

# Nuclear Non-Proliferation in International Law

Volume II

Jonathan L. Black-Branch · Dieter Fleck  
Editors

# Nuclear Non-Proliferation in International Law

Volume II  
Verification and Compliance

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# Preface

Nuclear non-proliferation continues to dominate political, diplomatic and legal discussions worldwide. Legal issues regarding the non-proliferation of nuclear weapons, the use of nuclear energy for peaceful purposes and nuclear disarmament must be viewed within their relevant context, which is what this book series endeavours to achieve. Volume I<sup>1</sup> was widely received with encouraging praise by academics and practitioners alike. This warm reception demonstrates the need for continued efforts to explore such issues further, from an abstract analytical perspective but also from a practical stance.

The present volume focuses on verification and compliance. The main body of contributions presented are the results of a research conference on *Verification of Nuclear Non-Proliferation Obligations* held in Cologne from 13–14 November 2014 in cooperation with the Cologne Institute of International Peace and Security Law. This follows in the tradition of gathering relevant experts to discuss areas pertinent to nuclear weapons, non-proliferation and contemporary international law through a series of Round Table Discussions, which have already led to a comprehensive report on *Legal Aspects of Nuclear Disarmament*, presented at the most recent conference of the International Law Association (Washington 2014).<sup>2</sup> The Cologne event was of major significance for clarifying issues regarding verification problems. It created a better understanding for verification tasks of the IAEA, the CTBTO and EURATOM, providing an instructive interdisciplinary approach to technical possibilities of verification and gaps in current legal regulation which may help to explore implications for treaty design and the implementation of the best practice rules. Moreover, it contributed to greater consensus related to existing legal controversies regarding countermeasures, remedies for wrongful acts and peaceful settlement of disputes.

We would like to express our sincere gratitude to Prof. Claus Kreß, Director of the Cologne Institute of International Peace and Security Law and his assistants,

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<sup>1</sup>J.L. Black-Branch and D. Fleck (eds.) *Nuclear Non-Proliferation in International Law*, Vol. I, with a foreword by Mohamed ElBaradei. T.M.C. Asser Press 2014.

<sup>2</sup>See <http://www.ila-hq.org/en/committees/index.cfm/cid/1025>.

for co-organizing this event in conjunction with the ILA Committee on Nuclear Weapons, Non-Proliferation and Contemporary International Law and the Nuclear Round Table Forum. We are particularly indebted to the Fritz Thyssen Foundation for kindly supporting the event, and in particular to Dr. Thomas Suermann and his team for hosting our conference, providing an intimate and professional environment in which to advance these important discussions.

Special acknowledgement must be expressed to our peer reviewers, who have offered their critical advice, encouragement and invaluable suggestions. The various authors appreciate the double anonymous review process and we wish to express our sincere gratitude on both our behalf as well as the contributing authors who benefited from their efforts.

A third volume is under preparation. It will be devoted to legal aspects of the use of nuclear energy for peaceful purposes.

Oxford, Cologne, April 2015

Jonathan L. Black-Branch  
Dieter Fleck

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# Abbreviations

ABACC	Brazilian–Argentine Agency for Accounting and Control of Nuclear Materials
AP	Additional Protocol
ARSIWA	Articles on Responsibility of States for Internationally Wrongful Acts (2001)
CPPNM	Convention on the Physical Protection of Nuclear Material (30 March 1980)
CSA	Comprehensive Safeguards Agreement
CTBT	Comprehensive Nuclear Test-Ban Treaty (24 September 1996)
CTBTO	Preparatory Commission for the Comprehensive Nuclear Test-Ban Organization
CWC	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (13 January 1993)
DARIO	Draft Articles on Responsibility of International Organizations (2011)
DPRK	Democratic People’s Republic of Korea
EAEC	European Atomic Energy Community
ECSC	European Coal and Steel Community
ESA	EURATOM Supply Agency
EU	European Union
EURATO	European Atomic Energy Community
GICNT	Global Initiative to Combat Nuclear Terrorism
GTRI	Global Threat Reduction Initiative
IAEA	International Atomic Energy Agency
IHL	International Humanitarian Law
ICJ	International Court of Justice
ILA	International Law Association
ILC	International Law Commission
INFCIRC	Information Circulars, IAEA



INS	Intense Neutron Sources
LOFs	Locations Outside Facilities
LWR	Light Water Moderated Fission Reactor
MOX	Mixed Oxide Fuel
NAM	Non-Aligned Movement
NNWS	Non-Nuclear-Weapon States
NPT	Treaty on the Non-Proliferation of Nuclear Weapons (1 July 1968)
NSG	Nuclear Suppliers Group
NWFZ	Nuclear-Weapon-Free Zone
NWS	Nuclear-Weapon States
PrepCom	Preparatory Committee
PSI	Proliferation Security Initiative
SC	Security Council
SIP	Statement of Interdiction Principles
SIR	Safeguards Implementation Report
SLC	State-Level Concept
SNS	Spallation Neutron Source
TEU	Treaty on European Union (2012)
TFEU	Treaty on the Functioning of the European Union (2012)
UN	United Nations
UNMOVIC	United Nations Monitoring, Verification and Inspection Commission
UNSCOM	United Nations Special Commission
UNTS	United Nations Treaty Series
WMD	Weapons of Mass Destruction