 May 86	8 Feb 1987
Morocco	25 Jul 1980	New York		
Netherlands(*)	13 Jun 1980	Vienna		
Niger	7 Jan 1985	Vienna		
Norway	26 Jan 1983	Vienna	ratified 15 Aug 85	8 Feb 1987
Panama	18 Mar 1980	Vienna		
Paraguay	21 May 1980	New York	ratified 6 Feb 85	8 Feb 1987
Philippines	19 May 1980	Vienna	ratified 22 Sep 81	8 Feb 1987
Poland*	6 Aug 1980	Vienna	ratified* 5 Oct 83	8 Feb 1987
Portugal	19 Sep 1984	Vienna		

(*) signed as EURATOM member State.

* Indicates that a reservation/declaration was deposited upon or following signature/ratification/acceptance/approval/accession.

(see INFCIRC/274/Rev.1/Add.2)

^{1/} Indicates that reservation/declaration was subsequently withdrawn.

Romania*	15 Jan 1981	Vienna			
South Africa*	18 May 1981	Vienna			
Spain(*)*	7 Apr 1986	Vienna			
Sweden	2 Jul 1980	Vienna	ratified	1 Aug 80	8 Feb 1987
Switzerland	9 Jan 1987	Vienna	ratified	9 Jan 87	8 Feb 1987
Turkey*	23 Aug 1983	Vienna	ratified*	27 Feb 85	8 Feb 1987
Union of Soviet Socialist Republics*	22 May 1980	Vienna	ratified*	25 May 83	8 Feb 1987
United Kingdom of Great Britian and Northern Ireland(*)	13 Jun 1980	Vienna			
United States of America	3 Mar 1980	New York/ Vienna	ratified	13 Dec 82	8 Feb 1987
Yugoslavia	15 Jul 1980	Vienna	ratified	14 May 86	8 Feb 1987

Note: The Convention entered into force on 8 February 1987 pursuant to Article 19, paragraph 1.

31 July 1990

Status: 47 signatories

28 parties

Recommendations for facilitating co-operation between the national authorities of Member States Parties to the Convention on Physical Protection of Nuclear Material in the implementation of the Convention

During the week beginning 18 June 1990 a meeting of experts was held at the IAEA Headquarters in Vienna with the task of drafting recommendations for facilitating co-operation between the national authorities of Member States Parties to the Convention in the implementation of the Convention.

The meeting proved helpful in providing a forum for States Parties to the Convention and other States similarly dedicated to the importance of physical protection of nuclear material to exchange views regarding the Convention and its overall objective. The meeting also provided for the sharing of information on national policies and arrangements with regard to physical protection, as well as on the limited experience so far gained in the implementation of the Convention. Most States had so far found no practical difficulty in operating under the Convention.

The meeting recognized that, to date, only limited experience of practical implementation of the Convention has been gained, and thus confirms that it is not appropriate to make recommendations regarding the scope or any other major aspect of the Convention. However, the meeting considers that the following recommendations, aiming at facilitating co-operation between States Parties to the Convention, are appropriate:

I. That on the basis that the legal framework for co-operation is a Convention, States should be strongly encouraged to become States Parties to the Convention.

II. That States Parties should identify and make known to other States Parties, directly or through the Agency, and to the Agency, the relevant organizations pursuant to Article 5.1 of the Convention. If more than one organization is identified by a State Party, this State Party should specify the relevant competence/function of each organization. States Parties should endeavour to ensure that the information provided remains current.

That the Agency should establish as soon as possible a comprehensive list of those organizations. The Agency should periodically update and confirm this list in a manner similar to the method applied to the Convention on Early Notification of a Nuclear Accident (INFCIRC/335) or to the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (INFCIRC/336). The Agency should publish this list on an annual basis and distribute it to States Parties and their designated organizations on this list.

III. That it is the prerogative of the State responsible for receiving the assurances to determine the content of satisfactory assurance.

In order to give guidance to States, some examples of situations where the assurance received might be considered as satisfactory are mentioned below:

- when the State involved in the transport is a Party to the Convention;
- when States have concluded a formal agreement which ensures that physical protection arrangements are implemented;
- when States formally declare that their physical protection arrangements are implemented according to internationally accepted guidelines;
- when the transport takes place in accordance with a license issued by the State or States involved, which contains appropriate physical protection provisions.

IV. That attention be drawn to States Parties to the existence of differences among the various categorizations of nuclear material; noting that the categorizations contained in various relevant INFCIRC documents have become the basis for national systems in many Member States, recommends that the categorization of nuclear materials be reviewed in preparation for the Review Conference of the Convention in 1992 referred to in Article 16.

V. That bilateral consultations recommended in Article 5.3 also provide an important mechanism for coordinating States Parties responsibilities pursuant to the Convention.

VI. That helpful guidance on practical physical protection arrangements is provided in INFCIRC/225/Rev.2, "The Physical Protection of Nuclear Material", which reflects a broad consensus among IAEA Member States on the requirements which should be met by systems for the physical protection of nuclear material during transport.