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**Preparatory Committee for the 2010 Review  
Conference of the Parties to the Treaty on the  
Non-Proliferation of Nuclear Weapons**

8 May 2007

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**Article III (3) and article IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5: nuclear safety**

**Working paper by Australia, Austria, Canada, Denmark, Hungary, Ireland, the Netherlands, New Zealand, Norway, and Sweden (“the Group”)**

1. The Group notes that a demonstrated global record of safety in all activities throughout the nuclear fuel cycle is a key element for the peaceful uses of nuclear energy, and that continuous efforts are needed to ensure that the technical and human elements of safety culture are maintained at the optimal level. Although safety is a national responsibility, international cooperation is vital for exchange of knowledge and learning from best practices.
2. The Group affirms that the NPT can help to ensure that international cooperation in nuclear safety will take place in an appropriate non-proliferation framework. The Group acknowledges the primary responsibility of individual States for the safety of nuclear installations within their territories, or under their jurisdiction, and the crucial importance of an effective national technical, human, and regulatory infrastructure in nuclear safety, radiological protection, and waste management.
3. The Group stresses the important role of the IAEA in enhancing nuclear, radiation and waste safety through its various safety programmes and initiatives and in promoting international cooperation in this regard. The Group reaffirms the importance of States developing and improving their national nuclear, radiation, transport and waste safety infrastructures.
4. The Group welcomes and endorses the Convention on Nuclear Safety and urges all States, particularly those constructing or planning nuclear power reactors, which have not yet taken the necessary steps to become a party to the Convention, to do so. The Group notes that all States currently operating nuclear power plants are party to the Convention on Nuclear Safety. The Group expresses its satisfaction with the outcome of the Third Review Meeting under the Convention on Nuclear



Safety in April 2005. The Group urges relevant States parties to contribute in the next review cycle of the Convention, which will commence in September 2007.

5. The Group welcomes adoption by the IAEA of the Code of Conduct on the Safety of Research Reactors and endorses the guidance for the safe management of research reactors set out in the Code. The Group urges States to apply the guidance in the Code to the management of research reactors.

6. The Group endorses the activities of the IAEA directed towards strengthening nuclear safety in operating power and research reactors. Specific activities include the international peer review services, such as the Engineering Safety Review Services (ESRS), the Operational Safety Review Team (OSART), the International Probabilistic Safety Assessments Review Team (IPSART), the International Regulatory Review Service (IRRS), the Integrated Safety Assessment of Research Reactors (INSARR), the work of the IAEA Commission on Safety Standards and Committees in the preparation of internationally recognized safety requirements and guides, the support to the regulatory bodies and other relevant areas of the infrastructure of States through technical assistance programmes and the Emergency Response Unit.

7. The Group welcomes the findings and recommendations of the International Conference on the Protection of the Environment from the Effects of Ionizing Radiation held in Stockholm in October 2003, and the findings of the International Conference on National Infrastructures for Radiation Safety, held in Morocco in September 2003. The Group welcomes the adoption by the IAEA Board in September 2005 of the Plan of Activities on the Radiation Protection of the Environment and the formation in January 2006 of the Coordination Group on Radiation Protection of the Environment, to facilitate the coordination of activities related to the protection of non-human species and advise the IAEA in the implementation of the Plan of Activities. The Group encourages further cooperation between the IAEA and relevant international organizations and stakeholders in promoting a coherent international policy regarding the radiological protection of the environment.

8. The Group welcomes the efforts of the United Nations Scientific Committee on the Effects of Atomic Radiation to assess and report levels and effects of exposure to ionizing radiation, and further welcomes the coordination of the United Nations Scientific Committee's scientific results with the IAEA. The Group notes that many States parties rely on United Nations Scientific Committee's estimates as the scientific basis for evaluating radiation risk and for establishing protective measures.

9. The Group welcomes the work that has been started by the Commission on Safety Standards to review the overall structure of the IAEA's safety standards. The new IAEA Safety Fundamentals approved in September 2006 form the fundamental building block for the ongoing development of safety standards. The Group welcomes the current work to revise the basic radiation protection requirements: the Basic Safety Standards.

10. The Group welcomes the adoption by the IAEA Board of Governors of the Code of Conduct on the Safety and Security of Radioactive Sources, and supports the subsequent adoption by the Board of a comprehensive Action Plan for its implementation. The Group welcomes the approval by the IAEA Board of

Governors of Guidance on the Import and Export of Radioactive Sources, and recalls that the IAEA General Conference has encouraged States to act in accordance with the Guidance on a harmonized basis. The Group calls upon all States parties to make a political commitment to the Code and the Guidance. The Group notes that the IAEA will hold an open-ended meeting of technical and legal experts for the “Sharing of Information as to States’ Implementation of the Code of Conduct on the Safety and Security of Radioactive Sources and its supplementary Guidance on the Import and Export of Radioactive Sources”, at its headquarters in Vienna, from 25 to 29 June 2007.

