

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

**Parliamentary Webinar Promoting Nuclear and Radiological
Security in Africa
16 June 2021**

Jonathan Herbach
Legal Officer - Nuclear and Treaty Law Section
Office of Legal Affairs
J.D.Herbach@iaea.org



Peaceful Uses of Nuclear Science & Technology



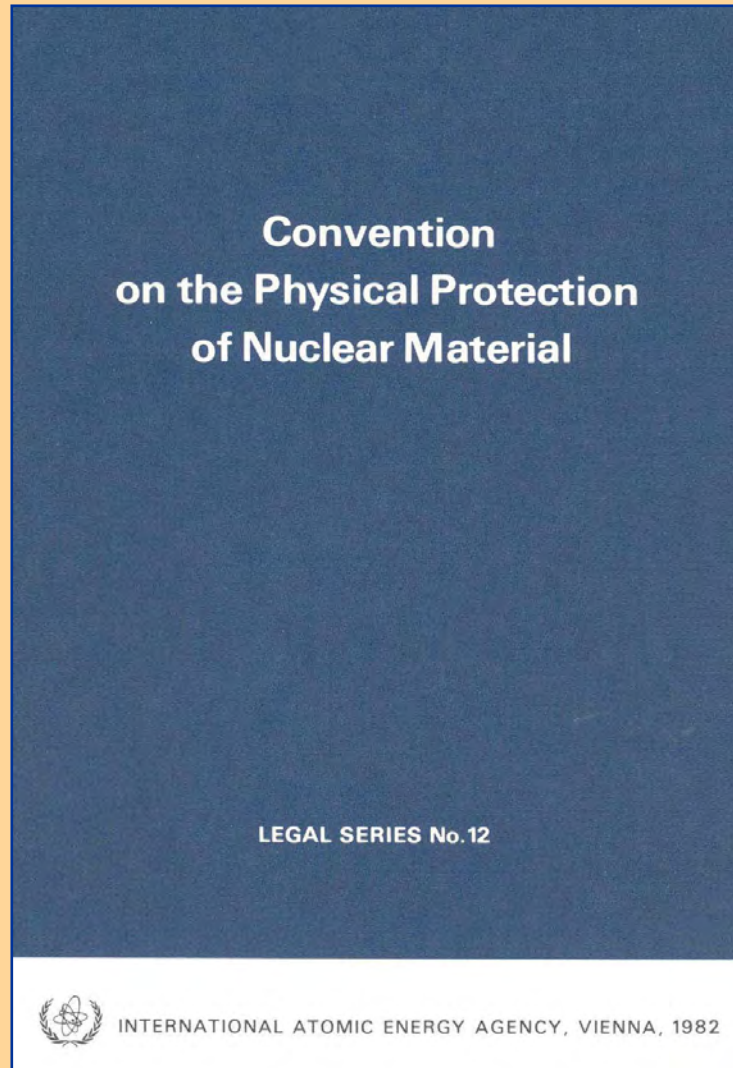


CPPNM as Strengthened by its 2005 Amendment

- One of the main international tools to prevent and respond to malicious acts involving nuclear material and facilities
- Important to develop and maintain an adequate national legal framework to ensure the safe, secure and peaceful use of nuclear technology



Convention on the Physical Protection of Nuclear Material (CPPNM)



In force since 8 February 1987

162 Parties

Scope: (threefold)

Physical protection → nuclear material
during international transport

Criminalisation of offences
(prosecution or extradition)

International co-operation and
information exchange



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

125 Parties to the Amendment

Extended Scope :

