

CONSOLIDATED NATIONAL NUCLEAR SECURITY REPORT

This reporting guide is meant to assist states, as necessary, with reporting on their nuclear security activities and meeting the reporting requirements of UN Security Council Resolution 1540 (UNSCR 1540),¹ the Convention on the Physical Protection of Nuclear Material (CPPNM), and the 2005 Amendment to the CPPNM, as applicable to each state. States that have subscribed to the Joint Statement on “Strengthening Nuclear Security Implementation” (introduced at the 2014 Nuclear Security Summit and published as IAEA INFCIRC/869) and those states that have made a political commitment with regard to the Code of Conduct on the Safety and Security of Radioactive Sources (Code of Conduct) can also use this guide to *voluntarily* report on implementation of those instruments. Additionally, although the International Convention for the Suppression of Acts of Nuclear Terrorism (ICSANT) does not itself require reports, this consolidated report can also provide an opportunity to voluntarily share information on activities in fulfilment of ICSANT obligations.

To improve and streamline reporting on the implementation of all these instruments by means of one consolidated report, the commitments and obligations as contained in the instruments are grouped by subject below. Each section identifies the relevant provisions of each instrument and provides guidance on which activities should be described. A number of the sections and questions in this template correspond to the country review questionnaires that are part of the IAEA’s Nuclear Security Information Management System (NUSIMS). NUSIMS is a voluntary tool that, among other things, assists states with assessing their nuclear security systems based on the Nuclear Security Series guidance documents and other relevant instruments. In order to avoid duplication of efforts, states may consult the NUSIMS questionnaires, as they correspond to the sections below, for further guidance on fulfilling the listed reporting requirements.

1. ESTABLISHMENT OF LEGISLATIVE AND REGULATORY FRAMEWORK

Relevant provisions:

- UNSCR 1540: OP 2 and 3
- CPPNM Amendment: Article 2A; Fundamental Principle C
- Joint Statement: Commitments 1-2
- Code of Conduct: Paras. 18-19
- ICSANT: Article 8

Reporting guidance: In this section, the state will describe its legislative and regulatory framework to govern physical protection of nuclear materials and facilities. *If a signatory to the Joint Statement or Code of Conduct, it will also describe the framework as it applies to radioactive materials.*

¹ Note that UNSCR 1540 also covers chemical and biological weapons. This reporting template does not cover chemical or biological weapons, but those activities could be included, and sections where reporting on these activities would be relevant are indicated in the footnotes.

- a) Does the state have in place a legislative and regulatory framework to govern physical protection of nuclear materials and associated facilities *and, if applicable, other radioactive materials and associated facilities?*

Nuclear: Yes No

If applicable, other radioactive: Yes No

- b) List applicable laws and regulations

Nuclear:

If applicable, other radioactive:

- c) Describe the system of evaluation and licensing, inspection for compliance, and means of enforcement as it relates to security of nuclear material and facilities. *If applicable, the state can voluntarily report on its system of evaluation and licensing for other radioactive materials and associated facilities.*

2. COMPETENT AUTHORITIES

Relevant Provisions:

- CPPNM Amendment: Article 2A; Fundamental Principle D
- Joint statement: Commitments 1-2
- Conduct of Conduct: Paras. 20-22

Reporting Guidance: In this section, the state will describe the competent authorities responsible for implementing the legislative and regulatory framework for security of nuclear materials and associated facilities. *If the state is a signatory to the Joint Statement or has expressed political commitment to the Code of Conduct, it can voluntarily report on its competent authority for the security of other radioactive materials and associated facilities.*

- a) Does the state's legislative and regulatory framework establish a competent authority (e.g., regulatory body/ies) responsible for implementation of the framework for security of nuclear materials and associated facilities and, *if applicable, other radioactive materials and associated facilities*?

Nuclear: Yes No

If applicable, other radioactive: Yes No

- b) Describe the competent authority responsible for nuclear security, including how the state ensures that the competent authority has the authority, competence, and financial and human resources provided to allow competent authorities to fulfil these responsibilities; and the arrangements ensuring the effective independence of the competent authorities. *If applicable, states can voluntarily describe the competent authority responsible for security of other radioactive materials.*

- c) Describe the allocation of responsibilities within the state for implementing *nuclear security*, including the responsibility of license holders for implementing physical protection of *nuclear materials* and associated facilities. *If applicable, states can voluntarily describe the allocation of responsibilities with respect to the security of other radioactive materials.*

3. MATERIAL PROTECTION, CONTROL, AND ACCOUNTING MEASURES

Relevant provisions:

- UNSCR 1540: OP 3(a-b)²
- CPPNM: Articles 3-4
- CPPNM Amendment: Article 2A (1), (3); Fundamental Principles C, F-K
- Joint Statement: Commitments 1-4
- Code of Conduct: Paras. 8(b), 11-13.

