

The Convention on the Physical Protection of Nuclear Material (CPPNM) and its Amendment

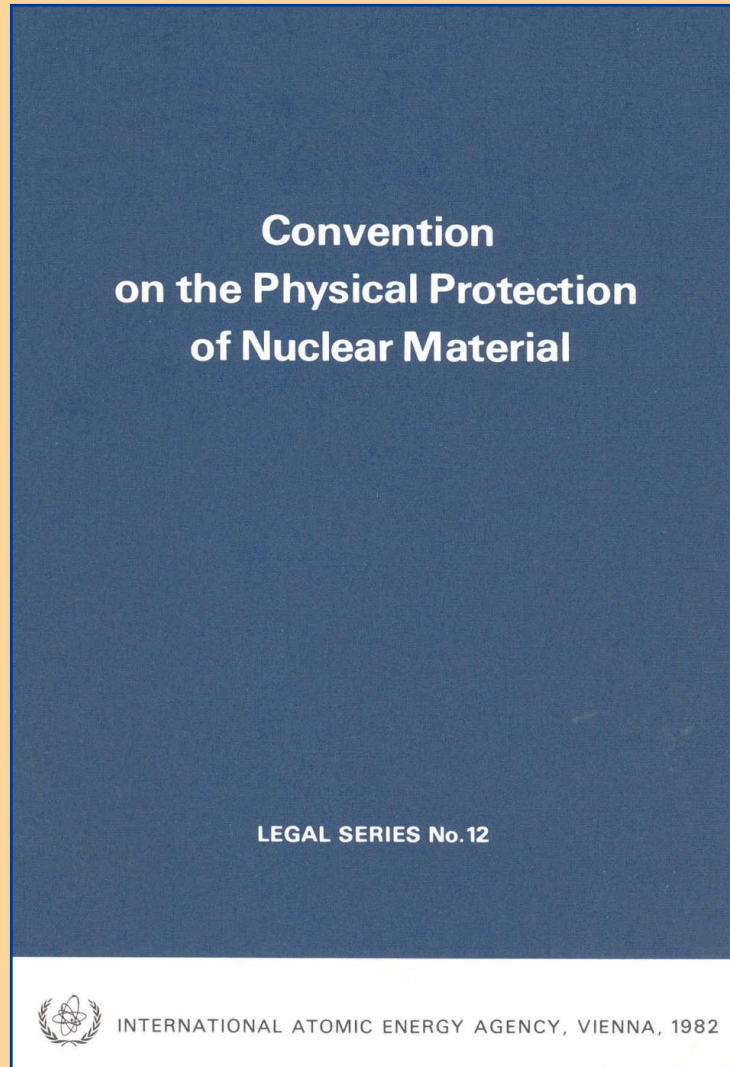
The Central role of nuclear operators in implementing national obligations under the Convention on the Physical Protection of Nuclear Material (CPPNM) and its Amendment

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Convention on the Physical Protection of Nuclear Material (CPPNM)



In force since 8 February 1987

164 Parties

Scope: (threefold)

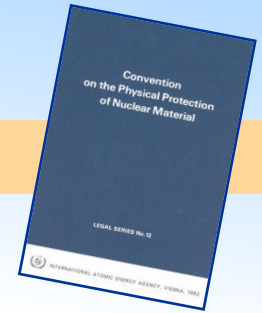
Physical protection → nuclear material
during international transport

Criminalisation of offences
(prosecution or extradition)

International co-operation and
information exchange



Physical protection under the CPPNM

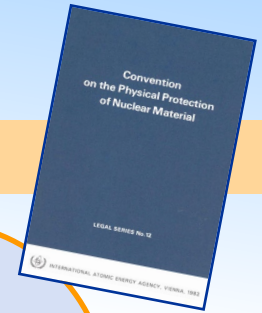


CPPNM

- Physical protection of specified categories of nuclear material used for peaceful purposes (Annex II) and at specified levels
- During international transport (& incidental storage) BUT not during domestic use, storage & transport
- Obligations on the importing, exporting and transit States Parties



