



Additional Protocol Implementation: Philippine Experience

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OUTLINE

- Legislative and Regulatory Framework
- PAEC/PNRI as the Nuclear Regulatory Body
- Process of Ratification
- Preparation for the AP implementation
- Submission of Reports
- Complementary Access
- Current Initiative
- Conclusion

Legislative and Regulatory Framework

- *Republic Act No. 2067* known as the Science Act of 1958 creating the Philippine Atomic Energy Commission, presently the Philippine Nuclear Research Institute, to promote the peaceful applications of nuclear energy and to ensure the safety of its applications

Legislative and Regulatory Framework

- *Republic Act No. 5207* or the “Atomic Energy Regulatory and Liability Act of 1968”, which strengthens PAEC/PNRI and gives it authority to regulate atomic energy facilities

Legislative and Regulatory Framework

- Executive Order No. 128 reorganizing PAEC to PNRI in 1988 and retaining its dual mandate of promotion and regulation of the peaceful application of nuclear energy

Philippine Nuclear Research Institute

- National competent authority on nuclear matters with a dual mandate
- R & D under the Department of Science and Technology
- Nuclear Regulatory Body with the Nuclear Regulatory Division as its regulatory arm

Philippines' Commitment to International Safeguards

- ❖ Party to the NPT on 5 October 1972
- ❖ Comprehensive safeguards agreement with IAEA entered into force on 16 October 1974 (INFCIRC 216)
- ❖ Additional Protocol signed on 30 Sept. 1997 entered into force on 26 February 2010

CURRENT STATUS

- Two facilities under safeguards
 - Philippine Research Reactor (PRR-1)
 - Bataan Nuclear Power Plant (BNPP)
- IAEA inspection – once a year

1. PHILIPPINE RESEARCH REACTOR (PRR-1)

PRR-1 on extended shutdown, serves as host reactor for IAEA R2D2 project



2. Bataan Nuclear Power Plant (BNPP-1)



RATIFICATION PREPARATION

Philippine Nuclear Research Institute (PNRI)

- ❖ Submitted Certificate of Concurrence
- ❖ Highlights and Benefits of AP
- ❖ Consultations and discussions with the Committee on Foreign Relations of the Senate and Office of Legal Affairs and UNIO of DFA

PROCESS OF RATIFICATION

- ❖ Certificate of Concurrence both from PNRI and Department of National Defense
- ❖ Submitted to the President for ratification and concurrence by the Senate
- ❖ Ratification is pursuant to Article VII Section 21 of the 1987 Philippine Constitution, which requires the Senate's concurrence for treaties & international agreements to be valid and effective to the Philippines

RATIFICATION PREPARATION

- PNRI attended the Senate Hearing as technical experts on 27 January 2010
- The Senate concurred in the ratification of AP on 01 February 2010
- Submitted to the IAEA and entry into force on 26 February 2010

Preparation for the Implementation of AP (1)

- Conducted training on the implementation of Additional Protocol (AP) on 28-30 June at Crown Plaza Hotel, & workshop at PNRI from 1-2 July 2010 in cooperation with the International Atomic Energy Agency (IAEA), US Department of Energy (US DOE) and Australian Safeguards and Non-proliferation Office (ASNO).

National Training Seminar on AP Implementation 28 -30 June 2010, Crowne Plaza Hotel



Preparation for the Implementation of AP (2)

- Received assistance from ASNO through its expert, Mr. Russell Leslie, in preparing the initial declaration pursuant to Article 2 from 26-30 July 2010.
- Conducted site visit at the Bataan Nuclear Power Plant (BNPP) with an expert to verify the buildings site and other reactor elements previously exempted from IAEA Safeguards.
- Other information such as uranium mining and rare earths research were also discussed to determine inclusion in AP declaration.

Preparation for the Implementation of AP (3)

❖ INSEP Assistance

- workshop on 8-10 Feb. 2011 – road map actions for USDOE cooperation with Philippines/PNRI for AP implementation
- Conduct of AP-CIT workshop on 9-11 August 2011



Workshop on the Additional Protocol under US DOE INSEP on 8-10 Feb. 2011.
Roadmap actions for US DOE Cooperation with Philippines/PNRI was formulated.

Preparation for the Implementation of AP (3)

- Submission of first report under Article 2.a(ix)(a) - exports of Annex II items on 30 May 2010.
- Full set of initial declarations – 180 days after entry into force due on 29 Aug. 2010
- Every quarter reports on exports of Annex II items
- First annual update of the declarations on 15 May 2011

Submission of Reports

- Full set of Initial declaration using Protocol Reporter submitted electronically through PNRI-IAEA Secure Communication.
- Submitted 5 Quarterly reports on exports of Annex II items of AP

COMPLEMENTARY ACCESS

Article 4 b(ii)

- In conjunction with annual inspection notice in 2 hours – PNRI site in Dec. 2010
- BNPP site – notice within 24 hours

Future Plans and Challenges

- Enactment of “Comprehensive Nuclear Regulations Act” - proposes to create a separate and independent nuclear regulatory authority and address the gaps in the present laws
- Enactment of “Strategic Goods Control Act” – export control on dual use items
- Ratification of pending international conventions
 - Convention on Nuclear Safety
 - Joint Convention on Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management
 - Convention on Nuclear terrorism

Policy Direction

“In the Philippines, as we explore every viable energy option to ensure a continuous, adequate and economic supply of energy, the government is keeping all options open in terms of looking at the potential sources of energy that could provide sustainability and greater efficiency, and that includes the possibility of nuclear energy as long-term option for power generation”

Issues to Consider in the Philippine NP program

- Legal and regulatory framework: the comprehensive nuclear law will modernize and address gaps in the present laws
- Nuclear regulatory processes: while the regulatory program has been in place since more than 20 years ago, there is a need to update/enhance it

Summary

- Additional Protocol will strengthen our confidence building measures in promoting nuclear transparency in the region
- The PNRI is committed to pursue the passage of the law creating an independent regulatory body.
- A nuclear regulatory infrastructure exists , but such infrastructure should be enhanced to meet the requirements of the nuclear power program



THANK YOU!

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