**Pledge proposal from France**

**Strengthening the protection of nuclear power plant operating personnel in armed conflict**

**Submitted by** : France and […]

**Type of pledge** : open

**Themes :** IHL, installations containing dangerous forces.

**Keywords :** nuclear electrical generating stations (hereinafter : nuclear power plant), protection of personnel, humanitarian and environmental consequences of armed conflicts.

**Session of the conférence :** XXXIVth International Conference

1. **Context and objective of the pledge**

In armed conflict, nuclear power plants are installations particularly at risk. Hostilities are likely to cause, knowingly or accidentally, a nuclear accident with serious humanitarian and environmental consequences.

While the power plant infrastructure benefits from special protection under international humanitarian law (art. 56 of Additional Protocol I to the Geneva Conventions, hereinafter PA I), IHL does not grant specific protection to the operating personnel of these power plants beyond the protection granted to civilian persons. Yet, the nuclear power plant operating personnel plays a crucial role in maintaining the safety of these installations in armed conflict situations and thus preventing the risk of a nuclear accident.

As an essential component of normal power plant operation, as recalled by the International Atomic Energy Agency[[1]](#footnote-1) (hereinafter IAEA), the operating personnel must be given special attention and protection in armed conflict situations, particularly when the power plant is located on territory occupied by a party to the conflict.

The present pledge aims to strengthen the protection of this personnel in armed conflict situations through concrete measures. It fully fits into the logic of article 56.6 of PA I which invites the High Contracting Parties to ensure additional protection of nuclear power plants.

1. **Measures**

Pursuing the objective of strengthening the protection of personnel operating nuclear power plant[[2]](#footnote-2) in situations of armed conflict, the signatories of this pledge undertake to apply the following measures:

- Raise awareness and alert about the necessary protection of nuclear power plant operating personnel, as a corollary to the special protection granted to electrical energy producing nuclear power plants, in the training of military personnel in the event of deployment in an affected area;

- Take concrete measures from the planning phase of a military operation, such as granting special protection to this personnel, which will, for example, be included in the operation plan and in the rules of engagement;

- Ensure, as far as possible, that in a occupation situationthe access to nuclear power plants by the operating personnel and IAEA agents is facilitated;

- Provide the power plant operating personnel with all necessary assistance to enable them to perform their tasks related to nuclear safety and security;

- Ensure that the power plant operating personnel can work in decent conditions and refrain from exerting undue pressure on them;

- Not make any changes to the structure or personnel of these installations that could harm the effective performance of their mission;

- Never force the operating personnel to participate in military operations or to be used as human shields;

- Collaborate with all relevant international institutions, in particular the IAEA, to jointly consider improving the protection of nuclear power plant operating personnel in armed conflict situations.

1. **Indicators to measure progress**

At the next international conference, list the measures taken to implement this pledge, such as disseminating the pledge to partners, creating training modules, and integrating this issue into military exercises.

At the next international conference, assess the effectiveness of the measures taken in application of this pledge and consider the opportunity to propose new measures to further strengthen the protection of nuclear power plant operating personnel.

1. **Necessary resources**
1. Cf. the 3rd essential pillar of the IAEA in terms of nuclear safety and security in Ukraine: « *operating personnel must be able to perform tasks related to safety and security and make decisions without undue pressure* ». [↑](#footnote-ref-1)
2. This does not mean that this staff is entitled to absolute protection. Of course, there are circumstances in which measures, including the use of force, can be taken to prevent this staff from carrying out acts of sabotage that could have particularly serious consequences for the population and the environment. [↑](#footnote-ref-2)