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**The nuclear revival and nuclear law: next steps**

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**IAEA**

International Atomic Energy Agency

# Need

- For a more harmonized and consistent international approach to the development of nuclear power programmes

# Why

- **Brink of a possible world-wide nuclear power revival**
- **Certain expectations, responsibilities and interests**
- **Inconsistent and fragmented national legal regimes**
- **Level playing field as concerns some basic considerations**

# Why

- **Potential recipient countries:**
  - **Lack infrastructure and experience**
  - **Need assistance**
  - **May not fully address all the issues**

# Why

- **Vendor countries and industry:**
  - **Possess expertise and experience**
  - **Certain degree of responsibility towards recipients**
  - **Shared common interest / responsibility**

# How

- **International legally non-binding instrument:**
  - **Principles, guidelines or code of conduct**
  - **IAEA adoption and endorsement**
  - **Supported by “political” commitments**
  - **Consolidate and build upon established legal norms**
  - **Form and approach similar to other IAEA instruments**

# Scope

- **Provisions for potential recipient countries**
  - e.g. treaty participation and implementation, national nuclear legislative and regulatory framework establishment
- **Provisions for vendor countries (and industry)**
  - See also the IAEA import and export guidance on radioactive sources

# Issues to consider

- **Unnecessary constraint on trade and commercial viability**
- **Unreasonable hindrance of inalienable right**
- **Dilution of obligations and ultimate responsibility**
- **As concerns scope, there maybe other relevant political, economic or commercial considerations**

# Issues to consider

- **Role of other international initiatives, organizations and bodies**
- **Possible alternative approaches**
- **Ultimate responsibility for ensuring NPP safety and security**
- **Against this concept which these options will likely be measured**

# Conclusion

- **The proposed approach and form is consistent with nuclear law's on-going process**
- **Alternative approaches judged against ability to regulate the safety and security of an NPP**
- **Future discussion with key stakeholders - potential recipient and vendor countries and the nuclear industry**