Reporting guidance: In this section, the state will describe the physical protection, control, and accounting measures required to secure nuclear materials and facilities. *If the state is a signatory to the Joint Statement or has expressed political commitment to the Code of Conduct, it can voluntarily report*

² Applies to prevention of the proliferation of nuclear, chemical, or biological weapons and their means of delivery.

on its physical protection, control, and accounting measures for radioactive materials and for nuclear or other radioactive materials outside of regulatory control.³

- a) Describe the applicable physical protection requirements for nuclear material and facilities.⁴ *If applicable, the state can voluntarily report on its physical protection requirements for radioactive security or for nuclear or other radioactive materials outside of regulatory control.*

- b) Describe the applicable control and accounting requirements for nuclear material.⁵ *If applicable, the state can voluntarily report on its control and accounting requirements for other radioactive materials (including a national register of radioactive sources)*

- c) Describe strategies for regaining control of nuclear or other radioactive materials outside of regulatory control, including arrangements for reporting loss of regulatory control and for monitoring such materials.

Suggested areas for inclusion in this section are listed in the footnote.⁶

³ Signatories to the Joint Statement may use this section to describe in more detail progress made in meeting the intent of the IAEA Nuclear Security Fundamentals (Nuclear Security Series 20) and Recommendations in their national regulations (Nuclear Security Series 13-15).

⁴ UNSCR 1540 requires states to develop and maintain appropriate and effective measures for physical protection of materials and items relating to nuclear weapons and their means of delivery. (“Related materials”: is defined in resolution 1540 (2004), for the purpose of the resolution only, as: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.”) The CPPNM requires physical protection of nuclear materials used for peaceful purposes that are in international transport and nuclear material during storage incidental to international transport according to specified levels; the CPPNM Amendment extends the coverage of the CPPNM to require physical protection of nuclear materials used for peaceful purposes that are in domestic use, storage, and transport, as well as the protection of nuclear facilities used for peaceful purposes against sabotage.

⁵ UNSCR 1540 requires states to develop and maintain appropriate and effective measures to account for and secure “related materials” relevant to nuclear weapons and their means of delivery in production, use, storage, and transport.

⁶ Suggested areas for inclusion:

- Processes for evaluation of the threat, including the development and updating of the design basis threat;
- Application of principles of a graded approach and defense in depth;

4. CRIMINALIZATION AND PROSECUTION OF CERTAIN OFFENCES

Relevant provisions:

- UNSCR 1540: OP 2⁷
- CPPNM: Articles 7-13
- CPPNM Amendment: Articles 7-13
- Joint Statement: Commitment 1
- ICSANT: Article 2

Reporting guidance: In this section, the state will describe the laws by which the state prohibits, establishes jurisdiction over, and prosecutes certain offenses (as defined by the relevant instruments) related to nuclear weapons and their means of delivery, and to nuclear materials. *If the state is a party to ICSANT or signatory to the Joint Statement or has expressed political commitment to the Code of Conduct, it can voluntarily report on its laws related to offenses involving other radioactive materials and associated facilities.*

- a) Identify the laws which prohibit, establish jurisdiction over, and prosecute offenses related to nuclear weapons and their means of delivery, and to nuclear materials. *If applicable, identify the laws related to radiological offenses.*

- b) Identify the offenses and penalties for nuclear offenses and, *if applicable, for offenses involving other radioactive materials and associated facilities.*

- Physical protection, control, and accounting measures to protect nuclear materials in use, storage, or transport (domestic and international) against theft and other unlawful acquisition;
- Physical protection measures to protect nuclear materials and nuclear facilities against sabotage;
- In the case of international transport of nuclear materials, any conditions imposed on the import, export, or transit of materials based on assurances that material is protected;
- Quality assurance policies and programs to provide confidence that physical protection requirements are satisfied;
- Contingency/emergency plans to respond to unauthorized removal of nuclear material or sabotage of nuclear materials or nuclear facilities;
- Detection, response, mitigation, and recovery capabilities;
- Personnel reliability programs and trustworthiness measures;
- Training and competency requirements, including performance-based programs, tests, assessments, exercises, and peer reviews; and
- Development and maintenance of nuclear security culture.