Criminal offences under the CPPNM

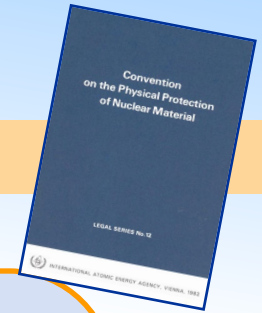


CPPNM

- **Unauthorised** receipt, possession, **use**, transfer, alteration, disposal or dispersal of, or **threat to use**, nuclear material, to cause death, personal injury or property damage,
- **Theft or robbery** of nuclear material,
- Embezzlement or **fraudulent** obtaining of nuclear material,
- A demand for nuclear material by threat or use of force or by any other form of intimidation



Criminal offences under the CPPNM (2)



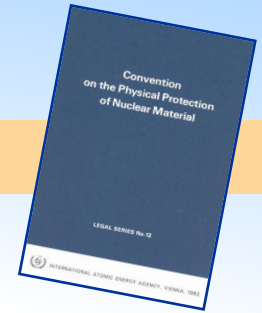
CPPNM

Ancillary Offences

- An **attempt** to commit a listed offence,
- A **participation** in any of the listed offences.



International Cooperation under the CPPNM



CPPNM

- Cooperation and assistance to **protect or recover unlawfully taken material**
- Cooperation and consultation in connection with **physical protection systems**
- Assistance in connection with **criminal proceedings**
- **Central Authority and Points of Contact**



Amendment to the CPPNM (A/CPPNM)

Amendment to the Convention on the Physical Protection of Nuclear Material

1. The Title of the Convention on the Physical Protection of Nuclear Material adopted on 26 October 1979 (hereinafter referred to as "the Convention") is replaced by the following title:

CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL AND NUCLEAR FACILITIES

2. The Preamble of the Convention is replaced by the following text:
THE STATES PARTIES TO THIS CONVENTION,

RECOGNIZING the right of all States to develop and apply nuclear energy for peaceful purposes and their legitimate interests in the potential benefits to be derived from the peaceful application of nuclear energy,

CONVINCED of the need to facilitate international co-operation and the transfer of nuclear technology for the peaceful application of nuclear energy,

BEARING IN MIND that physical protection is of vital importance for the protection of public health, safety, the environment and national and international security,

HAVING IN MIND the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of good-neighbourliness and friendly relations and co-operation among States,

CONSIDERING that under the terms of paragraph 4 of Article 2 of the Charter of the United Nations, "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations,"

RECALLING the Declaration on Measures to Eliminate International Terrorism, annexed to General Assembly resolution 49/60 of 9 December 1994,

DESIRING to avert the potential dangers posed by illicit trafficking, the unlawful taking and use of nuclear material and the sabotage of nuclear material and nuclear facilities, and noting that physical protection against such acts has become a matter of increased national and international concern,

DEEPLY CONCERNED by the worldwide escalation of acts of terrorism in all its forms and manifestations, and by the threats posed by international terrorism and organized crime,

Adopted in July 2005

In force since 8 May 2016

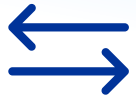
136 Parties to the Amendment

Extended Scope :

Physical Protection → nuclear facilities and nuclear material in domestic use, storage and transport

Criminalization → new offences relating to nuclear smuggling/illicit trafficking and sabotage

Expanded co-operation among States regarding stolen or smuggled nuclear material, sabotage, and related offences



Physical protection under the A/CPPNM



CPPNM Amendment



Establish, implement and maintain an appropriate physical protection regime applicable to **nuclear material** and **nuclear facilities** with the aim of:

- (a) **protecting against theft and other unlawful taking of nuclear material in use, storage and transport;**
- (b) ensuring the implementation of rapid and comprehensive measures to **locate** and, where appropriate, **recover missing or stolen nuclear material**; [...]
- (c) protecting **nuclear material and nuclear facilities against sabotage**; and
- (d) **mitigating or minimizing the radiological consequences of sabotage.**



Physical protection under the A/CPPNM

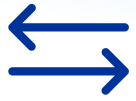


CPPNM Amendment



In implementing Paragraph 1, Each State Party shall:

- (a) establish and maintain a **legislative and regulatory framework** to govern physical protection;
- (b) establish or designate a **competent authority** or authorities responsible for the implementation of the legislative and regulatory framework; and
- (c) take other **appropriate measures** necessary for the physical protection of nuclear material and nuclear facilities.



