

**Resolution 1540 (2004), paragraphs 1 and 2: experience shared and related projects regarding obligations related to nuclear, chemical and biological weapons and their means of delivery**

The Agency continues to implement a legislative assistance programme which assists Member States in their development of an adequate legal framework governing nuclear security, safety, safeguards and civil liability for nuclear damage. The objectives of the programme are to create awareness in Member States of the relevant international instruments; to assist them in complying with their international obligations and commitments; to assist them in establishing corresponding national legal frameworks; and to assist in transferring relevant knowledge to them.

In particular, the IAEA provides bilateral assistance to Member States by means of written comments and advice in drafting national nuclear legislation and regulations. Approximately 25 national laws are reviewed per year. The IAEA also carries out dedicated awareness missions/seminars to Member States to encourage, inform and raise awareness about the importance of adhering to the international legal instruments. The third annual session of the Nuclear Law Institute (NLI) was held in Austria in 2013. This comprehensive two-week course consolidated different legislative assistance training activities carried out in the past into one event and was established to meet the increasing demand for legislative assistance and to enable participants to be able to draft, amend or review comprehensive national nuclear legislation. In addition, training is provided at IAEA Headquarters, notably through short-term scientific visits as well as longer-term fellowships to individuals on the subject. Approximately 120-150 individuals are trained in nuclear law every year.

In 2011, the IAEA published “The International Legal Framework for Nuclear Security”, as publication No. 4, in its International Law Series. This publication brings together the legally binding primary international instruments and the internationally accepted non-binding instruments that constitute the international legal framework for nuclear security. By setting out the legislative bases for the mandate of the IAEA in the area of nuclear security, it is hoped that this publication will increase awareness of the IAEA’s role in facilitating national, regional and international efforts to enhance nuclear security, including measures to protect against nuclear terrorism. It is also intended to serve as a guide in carrying out the IAEA’s nuclear security mandate and functions assigned to it under these instruments, including in the elaboration of nuclear security recommendations and guidance documents.

**Paragraph 3 (a) and (b): experience shared and related projects regarding accounting, securing and physical protection of nuclear, chemical and biological weapons, their means of delivery and related materials**

On accounting for, securing and physical protection of nuclear items, IAEA has an established role in sharing experience. It recognizes a large number of international instruments relevant to nuclear accounting and security, such as the Comprehensive Safeguards Agreements (INFCIRC/153 (Corrected)); the *Model Protocol Additional to the Agreement between States and the IAEA for the Application of Safeguards* (INFCIRC/540); the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment; the *Nuclear Security Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities* (INFCIRC/225/Revision 5 (IAEA Nuclear Security Series 13)); the *Code of Conduct on the Safety and Security of Radioactive Sources*; and the International Convention for the Suppression of Acts of Nuclear Terrorism, which also obliges States to take measures

to protect nuclear and radioactive material. IAEA, jointly with the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime, has developed model legal provisions to help States criminalize provisions of the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment and the International Convention for the Suppression of Acts of Nuclear Terrorism (see IAEA Handbook on Nuclear Law: Implementing Legislation (2010)).

In 2009, IAEA also adopted its third Nuclear Security Plan covering the years 2010-2013 (GOV/2009/54-GC(53)/18). For IAEA, the Plan emphasizes the global nature of the threat, the long-term effort and perspective needed to achieve nuclear security and that the production of nuclear security guidance to assist States is a priority. . Publications produced since the last report include the Nuclear Security Fundamentals: *Objective and Essential Elements of a State's nuclear security regime* (IAEA Nuclear Security Series No. 20). which were endorsed by the Board of Governors and the General Conference in September 2012.

At its meeting in September 2013, the Board of Governors approved a new Nuclear Security Plan for the years 2014 – 2017 (GOV/2013/42-GC(57)/19). This Plan consolidates activities set out in the previous Plan, taking into account new and modified priorities of Member States. The objective of the Plan is to contribute to global efforts to achieve effective security wherever nuclear and other radioactive material is in use, storage and/or transport, and of associated facilities by supporting States, upon request, in their efforts to meet their national responsibilities and international obligations, to reduce risks and to respond appropriately to threats.

In order to promote global nuclear security, the IAEA convened an International Conference on Nuclear Security: Enhancing Global Efforts at the Agency's Headquarters in Vienna on 1–5 July 2013. This was the first Agency conference of its type, with participation by: government ministers; senior officials and policy makers responsible for nuclear security; experts and representatives from a wide range of technical disciplines and specialist organizations that contribute to nuclear security; representatives of intergovernmental and nongovernmental organizations with relevant competences; regulatory bodies and other national competent authorities; national security and crisis management agencies; law enforcement and border control agencies; and industry and other entities engaged in activities relevant to nuclear security. On 1 July<sup>1</sup>, Ministers adopted a Declaration emphasising the importance of nuclear security and affirmed the central role of the IAEA in strengthening the nuclear security framework globally.

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<sup>1</sup> <http://www-pub.iaea.org/MTCD/Meetings/PDFplus/2013/cn203/cn203MinisterialDeclaration.pdf>