

Legal Aspects and Commitments to the Code of Conduct on the Safety of Research Reactors

**Division of Nuclear Installation
Safety/Research Reactor Safety Section**



IAEA

International Atomic Energy Agency

Some International Instruments

- **Treaties**
- **Conventions**
- **Agreements**
- **Protocols**
- **Declarations**
- **Codes of Conduct**

- **Treaties**

- **Generic term covering all instruments which are binding under international law**

- **Convention**

- **Generic term covering all international agreements**

- **Agreements**

- Are usually less formal and deal with a narrower range of subject matter than *“treaties”*

- **Protocols**

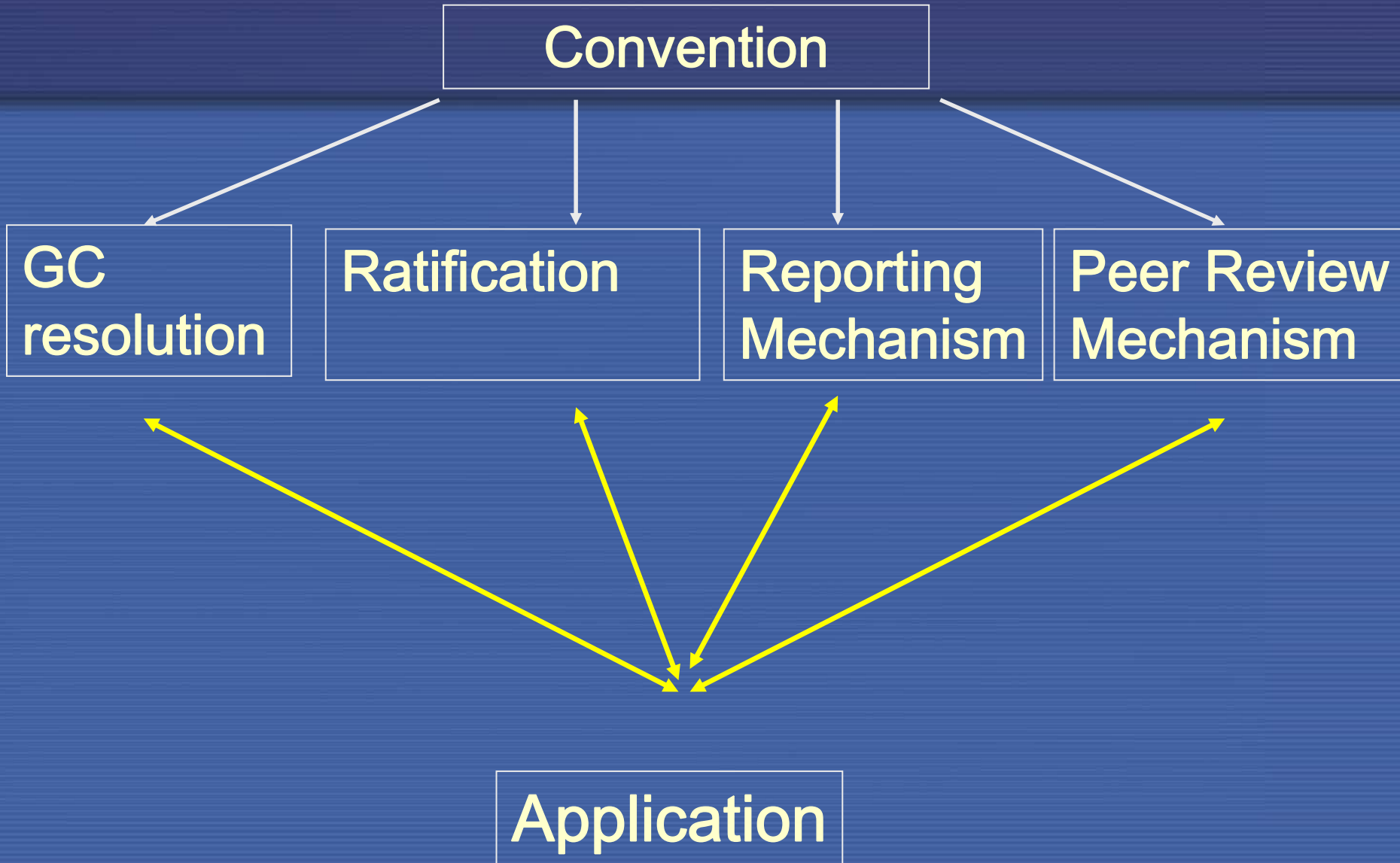
- The term is often a supplement to a previous *“treaty”* or *“convention”*

