



International Atomic Energy Agency

**Outcomes of the First Review
Meeting of the Joint
Convention**

Gordon Linsley

First Review meeting

- **Held from 3 to 14 November 2003 in Vienna**
- **Attended by representatives of 33 Contracting Parties (350 persons registered)**
- **A closed meeting**



What is the Joint Convention?

- **The only legally binding international treaty in the area of radioactive waste management**
- **Its principal aim: “to achieve and maintain a high degree of safety worldwide in spent fuel and radioactive waste management”**



Scope of Application

- **Includes**
 - **Waste and spent fuel from the operation of NPPs**
 - **Waste from use of radionuclides in medicine and industry**
 - **Spent sealed sources**
 - **Discharges from regulated nuclear facilities**
 - **Waste from mining and processing of uranium**



Scope of Application

- **Does not include (*unless the Contracting Party declares it*)**
 - **Spent fuel undergoing reprocessing**
 - **Waste containing NORM that does not originate from the nuclear fuel cycle**
 - **Spent fuel or radioactive waste within military or defence programmes**



Who is the Joint Convention intended for?

- **All countries generate some radioactive waste**
- **Therefore, unlike the Nuclear Safety Convention, the Joint Convention is relevant and potentially useful to all States**

Role of the IAEA

- **The Joint Convention is the property of the Contracting Parties**
- **The IAEA**
 - **is the Depositary**
 - **and provides the Secretariat**



Content of the Joint Convention

- **It contains 28 technical articles mainly based on the IAEA Safety Fundamentals on Radioactive Waste Management**

“Technical” requirements of the Joint Convention

Note: There are similar articles on spent fuel and waste

- **Article 4 and 11** **General Safety Requirements**
- **Article 5 and 12** **Existing Facilities (and Past Practices)**
- **Article 6 and 13** **Siting of Proposed Facilities**
- **Article 7 and 14** **Design and Construction of Facilities**
- **Article 8 and 15** **Assessment of Safety of Facilities**
- **Article 9 and 16** **Operation of Facilities**



“Technical” requirements (continued)

- **Article 10** **Disposal of Spent Fuel**
- **Article 17** **Institutional Measures After Closure**
- **Articles 18-22** **Legislation, regulatory arrangements etc.**
- **Article 23** **Quality Assurance**
- **Article 24** **Operational Radiation Protection**
- **Article 25** **Emergency Preparedness**
- **Article 26** **Decommissioning**
- **Article 27** **Transboundary Movement**
- **Article 28** **Disused Sealed Sources**



Obligations of Contracting Parties

- **Contracting Parties are obliged to :**
 - **Attend Review Meetings (every 3 years)**
 - **Submit a National Report for review at the Review Meetings**



The Review Process (1)

- **Contracting Parties must submit a National Report prior to the Review Meeting for review by all other Contracting Parties**
- **The National Report “shall address the measures taken to implement each of the obligations of the Convention”**
- **“each Contracting Party shall have a reasonable opportunity to discuss the reports...and seek clarification...”**



The Review Process (2)

- **Prior to the Review Meeting, Contracting Parties submit questions on the National Reports of other Contracting Parties**
- **Answers are provided in advance of the Review Meeting**
- **At the Review Meeting, Contracting Parties make oral presentations on the National Reports and engage in discussion of their reports (in Country Groups)**



The Review Process (3)

- **Summaries of the discussions of the Country Groups are made to the Plenary Session**
- **This is followed by general discussion in the Plenary Session**
- **A Summary Report is agreed and made available publicly**



The Review Process (4)

- **To encourage open and frank discussion of problems and issues, a degree of confidentiality is maintained in the process**



Effectiveness of the Review Mechanism

- **Preparation of National Reports is a form of “self-assessment”**
- **The written and oral questioning is an international peer review mechanism**
- **The feedback from the process leads to improvement in national arrangements for radioactive waste management**



Effectiveness of the First Review Meeting

- **Several Contracting Parties had made improvements in the 2 years leading up to the Review Meeting**
- **Several acknowledged that the self-assessment and peer review processes had been beneficial (although costly and time consuming)**
- **Others had identified improvements which they intend to make and report on at the next review meeting**



Transparency

- **27 out of 33 Contracting Parties voluntarily placed their National Reports on their websites and on the IAEA website**
- **(<http://www-rasanet.iaea.org/conventions/waste-jointconvention.htm>)**



Some technical issues (1)

- **A wide variety of long term spent fuel and radioactive waste management policies**
 - **Many favour geological disposal**
 - **Some still viewing options**
 - **Others involved in consultation**
 - **Some favour regional solutions**
 - **Some have bilateral arrangements**



Some technical issues (2)

- **Clearance**
 - Many felt the need for international consensus
- **Decommissioning**
 - Recognition of the need for integrated decommissioning and radioactive waste management plans and proper funding provisions
- **Regulatory independence**
 - Concern expressed in a few cases



Some technical issues (3)

