

NON-PAPER 2: PRACTICAL PROPOSALS FOR PROVIDING INTERNATIONAL ASSURANCES

There is growing consensus around the need for international assurances as one component of a strengthened global nuclear security system. More work needs to be done, however, in advancing government understanding of the value of international assurances and how they can be achieved without sharing sensitive national security information. This paper proposes a definition for the concept of “international assurance,” describes their importance for governments and the public, and suggests possible examples of assurance mechanisms to further explore and develop.

Defining International Assurances

“International assurances” can be defined as:

Activities undertaken, information shared, or measures implemented voluntarily by a state or other stakeholders that provide confidence to others (the public, another government, a designated organization, etc.) of the effectiveness of nuclear security within a given state.

While some form of legally binding measures to provide assurances may ultimately be desirable, as a practical starting point, it would be helpful to define steps that could be undertaken voluntarily.

International assurance is not a new concept. “Assurance” mechanisms are widely used across many industries. The International Organization for Standardization (ISO), for example, has developed more than 19,000 standards for hundreds of fields such as nuclear safety, water quality, construction, and information technology. Organizations that subscribe to ISO standards provide international assurance to each other by participating in what the ISO calls “conformity assessments.” A conformity assessment is a process used to show that a product, service, or system meets specified requirements contained in an ISO standard. Conformity assessments occur through certification, inspection, and/or testing. Such assessments can assure the public or other stakeholders of the safety, reliability, or quality of a given system.

Other industries (nuclear safety, aviation, shipping, etc.) demonstrate that providing international assurances is not only possible but is commonplace. While nuclear security

¹ Through the Global Dialogue on Nuclear Security Priorities, leading government officials, international experts and nuclear security practitioners engage in a collaborative process to build consensus about the need for a strengthened global nuclear security system, how it would look and what actions would be needed at the 2014 Nuclear Security Summit and beyond. The Global Dialogue discussions are conducted on a not-for-attribution basis; where individuals and governments are free to use the information obtained during the meeting, but that information should not be attributed to a specific individual or government. For more information: <http://www.nti.org/about/projects/global-dialogue-nuclear-security-priorities>.

provides its own set of challenges, these are not insurmountable and attempts to overcome them should be a priority to strengthen the global nuclear security system.

How Are International Assurances Important?

A strengthened global nuclear security system should facilitate a state's ability to provide international assurances that all nuclear materials and facilities are secure. Such assurances are about building confidence in the effectiveness of the global nuclear security system rather than making a guarantee about specific behaviors. Yes, nuclear security is a sovereign responsibility, but because the economic and security consequences of a nuclear catastrophe would reverberate around the globe and shake public confidence in both nuclear industry and governments, other governments and the global public have an equity in having some insight into how well the global nuclear security system is functioning. International assurances can play a vital role in building confidence among other governments and publics, raising the level of practice among governments and industry leaders responsible for nuclear security, and ultimately, yielding important global security benefits.

Options for Providing International Assurances in the Nuclear Security Field

The following is a list of voluntary international assurance measures that states could undertake individually, bilaterally, or multilaterally. Some could be offered as gift baskets at the 2014 Nuclear Security Summit. As illustrated by the ideas listed below, the foundation for international assurances in the field of nuclear security already exists. This list is not meant to be exhaustive but instead is a first step in a discussion of how states can build confidence that their nuclear materials and facilities are secure. The draft concepts offered below represent a range of possible assurance mechanisms, meaning they vary in the number of parties that might participate, the number of possible recipients of the assurance, as well as the possible "depth" of the assurance provided. There is no one-size-fits-all solution and given differences (technical, political, financial, etc.) among the relevant states, it is likely that any steps would eventually comprise a variety of unilateral, bilateral, and multilateral commitments and activities.

Information Sharing: Many governments already engage in some form of international assurance by publishing either annual reports of nuclear security issues or the broad outlines of their nuclear security regulations. Public release of these documents increases confidence that the basic legal and regulatory framework required for nuclear security may be in place within the state.

Expanding IPPAS and Other Peer Review Mechanisms: The IAEA offers peer reviews through its IPPAS missions. The purpose of an IPPAS mission is to provide recommendations to requesting states on ways to strengthen their nuclear security systems (including legal and regulatory systems) and assess whether these systems comply with treaties and IAEA

guidelines. However, since the first IPPAS mission in 1996, only 55 IPPAS missions have been performed in 37 countries. By hosting an IPPAS mission, a state demonstrates a commitment to strengthening its nuclear security through external review, which in turn builds international confidence in its nuclear security system. Although this is an important opportunity for improving security, there is no obligation of the state to follow the recommendations made by the review team, address deficiencies, or otherwise be made accountable to the public or the IAEA for the findings. Further expanding the capacity for peer review in the nuclear security field, the World Institute for Nuclear Security (WINS) is exploring providing peer review of security management and implementation of security responsibilities by practitioners.

Promoting Best Practice Exchanges: The international exchange of best practices is necessary to improve security and to assist in implementing nuclear security standards and guidelines. Sharing and promoting best practices at the international level also provides a measure of international assurance that nuclear security practitioners have been exposed to the most current security techniques and practices. WINS was created to help develop and share best practices at the practitioner level. The IAEA also has a role in shaping best practices.

Physical Protection Assessments: One existing, but potentially underused, international assurance mechanism is based on the physical protection requirements attached to nuclear cooperation agreements or as part of export agreements instituted by several countries such as the United States, Canada, Australia, and for EURATOM countries when engaging in nuclear commerce. For instance, the United States has 27 nuclear cooperation agreements which require partner countries to guarantee the physical protection of U.S.-origin nuclear material. The U.S. Department of Energy, the Nuclear Regulatory Commission, and the U.S. Department of State visit partner countries to ensure adequate physical protection is in place for these materials. These visits are conducted in cooperation with the partner country on a voluntary basis (i.e., explicit rights of access may not be written into the agreements although the requirement to physically protect material to certain standards is). These visits are based on an inter-agency process which prioritizes visits based on categories of materials, quantity of material, whether a country is making recommended improvements, information from previous physical protection assessments, and other concerns. As such, these assessments hold the partner state accountable to their nuclear security responsibilities and enable the United States to provide assistance when needed. These bilateral exchanges provide a measure of international confidence.

Certification: A measure of assurance could be provided if an accredited certification could be established for those individuals responsible for nuclear security. Simply by training and certifying all security personnel to an agreed baseline could build confidence in a state's ability to provide efficient and effective security. Certification is a method of providing assurances in other industries, including nuclear safety. The ISO also recommends certification as means for performing "conformity assessments," as discussed above. WINS would be a good candidate for

a body that could develop a certification program, since it already conducts training and plans to soon launch the WINS Academy for Professional Development. Certification could also be supported by the IAEA, Centers of Excellence, trade groups, or other professional security organizations. Providing uniform training and certification will help ensure that states are implementing an appropriate standard of security practice across the globe.