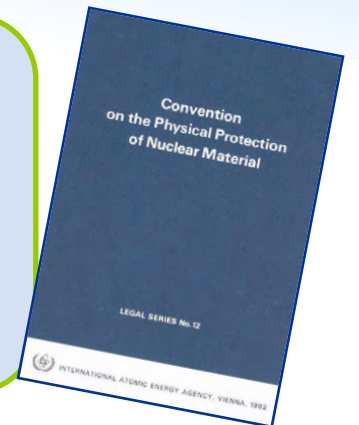
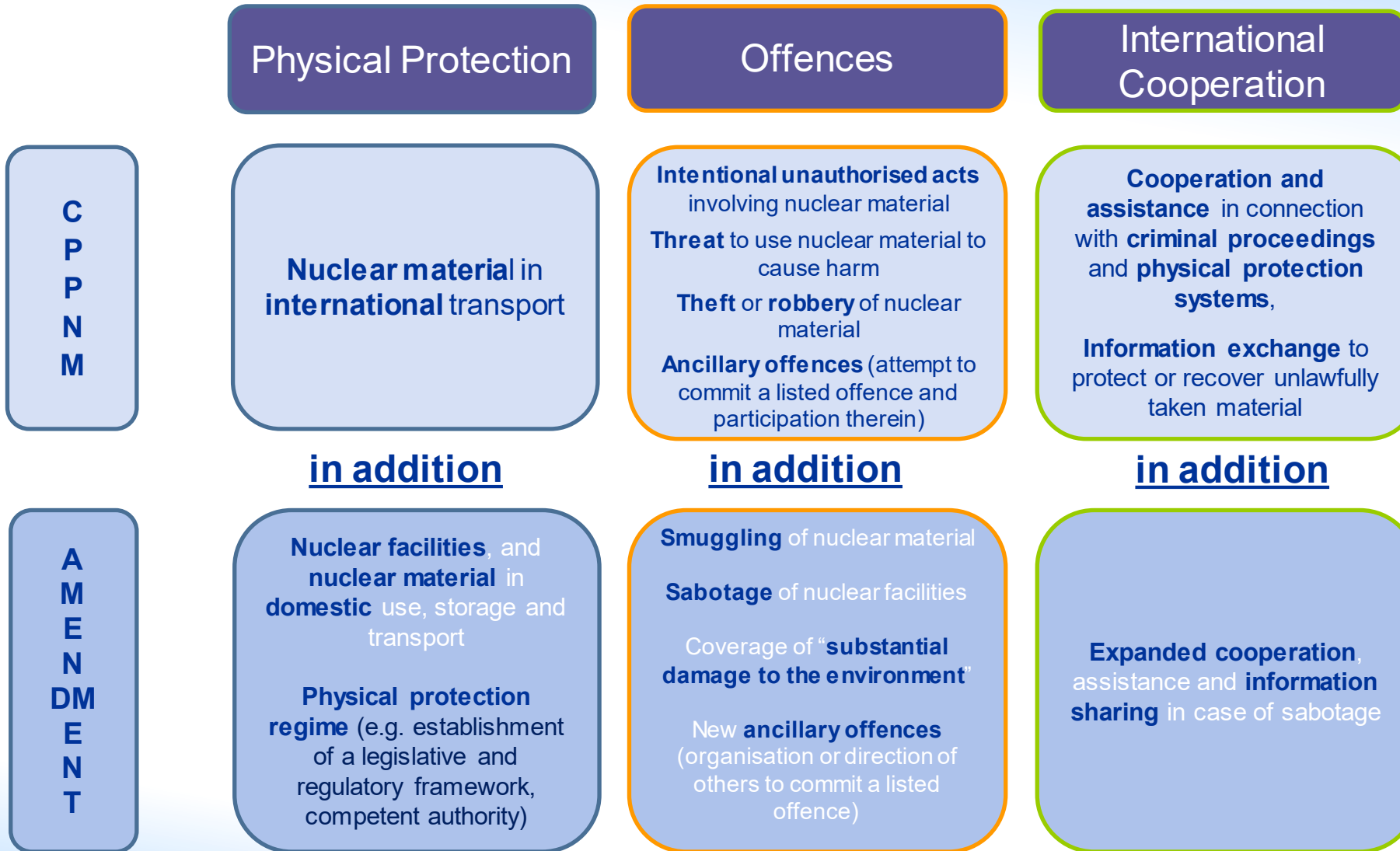
Physical Protection → nuclear facilities and nuclear material in domestic use, storage and transport

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



CPPNM and the A/CPPNM



Current Status of CPPNM and its Amendment

CPPNM Parties: 162

A/CPPNM Parties: 125





Benefits of Joining CPPNM and A/CPPNM

- Enhances the national security of a State
- Facilitates international and regional cooperation and assistance
- Provides basis for ensuring that persons involved in terrorist and other criminal acts are brought to justice
- Harmonizes approaches to preventing and responding to unlawful acts involving nuclear material and facilities
- Contributes to the fulfilment of a State's obligations under Security Council Resolution 1540



IAEA Assistance



- Development and implementation of Integrated Nuclear Security Support Plans (INSSPs)
- Development of nuclear security guidance documents
- Advisory services such as International Physical Protection Advisory Service (IPPAS) and International Nuclear Security Advisory Service (INSServ)
- International seminars, regional and national workshops
- Bilateral legislative assistance in drafting and reviewing implementing legislation
- Awareness and training programs
- E-learning courses on nuclear security
- “Handbook on Nuclear Law” and supplemental “Handbook on Nuclear Law: Implementing Legislation”
- Facilitating Information exchange under the CPPNM and its Amendment through Nuclear Security Information Portal (NUSEC)



Take-Away

Universal adherence to and full implementation of the **CPPNM and its Amendment**, as well as **ICSANT**, will help enhance national, regional and international security by providing a strengthened framework for preventing and combating nuclear terrorism and other criminal acts.

Thank you!