⁷ Applies to nuclear, chemical, or biological weapons and their means of delivery. Operative paragraph 2 of resolution 1540 (2004) requires States to “in accordance with their national procedures, ... adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them.”

- c) Describe how the state ensures cooperation with other countries to prevent and prosecute nuclear offenses, and, *if applicable, for offenses involving other radioactive material and associated facilities* (e.g., information sharing and extradition arrangements).

5. COOPERATION AND ASSISTANCE IN RECOVERY, RESPONSE, AND MITIGATION⁸

Relevant provisions:

- CPPNM: Article 5(2)
- CPPNM Amendment: Articles 5(2)-(3)
- Joint Statement: Commitment 2
- ICSANT: Article 18

Reporting guidance: Describe cooperation and assistance provided in the recovery and protection of nuclear material in the case of theft, robbery, or other unlawful taking or use of nuclear material or of a credible threat to do so; and cooperation and assistance in the case of a credible threat of sabotage of nuclear material or a nuclear facility.

6. BORDER CONTROLS AND LAW ENFORCEMENT

Relevant provisions:

- UNSCR 1540, OP 3(c)⁹
- Joint Statement: Commitments 1-2

Reporting guidance: Describe border controls and law enforcement efforts to detect, deter, prevent, and combat illicit trafficking and brokering of nuclear and other materials and items relating to nuclear weapons and their means of delivery, including through international cooperation.

⁸ Where applicable, States may choose to share information on relevant actions taken in line with obligations pursuant to Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.

⁹ Applies to prevention of the proliferation of nuclear, chemical, or biological weapons and their means of delivery, and related materials.

7. EXPORT AND TRANS-SHIPMENT CONTROLS

Relevant provisions:

- UNSCR 1540: OP 3(d), 6¹⁰
- CPPNM: Article 4
- Joint Statement: Commitments 1-2
- Code of Conduct: paras. 23-29

Reporting guidance: In this section, the state will describe its national export and trans-shipment controls over nuclear, *and if applicable other radioactive materials*, and items relating to nuclear weapons and their means of delivery.

- a) Describe laws and regulations to control export, transit, trans-shipment and re-export; controls on providing funds and services related to such export and trans-shipment; end-user controls; and how these various controls are kept under review.

- b) Describe laws and regulations establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations.

- c) Describe the development of national control lists.

8. PROHIBITED STATE ACTIVITIES IN SUPPORT OF NON-STATE ACTORS

Relevant provisions:

- UNSCR 1540: OP1¹¹

Reporting guidance: Describe the national policies relevant to ensuring it does not provide any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, transfer, or use nuclear weapons and their means of delivery.

¹⁰ Applies to prevention of the proliferation of nuclear, chemical, or biological weapons and their means of delivery, and related materials.

¹¹ Applies to nuclear, chemical, or biological weapons and their means of delivery.

9. MULTILATERAL ASSISTANCE AND COOPERATION

Relevant provisions:

- UNSCR 1540: OP 7, 8(c), 9, 10
- CPPNM: Articles 5(3), 13
- CPPNM Amendment: Articles 5(4)-5(5)
- ICSANT: Article 7

Reporting guidance: Describe areas of cooperation, including assistance to other states implementing the provisions of UNSCR 1540;¹² commitments to multilateral cooperation to pursue and achieve common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes; efforts to promote dialogue and cooperation on non-proliferation; cooperative action to prevent illicit trafficking in nuclear weapons, their means of delivery, and related material; assistance in connection with criminal proceedings relating to offenses under the relevant instruments; and assistance to states in the design, maintenance, and improvement of their national system of physical protection of nuclear material in international transport, of nuclear materials in domestic use, storage, and transport, and of nuclear facilities.

10. PROMOTION OF TREATY ADOPTION AND IMPLEMENTATION

Relevant provisions:

- UNSCR 1540: OP 8(a), 8(b)¹³

Reporting guidance: Describe activities designed to promote the universal adoption and full implementation and strengthening of multilateral treaties whose aim is to prevent the proliferation of nuclear weapons and to adopt national rules and regulations to ensure compliance with its commitments under key multilateral non-proliferation treaties.

11. OUTREACH

¹² States could describe activities undertaken in the context of multilateral partnerships and initiatives, such as the Global Partnership and the GICNT.

¹³ Applies to nuclear, chemical, or biological weapons and their means of delivery.

Relevant provisions:

- UNSCR 1540: OP 8(d)

Reporting guidance: Describe activities to work with and inform industry and the public regarding their obligations under relevant laws.