- **Discharges to the environment**
 - **Insufficient attention given in National Reports**
- **Management of disused sealed sources**
 - **Not enough detail in national reports**
- **Safety Standards**
 - **Some particular areas identified where international standards are needed**
 - **Most supported their use as reference points for interpreting the Articles of the Convention. USA is a notable exception**

Identified Good Practices

- **Public consultation**
- **Maintaining inventories using electronic data bases**
- **Establishing central organisations to manage waste and spent fuel**
- **Making arrangements to finance decommissioning**
- **Allocating responsibility for emergency planning within government**
- **Establishing a rigorous schedule for emergency exercises**
- **Adopting INES for reporting incidents**
- **Developing integrated decommissioning and waste management plans**
- **Establishing regulatory frameworks that take account of non-radiological toxic issues**
- **Arranging for return of sealed sources to manufacturer**



Planned activities to improve safety

- **Contracting Parties plans include:**
 - **Developing improved regulations**
 - **Developing repositories and long term strategies for spent fuel and waste**
 - **Improving control over sealed sources**
 - **Addressing legacy waste situations**
 - **Improving storage and disposal facilities and upgrading safety**
 - **Conducting safety related research**



Comments on the meeting (1)

- **Comment: Country Group sessions were very variable in quality and activity**
- **Possible solution: revise mechanisms and procedures**
- **Comment: Too many countries mainly concerned with defending their positions – to go home with no “bad marks”**
- **Possible solutions: promote ownership of the Convention, engender the Convention spirit of working together for improvement - through regular communication in the intersessional period – a newsletter?**



Comments on the meeting (2)

- **Comment: Contracting Parties are mainly concerned with their own national issues – there was little consideration of the international elements of the Convention, e.g. global solutions, transboundary movement, consultation with neighbouring countries, impact of discharges**
- **Possible solution: ?? – wait until issues arise?**

Comments on the meeting (3)

- **Comment: There are two main groupings of countries: Nuclear and non-nuclear power countries – with different interests**
- **Possible solution: reconsider review mechanism options**

Comments on the meeting (4)

- **Comment: There are too few Contracting Parties to allow the benefits of the Convention to be fully obtained**
- **Possible solution: Promote the Convention in the next years – regional seminars/ workshops**
- **Note – this was a major concern of the existing Contracting Parties**



Contracting Parties

(Current status, Dec 2003 – 33 countries)

Argentina

Australia

Austria

Belarus

Belgium

Bulgaria

Canada

Croatia

Czech Republic

Denmark

Finland

France

Germany

Greece

Hungary

Ireland

Japan

Korea (Republic of)

Latvia

Luxembourg

Morocco

Netherlands

Norway

Poland

Romania

Slovakia

Slovenia

Spain

Sweden

Switzerland

Ukraine

United Kingdom

United States of America

International Atomic Energy Agency



Possible benefits for **a country** being a Contracting Party to the Joint Convention

- Improvements in safety as an outcome of the review process
- Gain in knowledge through information exchange
- Improved credibility because of involvement in an international convention on safety
- Evidence of an open and transparent national approach
- Support in cases of malpractice in neighbouring States
- Greater influence in a regional context
- Possible technical assistance from other Contracting Parties



General Conference, September 2003

- **GC(47)/RES**
- **“The General Conference:**
- **Encourages the Secretariat to promote ratification of the Joint Convention through the Technical Co-operation programme and the development of material highlighting to countries the benefits of ratifying the Joint Convention”**



Secretariat perspective (1)

- **Its aims coincide with those of the Agency Statute (Article III (6)) – to promote safety**
- **It is desirable to link more closely the Convention and the Safety Standards**
 - **The recommendations in the Summary Report on safety standards needs - is a positive development**



Secretariat perspective (2)

- **Concerned that the Convention could become a static inflexible instrument – with Review Meetings only once in every 3 years – alleviated by the decision to hold meetings of the General Committee in the intersessional period**

Secretariat perspective (3)

- **Retention of knowledge/information on the Convention**
 - **the Agency's rotation policy makes it difficult for the Secretariat to maintain an institutional memory and to learn from experience**
 - **consideration should be given to establishing a specific archive for documents and electronic records**



Conclusions

- **The Joint Convention is potentially a powerful mechanism for improving global waste safety**
- **For the potential to be realized it needs:**
 - **More Contracting Parties**
 - **Recognition of the “spirit of the Convention” – Contracting Parties to be less defensive and open minded and to be prepared to work for global improvement**
 - **Improved mechanisms within the Convention process – to address deficiencies**
 - **An involved and pro-active Secretariat**



Article 28. Disused Sealed Sources

- **1. Each Contracting Party shall, in the framework of its national law, take the appropriate steps to ensure that the possession, remanufacturing or disposal of disused sealed sources takes place in a safe manner.**
- **2. A Contracting Party shall allow for reentry into its territory of disused sealed sources if, in the framework of its national law, it has accepted that they be returned to a manufacturer qualified to receive and possess the disused sealed sources.**

