Nuclear Security Summit
National Progress Report SPAIN

1. (International Commitments and a Robust Domestic Regulatory Capacity) Spain has ratified and fully supports the international legal instruments that are endorsed by the Washington Work Plan. In order to comply with the international provisions, the national legislation has undergone major changes in the last few years. Royal Decree 1564/2010 on a Basic Guideline on Civil Protection Planning in the event of a Radiological Risk and Royal Decree on the Physical Protection of Nuclear Facilities and Materials and Radioactive Sources were adopted in 2010 and 2011 respectively. Noteworthy here is the adoption of two legal instruments resulting from the transposition of a European Directive: Act 8/2011 on the Protection of Critical Infrastructure and Royal Decree 704/2011 developing the Regulations on Protection of Critical Infrastructure.

2. (IAEA Activities) Since the Washington Nuclear Security Summit, Spain has been involved in a process of developing and establishing a National Assessment of the Design Basis Threat (DBT). On 18-20 October 2011, the Ministry of the Interior, in cooperation with the Nuclear Safety Council, the IAEA and ENRESA, organised a seminar in order to define, integrate and maintain a DBT within the national regime of nuclear security of the nuclear facilities and materials. Approximately 50 people from different ministries and private operators of nuclear facilities were trained, with the assistance of IAEA experts, in the development of a DBT that is applicable to the national system of physical protection. A Working Group was set up with the goal of leading the process of defining and elaborating a DBT.

3. (The United Nations, Global Initiatives and other Bilateral, Regional, Multilateral and Nongovernmental Activities) In 2010, the GICNT Plenary of Abu Dhabi decided to appoint Spain as the Implementation and Assessment Group (IAG) Coordinator. Since then, Spain has led the development of a work programme that is proving to be concrete and effective and contributing to the overall objectives of the Nuclear Security Summit. This programme receives a great deal of input from the GICNT exercises and seminars that take place throughout the year, as well as from the meetings of the IAG and its three working groups on nuclear forensics, nuclear detection and response and mitigation. The IAG first met in Cordoba (Spain) in February-March 2011 with a working group format and laid the foundation for the development of practical guidance documents and the organization of exercises and seminars in 2011. The Second IAG Mid-Year Meeting, held in Marrakech (Morocco), from 13 to 16 February 2012, made it possible to finalize the Working Groups’ first documents and to advance plans of the Working Groups for the coming year.

On a national level, the role of IAG Coordinator has strengthened national interministerial / interagency coordination by establishing a Contact Group for Nuclear Affairs, including representatives from the relevant ministries and institutions. Occasionally, members of academia and industry are also invited to the meetings. The Group began to prepare the participation of Spain in the various GICNT related meetings and exercises. Soon, the discussions were broadened to include other issues within the overall framework of nuclear security, through the exchange of information on activities that were taking place nationally and internationally, the definition of existing national capabilities and of national priorities and objectives. As a result, national practitioners have benefited from the international expertise available through discussions, exchanges of best practices and information, and the first documents that have been drafted in the framework of the GICNT working groups.

Spain has also raised the weight of nuclear security and the prevention of and response to nuclear terrorism in bilateral relations with key partners, specifically Morocco, with whom a seminar was held in May 2010, when a delegation of Moroccan experts visited Madrid. The increasing involvement of the Moroccan authorities to the GICNT has provided both countries with the opportunity to consider ways
and areas in which to enhance bilateral cooperation, in particular with the aim of establishing a Joint Action Plan.

4. (Fostering a Nuclear Security Culture) In 2011, the Ministry of Foreign Affairs and Cooperation, with the support of INCIDE, a Spanish think tank, organised two seminars with the aim of addressing the state of implementation of the measures included in the European Union’s New Lines for Action in Combating the Proliferation of Weapons of Mass Destruction and their Delivery Systems. Representatives from other departments of the national administration, the academia and the industry attended such seminars and had the opportunity to discuss the comprehensive measures that are set forth in this document, including consular surveillance and corporate best practices.

In 2010 and 2011, the Directorate General of Civil Protection and Emergencies organized a total of 24 basic and advanced level courses on CBRN emergencies, which targeted civil protection volunteers, local police and State Security Forces.

5. (Prosecution of illicit nuclear trafficking) Organic Law 6/2011 amending the Anti-Smuggling Act was passed. Its main objective was to adapt the definition of the offence as set forth in the national legislation then in force, to the international commitments that had been adopted by Spain in this field, in order to include new types of behaviours.

In 2011, the Regulations on the Control of External Trade in Defence Materials and Dual-Use Goods were amended in order to improve the system that applies to this type of materials, to prevent their diversion to the illicit market and to combat their proliferation. This new legal instrument has introduced many changes, including the establishment of a new licence for shipments within the European Community, as well as a new authorization for the transfer of components, subsystems and parts. Finally, these Regulations integrate the norms on the export control of military and dual-use technology and equipment that are defined by the European common position on that matter.

6. (Nuclear Detection) Spain has collaborated with the US-sponsored Megaports Initiative, which aims to discourage, detect and intercept illicit trafficking of nuclear and radioactive material in containerised cargo, with minimal impact to port operations. The Initiative, which comprises radiation detection systems in major ports, is managed in Spain by the Spanish Tax Administration Agency, with the support of the Ministry of the Interior. On 15 June 2010, the “Spanish Action Protocol in Case of Detection of an Unnotified Movement or Illicit Trafficking of Nuclear and Radioactive Material” (Megaport Protocol) was signed by the relevant authorities (Ministry of the Interior, Spanish Tax Administration Agency, Ministry of Infrastructure, Ministry of Industry, Energy and Tourism, Nuclear Safety Council and ENRESA). The Megaport system has been operative in Valencia since the end of 2010, and in Barcelona since October 2011.

7. (Nuclear Forensics) In October of 2011, a Nuclear Forensics Task Force was launched, including representatives from the Ministry of the Interior, the Ministry of Defence and the Nuclear Safety Council, was launched. The Task force’s mandate is to define the development of the national nuclear forensics capabilities, by performing the following tasks: (1) developing an inventory of the existing national nuclear forensics capabilities; (2) assessing, structuring and organising the national basic level of nuclear forensics; and (3) defining the national level of advanced nuclear forensics capabilities, by exploring and establishing the necessary agreements with agencies from other countries or with international organizations. The Task Force has drafted these Terms of Reference taking into account the recommendations of the “Nuclear Forensics Fundamentals for Policy Makers and Decision Makers” document elaborated by the GICNT Nuclear Forensics Working Group.