11. The Group welcomes and endorses the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (the Joint Convention), and encourages States outside it to become parties to the Convention. The Group underlines the importance of applying the standards established by the Joint Convention to the management and storage of spent fuel and radioactive waste from military as well as civilian activities. The Group welcomes the findings of the Second Review Meeting of Contracting Parties to the Joint Convention, held in Vienna in May 2006, which highlighted the importance of all countries having long-term strategies for managing spent fuel and radioactive waste and encourages States to seek financial guarantees for long-term management.

12. The Group commends IAEA efforts in waste management, and endorses IAEA programmes to assist Member States in this area through, inter alia, safety standards for the handling of radioactive waste, peer reviews, and technical assistance activities. The Group welcomes progress made in implementing the IAEA’s Action Plan on the Safety of Radioactive Waste Management.

13. The Group welcomes progress towards achieving disposal and long-term storage solutions for spent fuel and high-level radioactive waste. In this regard, the Group welcomes the findings of the International Symposium on Disposal of Low Activity Radioactive Waste, held in Spain in December 2004, and the outcomes of the International Conference on the Safety of Radioactive Waste Disposal, held in Japan in October 2005.

14. The Group notes the adoption of: the 1997 Protocol to Amend the 1963 Vienna Convention on Civil Liability for Nuclear Damage; the Convention on Supplementary Compensation for Nuclear Damage; and the 2004 Protocol to Amend the 1960 Paris Convention on Third Party Liability in the Field of Nuclear Energy; and encourages relevant States yet to do so to give consideration to adherence to those instruments.

15. The Group stresses the importance of having effective liability mechanisms in place to ensure against harm to human health and the environment as well as actual economic loss due to an accident or incident during the maritime transport of radioactive materials. The Group welcomes the valuable work of the IAEA’s International Expert Group on Nuclear Liability (INLEX), including the development of an explanatory text on the various nuclear liability instruments, and looks forward to the continuation of INLEX’s work on the overall nuclear liability regime, including its further examination of possible ways in which identified gaps in the regime might be addressed. The Group notes that the next meeting of INLEX will take place in Vienna from 21 to 22 June 2007.

16. The Group recognizes that nuclear and radiological incidents and emergencies, and acts with malicious intent associated with nuclear and radiological terrorism, may lead to significant radiological consequences over wide geographical areas, generate a pressing need for authoritative information to address public and media concerns, and require an international response. The Group urges all States that have not yet done so to take the necessary steps to become parties to the Convention on Early Notification of a Nuclear Accident and to the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

17. The Group welcomes the implementation of the IAEA's Action Plan for Strengthening the International Preparedness and Response System for Nuclear and Radiological Emergencies; looks forward to its further implementation; and encourages further measures to improve the overall international emergency response capability, particularly with regard to potential incidents during transport. The Group welcomes the establishment in February 2005 of the IAEA's Incident and Emergency Centre (IEC), which serves as the Agency's focal point for responding to nuclear or radiological incidents and emergencies and for promoting improvement in emergency response and preparedness.

18. The Group welcomes the IAEA addressing the issue of denials of shipments of radioactive materials, and encourages the Agency to continue its work with a view to resolving this problem for all radioactive materials meeting the required safety regulations. The Group also welcomes progress made on addressing this issue in conjunction with the International Federation of Air Line Pilots' Associations (IFALPA) and other relevant bodies. The Group welcomes the establishment of an International Steering Committee on Denials of Shipments of Radioactive Material to coordinate international efforts aimed at resolving issues related to the denial of shipments.

19. The Group reaffirms maritime and air navigation rights and freedoms, as provided for in international law and as reflected in relevant international instruments and stresses the importance of international cooperation to enhance the safety of international navigation. The Group welcomes implementation of the IAEA's Action Plan on the Safety of Transport of Radioactive Materials, commends States that have made use of the Agency's Transport Safety Appraisal Service (TranSAS), and encourages other States to avail themselves of TranSAS and to improve transport practices. The Group affirms that it is in the interests of all States that the maritime transportation of radioactive materials be conducted in compliance with international standards of safety, security and environmental protection, and that States have under international law the obligation to protect and preserve the maritime environment.

20. The Group notes concerns about a potential accident or incident during the transport of radioactive materials by sea and about the importance of the protection of people, human health and the environment as well as protection from actual economic loss, as defined in relevant international instruments, due to an accident or incident. The Group welcomes the practice of some shipping States and operators of providing in a timely manner information and responses to relevant coastal States in advance of shipments of radioactive materials for the purpose of addressing concerns regarding safety and security, including emergency preparedness. The Group welcomes informal discussions on communication between shipping States and relevant coastal States with IAEA involvement, notes the intention to hold further discussions with Agency involvement, and looks forward to progress towards understanding and addressing concerns of coastal and shipping States.