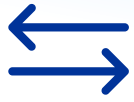
Fundamental Principles



CPPNM Amendment



- A. Responsibility of the State
- B. Responsibilities during International Transport
- C. Legislative and Regulatory Framework
- D. Competent Authority
- E. Responsibility of the License Holders**
- F. Security Culture**
- G. Threat
- H. Graded Approach
- I. Defence in Depth
- J. Quality Assurance
- K. Contingency Plans**
- L. Confidentiality



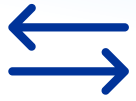
Criminal offences under the A/CPPNM



CPPNM Amendment



- **Smuggling** of nuclear material
- **Sabotage** of nuclear facilities or nuclear material **or threat thereof**
- Coverage of “**substantial damage to the environment**”
- New **ancillary offences** (organisation or direction of others to commit a listed offence)



International cooperation under the A/CPPNM



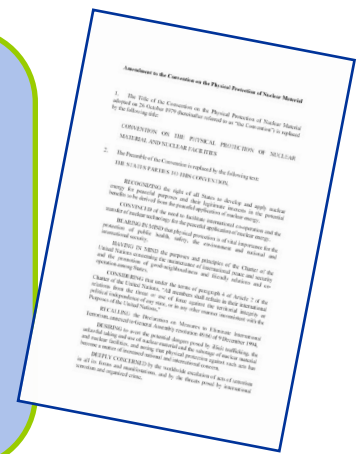
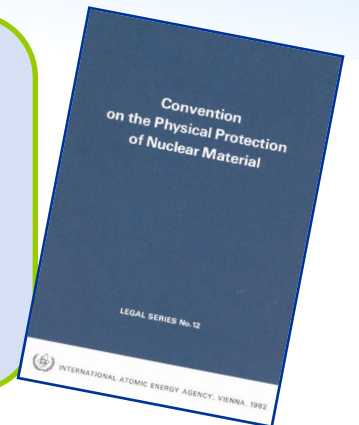
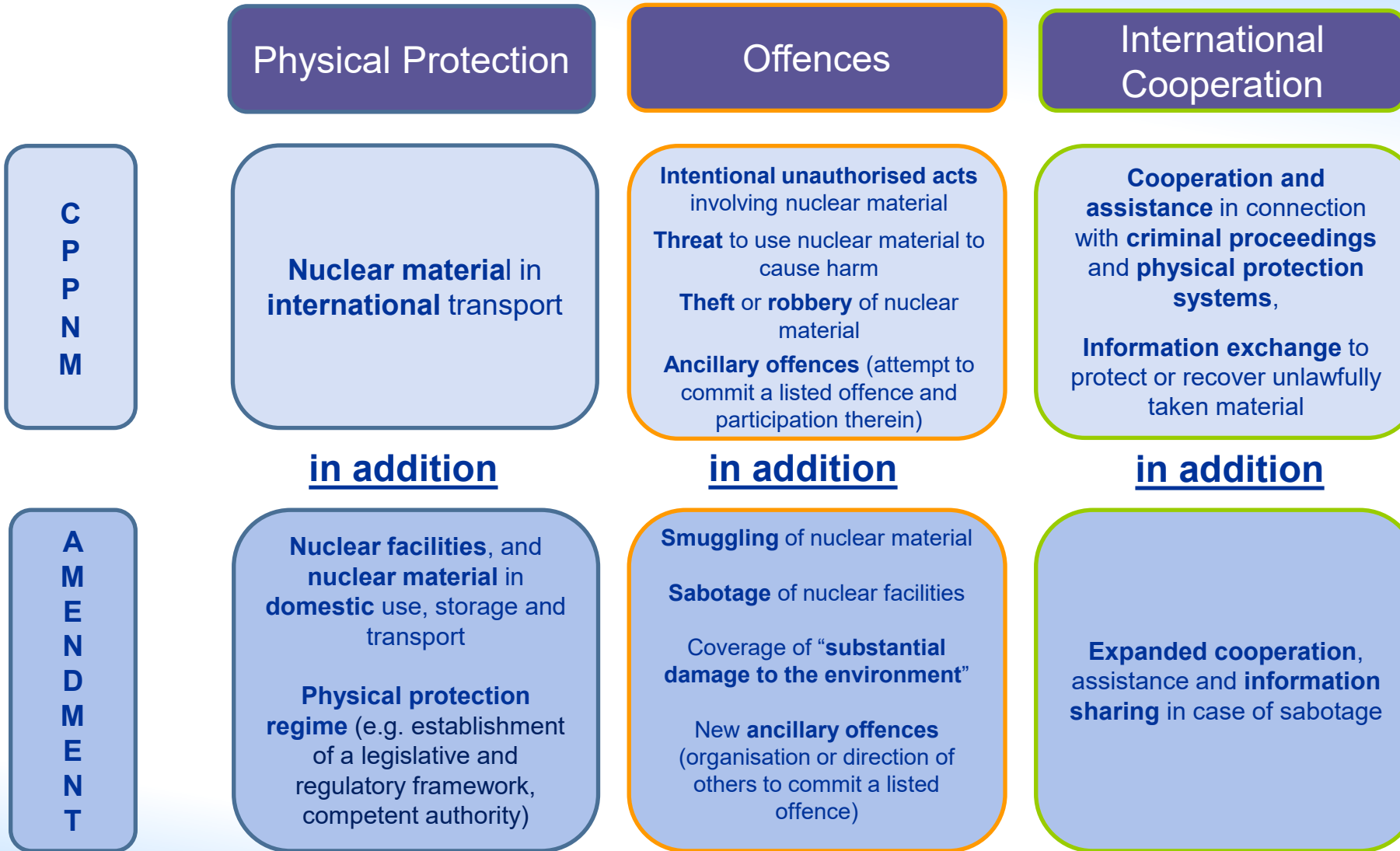
CPPNM Amendment



