"Hard" Governance

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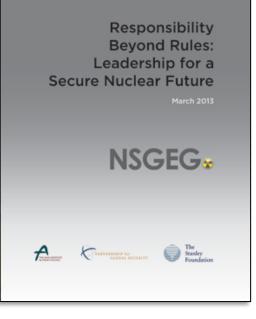# "SOFT" AND "HARD" GOVERNANCE

1. Level of Bondage:

   -"Soft" Form of Governance vs. "Hard" Form of Governance

2. Types of Instruments

   - Soft" Legalization vs. "Hard" Legalization

   - "Soft" Law vs. "Hard" Law

HARD GOVERNANCE AGENDA

Among the steps by 2020:

1. Defining the Nuclear Security and Clarifying its Scope
2. Universalizing the Current Regime
3. Creating a Unifying Instrument

Responsibility
Beyond Rules:
Leadership for a
Secure Nuclear Future

March 2013

NSGEG

IAEA's definition:

- "prevention and detection of, and response to, theft, sabotage, unauth-orized access, illegal transfer or other malicious acts involving nuclear material, other radioactive substances or their associated facilities"

Expansion of scope?:

- How far?

- Protection from terrorism, cyber attack (other malicious acts)

- Fissile materials and radioactive sources

Universal participation:

- Limitations of like-minded approach

- Related to expansion of scope

Developing a Checklist:

- Nuclear security governance checklist

- Measuring progress

Framework Convention on Nuclear Security:

- No additional obligation, but general principles that may embrace the fragmented legal obligations

- COP approach

- Peer review mechanism

- Streamlining resources and funds for capacity building

- Cooperative, not impeaching

- Open to all States

Framework Convention on Nuclear Security:

- Long-term option

- In the Summit process: exploring its feasibility as a piece of hard

Governance for better nuclear security (as a gift basket)

- No more "too much soft" or "too many soft"

- Enhancing hybridity between soft and hard laws

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ideas & praxis