

# **CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL (CPPNM)**

NRC Office: NSIR

International Organization: IAEA

Representative: To be Determined

## **General Description**

The CPPNM is an international convention negotiated under International Atomic Energy Agency (IAEA) auspices in the late 1970s. The United States (U.S.) ratified it in 1982, and the Convention entered into force in 1987, with the deposit of the 21<sup>st</sup> instrument of ratification. Since 1998, the U.S. has led an effort to revise the CPPNM in order to strengthen obligations for the physical protection of nuclear material in domestic use, storage, and transport, and for the protection of nuclear material and nuclear facilities from sabotage. On May 25, 2004, the proposed amendment to the Convention was submitted to the IAEA Director General, thereby triggering the process to lead to a Diplomatic Conference. On January 19, 2005, IAEA received a sufficient number of State Parties voting in support of the conference.

### **1. How are the CPPNM activities consistent and supportive of the specific strategies that support the goals in the U.S. Nuclear Regulatory Commission (NRC) Strategic plan?**

NRC efforts in strengthening international physical protection of nuclear material through participation in the CPPNM support the NRC strategic objective to “Ensure the Secure Use and Management of Radioactive Materials.” Participation in the CPPNM is also consistent with the NRC Strategic Plan strategy to “Coordinate with Federal and international counterparts to provide appropriate security and control to prevent the proliferation of special nuclear materials and nuclear technology and to reduce the potential for harmful use of hi-risk radioactive material.”

### **2. How does this committee relate to other NRC international activities?**

The CPPNM is expected to impact the IAEA guidelines for the Physical Protection of Nuclear Material and Nuclear Facilities as contained in IAEA INFCIRC/225/Rev. 4. Therefore, the results of the Convention will affect the conduct of other NRC international physical protection activities such as participation in U.S.-led bilateral physical protection information exchange visits and will have implications for NRC licensing of U.S. nuclear material imports and exports. Additionally, the Convention could impact NRC regulations for Physical Protection, 10 CFR Part 73, although such an impact is not anticipated.

### **3. What is the relationship of this activity to the work of other IAEA and NEA Committees or activities (include any areas of known coordination unnecessary overlap between IAEA and NEA activities)?**

There is no direct relationship between the Convention and other IAEA and NEA Committees. However, the Convention contains international legal obligations related to the physical protection of nuclear material and nuclear facilities and will serve to guide the conduct of IAEA

International Physical Protection Advisory Service (IPPAS) missions. The Convention provides an appropriate framework for international co-operation in protection, recovery and return of stolen nuclear material and in the application of criminal sanctions against persons who commit criminal acts involving nuclear material.

**4. What issues have the Committee addressed in the past year? What new issues does NRC staff anticipate the Committee will address in the future?**

The past year was largely spent conducting final consultations to identify a proposal that could serve as a basis for convening a successful Diplomatic Conference pursuant to Article 20 of the CPPNM. On May 25, 2004, the Austrian Foreign Minister, on behalf of Austria and twenty-four other countries including the United States, submitted to the IAEA Director General a proposed amendment to the Convention, thereby triggering the Article 20 process intended to lead to a Diplomatic Conference to consider the proposed amendment. In January of 2005, the IAEA received a sufficient number of State Parties voting in support of the conference to establish a date and convene the conference.

The Diplomatic Conference has been scheduled for July 4-8, 2005. A preparatory committee meeting will take place April 4-8, 2005. However, because of the largely procedural focus of the preparatory meeting the Department of State (DOS) has stated that it is not necessary for all U.S. agencies to attend. The DOS will request the NRC to participate in the full Diplomatic Conference. The NRC will continue to provide technical expert advice to the DOS throughout the planning and execution of the conference. The involvement by NRC not only assists DOS, but also ensures that the NRC interests and views in the physical protection arena are adequately represented and reflected.

**5. Does the staff anticipate seeking Commission Direction on this committee's work in the next 12 months?**

Yes. The Commission will need to provide views on the U.S. adoption of the revised Convention, since the Convention is a treaty obligation and will impose requirements on NRC.

**6. What is the current level of annual staff involvement?**

- C Approximately two (2) meetings per year, with a total of 4-6 staff weeks of effort.
- C One (1) foreign trip during FY05.