- New provisions relating to response to **sabotage of nuclear material or of a nuclear facility, or credible threat thereof**
- New provision on the design, maintenance and improvement of systems of physical protection of nuclear material **in domestic use, storage and transport and of nuclear facilities**
- **Points of Contact**



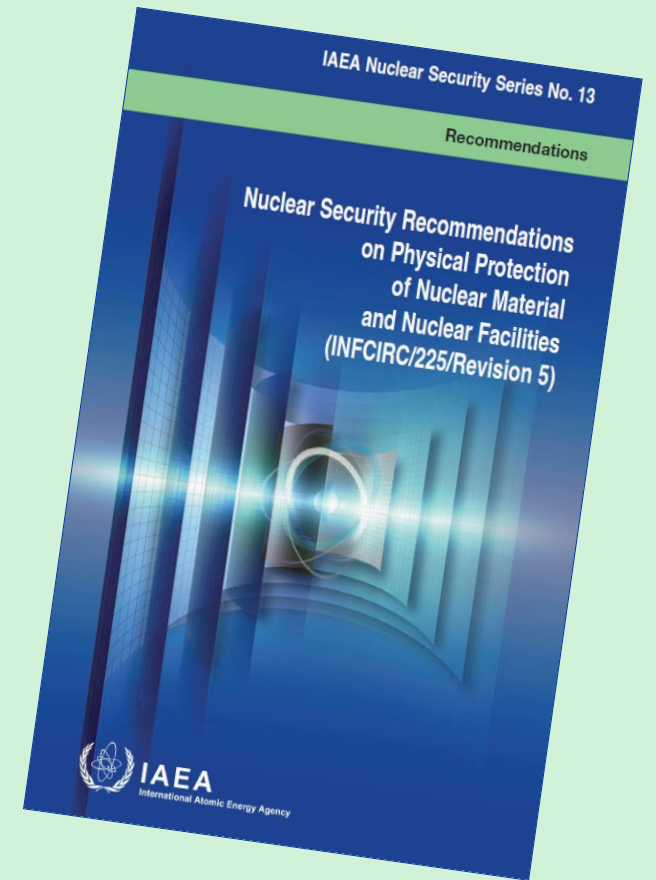
CPPNM and the A/CPPNM





Nuclear Security Recommendations on Physical protection of nuclear material and nuclear facilities (NSS No. 13, INFCIRC/225/Rev.5)

- Recommends requirements to guide States on how to develop and enhance, implement and maintain a physical protection regime for nuclear material and nuclear facilities
- Helps States to implement their obligations under relevant international instruments, in particular the CPPNM and its Amendment





Role of the IAEA

- Treaty-based
 - Depositary functions with respect to CPPNM and its Amendment
 - Assigned specific functions under CPPNM and its Amendment, ICSANT (approved by the IAEA Board of Governors)
- Promotes adherence to and supports implementation of the instruments
- Integrated Nuclear Security Support Plans (INSSPs)
- Guidance in the IAEA Nuclear Security Series
- Legislative and technical assistance
- Advisory services
 - International Physical Protection Advisory Service (IPPAS)
 - International Nuclear Security Advisory Service (INSServ)

Thank you!