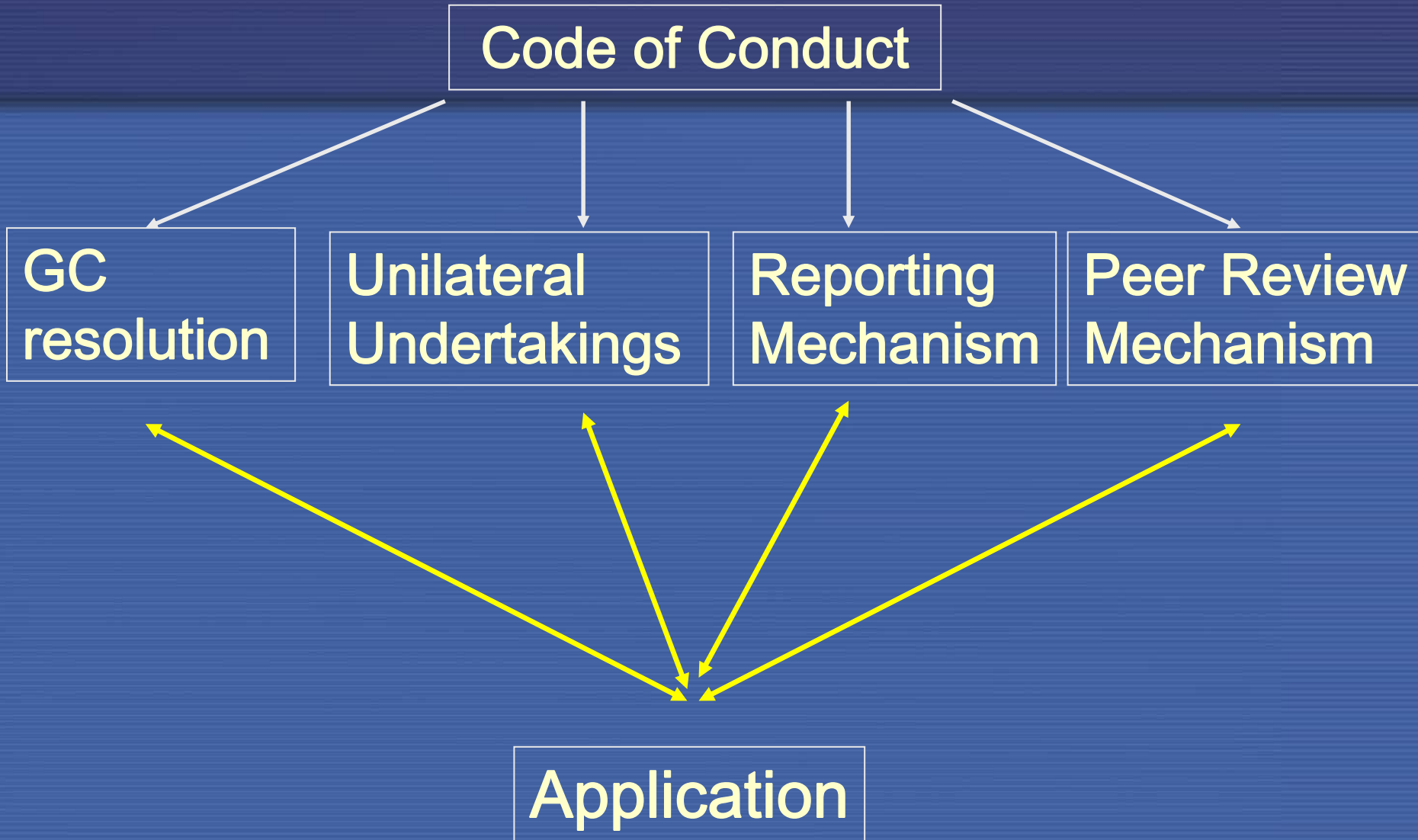
- **Declarations**

- **This term is used for various international instruments**
- **Are often not legally binding and deliberately chosen to indicate that the parties do not intend to create binding obligations**

Codes of Conduct

- **Codes of Conduct**
 - **Non-binding international instruments that provide guidance for the development and harmonization of national policies, laws, and regulations and set forth desirable attributes**
- **2 Codes of Conduct:**
 - Code of Conduct on the Safety of Research Reactors (adopted by the Board of Governors of the IAEA and endorsed by the General Conference in 2004)
 - Code of Conduct on the Safety and Security of Radioactive Sources





Code of Conduct for RRs - Specificities

- ***The Code :***
 - ***Good example of a statement of international best practices for the safety of RRs***
 - ***Contains guidance on best practices for the State, the Regulatory Body and the Operating Organisation***
 - ***Does not include mechanism for its implementation (due to its non binding nature) . This is a big difference with the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel and the Safety of Radioactive Waste Management***

- **The GC Resolution in 2004 did not exceed the step of encouraging MS to apply the guidance of the Code to the management of research reactors**
- **For the Code of Conduct on the Safety and Security of Radioactive Sources (which is also non binding), a political commitment was called for from MS**

Good trend

- **In the third review meeting of the Convention on Nuclear Safety, 27 countries had voluntarily reported on their RRs in their national reports.**

- **The non binding nature of the Code and the informal nature of implementation process allow for the application of a graded approach related to the risks presented by the various types of RRs.**