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## JOINT CONVENTION ON THE SAFETY OF SPENT FUEL MANAGEMENT AND ON THE SAFETY OF RADIOACTIVE WASTE MANAGEMENT

**Adopted:** 5 September 1997

**Opened for Signature:** 29 September 1997

**Entered into Force:** 18 June 2001

**Number of Signatories:** 42

**Number of States Parties:** 49 and EURATOM

**Depositary:** Director General of [International Atomic Energy Agency \(IAEA\)](#)

### [Treaty Text](#)

The Joint Convention was adopted on 5 September 1997 at a Diplomatic Conference convened by the IAEA at its headquarters from 1-5 September 1997. It was opened for signature at the IAEA General Conference on 29 September 1997. Pursuant to Article 40, the Joint Convention entered into force 90 days after the date of deposit with the IAEA of the 25<sup>th</sup> instrument of ratification, acceptance or approval, including the instruments of 15 States possessing operational nuclear power plants.

**Convention Provisions:** The Joint Convention is the first international instrument that deals with the safety of management and storage of radioactive waste and spent fuel in countries with and without nuclear programs. It also considerably elaborates on and expands the existing IAEA nuclear safety regime and promotes international standards in this area. The Convention is aimed at achieving and maintaining a high level of safety in spent fuel and radioactive waste management, ensuring that there are effective defenses against potential hazards during all stages of management of such materials, and preventing accidents with radiological consequences.

The Convention covers the safety of spent fuel and radioactive waste management from civilian applications. It also applies to the management of military or defense-originated spent fuel and radioactive waste if and when such materials are transferred permanently to and managed within exclusively civilian programs.

The Convention calls on the contracting parties to review safety requirements and conduct environmental assessments both at existing and proposed

spent fuel and radioactive waste management facilities. It provides for the establishment and maintenance of a legislative and regulatory framework to govern the safety of spent fuel and radioactive waste management.

The Convention establishes rules and conditions for the transboundary movement of spent fuel and radioactive waste that *inter alia* require a State of destination to have adequate administrative and technical capacity and regulatory structure to manage spent fuel or radioactive waste in a manner consistent with the Convention. It obligates a State of origin to take appropriate steps to permit re-entry into its territory of such material if a transboundary movement cannot be completed in conformity with the Convention.

### **Verification and Compliance:**

**Verification:** The Convention provides for a binding reporting system that will address the measures taken to implement obligations under the Convention, including reporting on national inventories of radioactive waste and spent fuel. Each Contracting Party shall take, within the framework of its national law, the legislative, regulatory, and administrative measures and other steps necessary for implementing its obligations under this Convention. In the event of a disagreement between two or more Contracting Parties concerning the interpretation or application of this Convention, the Contracting Parties shall consult within the framework of a meeting of the Contracting Parties with the goal of resolving the disagreement.

**Compliance:** In the event that the consultations prove unproductive, recourse can be made to the mediation, conciliation, and arbitration mechanisms provided for in international law, including the rules and practices prevailing within the IAEA.

**Reservations:** Upon signature, Denmark stated that the Convention shall not apply to Greenland and the Faroe Islands.

**Preparatory Meeting of Contracting Parties:** Article 29 of the Convention requires that a Preparatory Meeting of contracting parties shall be held not later than six months after the date of entry into

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force of the Convention. The Preparatory Meeting was held from 10-14 December 2001. At the Preparatory Meeting, contracting parties fixed the date of the first Review Meeting (3-14 November 2003), the date of the associated Organizational Meeting (7-11 April 2003), and the deadline for submission of National Reports (5 May 2003). The meeting also adopted the Rules of Procedure and Financial Rules, and established guidelines on the form and structure of national reports, and on the process for reviewing the reports.

### Developments:

**2009:** The third Review Meeting of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management was held in Vienna from 11-20 May. Forty-five contracting parties participated in the Review Meeting; three (Kyrgyzstan, Uruguay, and Uzbekistan) did not. In their [final report](#), participants noted with approval the “moderate increase in number of Contracting Parties” and “suggested that efforts should be increased to accelerate this trend in the future.” In particular, with more countries “considering launching a national nuclear power programme,” the Meeting “strongly recommends that the safety of spent fuel and radioactive waste management be taken into account from the very beginning of such considerations.” The parties also highlighted the following challenges towards which more work needed to be done to address them:

- “(1) The implementation of national policies for the long-term management of spent fuel, including disposal of high level waste and/or spent fuel;
- (2) Siting, construction and operation of spent fuel and radioactive waste disposal facilities;
- (3) Management of legacy wastes;
- (4) Monitoring of disused sealed sources and recovery of orphan sources;
- (5) Knowledge management and human resources; and
- (6) Financial resources for liabilities.”

**2006:** The second Review Meeting of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management was held at IAEA headquarters in Vienna from 15-24 May. All 41 contracting parties and eight new contracting parties—Brazil, Estonia, Euratom, Iceland, Italy, Lithuania, Russian Federation, and Uruguay—participated in the review discussion. Parties agreed that progress had been made since the first Review Meeting, particularly in key areas including decommissioning, international cooperation, legislative and regulatory

frameworks, and spent fuel and waste management. National reports demonstrated that those areas that had been identified in the previous meeting as requiring further work had been addressed satisfactorily. Parties identified the need to further enhance policies and practices in the following areas:

- (1) National strategies for spent fuel and radioactive waste management;
- (2) Engagement with stakeholders and the public;
- (3) Control of disused seal sources.

**2003:** The first Review Meeting of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management was held in Vienna from 3-14 November 2003. National reports, which had been submitted well in advance of the meeting, were presented orally and formed the basis of discussion between groups of States Parties.

At the meeting, it was noted that States Parties had made improvements to the management of spent fuel or radioactive waste in the period leading up to the meeting. States Parties acknowledged that the process of preparing national reports had been beneficial since it had identified needs and deficiencies in the national arrangements for radioactive waste management. Some delegations volunteered to report on progress in their implementation at the next review meeting.

Some areas in which progress was still required were identified:

- (1) All countries needed to have in place a long term strategy for managing spent fuel and radioactive waste, since only a few possessed firm plans for the final disposition of spent fuel and high level waste.
- (2) Regional solutions for the management of radioactive waste needed to be explored.
- (3) Plans for integrated decommissioning and waste management, containing schemes for managing all of the various different types of waste resulting from the decommissioning process needed to be put in place by countries.

The emphasis in national reports and in the discussions at the Review Meeting was on spent fuel and radioactive waste from the nuclear fuel cycle. In this regard, the increasing role that public consultation is played in relation to long term radioactive waste management was noteworthy. In several countries, the public was involved through consultation processes in decision making with regard to

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repository siting decisions, options for decommissioning and policies for effluent discharge.