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

23 May 2007

Original: English

First session

Vienna, 30 April-11 May 2007

**Article III and preambular paragraphs 4 and 5, especially in
their relationship to Article IV and preambular paragraphs
6 and 7: physical protection and illicit trafficking****Working paper by Australia, Austria, Canada, Denmark, Hungary,
Ireland, the Netherlands, New Zealand, Norway and Sweden**

1. The Group notes that article III of the Treaty is designed to detect and prevent the diversion of nuclear material, equipment and technology. This relates to not only diversion at the State level, but also diversion to individuals or subnational groups. The Group notes in this regard that physical protection and measures to combat illicit trafficking are parts of a national system of nuclear security, the existence of which should be made a precondition for transfers of nuclear material, sensitive equipment or technology.

2. The Group emphasizes the important role of the IAEA in the global efforts to improve the global nuclear security framework and to promote its implementation. In continuing and strengthening this function, the IAEA should take an active role to facilitate effective cooperation and coordination at the international and regional levels. The Group welcomes the IAEA's stated intention to establish a comprehensive set of nuclear security guidelines and recommendations, as called for by the International Conference on Nuclear Security, Global Directions for the Future, held in London in March 2005, and the work currently being undertaken by the IAEA in issuing the Nuclear Security Series. The Group acknowledges the IAEA's important contribution in assisting States to meet appropriate security standards and calls on States to take full advantage of the Agency's advisory services in that regard. The Group notes the relevance of the IAEA International Physical Protection Advisory Service (IPPAS).

3. The Group underlines the paramount importance of effective physical protection of nuclear material and nuclear facilities and the need for all States to maintain the highest standards of physical protection. The Group calls on all States to apply, as appropriate, the recommendations on the physical protection of nuclear material and nuclear facilities contained in IAEA document INFCIRC/225/Rev.4 (Corrected) and in other relevant international instruments at the earliest possible date.

* Reissued for technical reasons.



4. The Group welcomes new accessions to the Convention on the Physical Protection of Nuclear Material, noting that Security Council resolution 1373 (2001) calls on all States to accede to the Convention. The Group welcomes the adoption by consensus, at the Conference held in July 2005 in Vienna, of an important amendment to the Convention, which substantially strengthens the Convention, extending its scope to cover the physical protection of nuclear facilities and the domestic transport, storage and use of nuclear material, thereby strengthening the global nuclear security framework. The Group calls on all States parties to the Convention to ratify the amendment as soon as possible, and encourages them to act in accordance with the object and purpose of the amendment until such time as it enters into force. The Group calls on all States that have not yet done so to adhere to the Convention and adopt the amendment as soon as possible. The Group notes that continued and enhanced efforts are needed to provide for the full and effective implementation of the Convention.

5. 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.

6. The Group recognizes the non-proliferation and security benefits of the conversion of civilian research reactors to low-enriched uranium fuel (LEU). In this connection, the Group takes note of the international symposium on the minimization of the use of high-enriched uranium (HEU) in the civilian nuclear sector hosted by the Government of Norway in cooperation with the IAEA in Oslo in June 2006. The Group welcomes the efforts of the IAEA to assist countries which, on a voluntary basis, have chosen to convert research reactors from HEU to LEU fuel.

7. The Group notes with serious concern the revelations that emerged in 2004 about illicit trade in highly sensitive nuclear equipment and technology, brought to the attention of IAEA member States by the Director General’s reports to the Board of Governors. The Group fully endorses the Director General’s call for full cooperation from all IAEA member States in identifying the supply routes and sources of the technology, related equipment and nuclear and non-nuclear materials. The Group recognizes the increased need for all States to reinforce their efforts on improving existing control mechanisms.

8. The Group welcomes the IAEA’s work in support of efforts of States parties to combat illicit trafficking of nuclear materials and other radioactive substances. The Group welcomes the IAEA’s efforts to assist IAEA member States in strengthening their regulatory control on the applications of radioactive materials, including the Agency’s International Catalogue of Sealed Radioactive Sources and Devices. The

Group also welcomes the IAEA's activities undertaken to provide for the enhanced exchange of information, including the continued maintenance of its illicit trafficking database. The Group recognizes the need for enhanced coordination among States and among international organizations in preventing, detecting and responding to the illicit trafficking in nuclear and other radioactive materials. In this regard, the Group welcomes the International Conference on Illicit Trafficking: Collective Experience and the Way Forward, to be held in Edinburgh, from 19 to 22 November 2007.

9. The Group notes that continued efforts to enhance the prevention of terrorist acts, as well as the physical protection and accountability of nuclear and other radioactive material in nuclear and non-nuclear use, and in storage and transport, throughout their life cycle, in a comprehensive and coherent manner, should be priorities for strengthening nuclear security. The Group calls for the acceleration of efforts to develop and implement a fully effective global nuclear security framework based on prevention, detection and response.

10. The Group urges all States to become parties to the Convention for the Suppression of Acts of Nuclear Terrorism, noting that the Convention is an important addition to international defences against nuclear terrorism.

11. The Group notes that Security Council resolution 1540 (2004) requires all States to establish appropriate effective controls over materials related to nuclear weapons and their means of delivery, and to this end to establish appropriate effective physical protection measures, and appropriate effective border controls and law enforcement efforts, to detect, deter, prevent and combat illicit trafficking and brokering in nuclear-weapon-related materials. The requirements of Security Council resolution 1540 (2004) are reiterated in Security Council resolution 1673 (2006) of 17 April 2006, which emphasises the importance of all States fully implementing resolution 1540 (2004).

12. The Group welcomes the continued contributions made by the G-8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction to enhancing the physical protection of nuclear facilities and material in the former Soviet Union.

13. The Group welcomes the establishment of the Global Threat Reduction Initiative and welcomes the outcomes of its Partners Conference held in Vienna in September 2004 with the purpose of building international support for national programmes on nuclear and radiological threat reduction.

14. The Group welcomes the establishment of the Global Initiative to Combat Nuclear Terrorism, which aims at developing partnership capacity to combat nuclear terrorism on a determined and systematic basis, consistent with obligations under relevant international legal frameworks, e.g., the International Convention for the Suppression of Acts of Nuclear Terrorism and the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities as amended in 2005.