

Instrument for Nuclear Safety Cooperation 2007-2013: establishment

2006/0802(CNS) - 18/10/2011 - Follow-up document

The Commission presents a report in compliance with the reporting requirement set out in Council Regulation (EURATOM) No 300/2007 establishing an Instrument for Nuclear Safety Cooperation (the INSC Regulation.) The report evaluates the implementation of the INSC Regulation taking into account the Commission's INSC Progress Report for 2007-2009 and experts' report covering the same period. It recalls that Since 2007, the EU's nuclear safety assistance and cooperation activities have continued under the Instrument for Nuclear Safety Cooperation (INSC), with a financial reference amount of EUR million for the implementation of the Regulation over the period 2007 to 2013. Under the Annual Action Programmes 2007, 2008 and 2009, some 50 projects were approved, which are at various stages of implementation.

The largest proportion of funds was allocated to the "Promotion of an effective nuclear safety culture" and "Participation in International Funds". Expenditures on "Safeguards" fell particularly short of the indicative target.

Evaluation: the first three years of implementation of the INSC (2007 – 2009) saw the gradual transition from the actions of the TACIS Nuclear Safety programme, which had been centred on the former Soviet Union, in particular the Russian Federation and Ukraine, towards a global programme. While the TACIS programme focused on nuclear safety assistance including, in many cases, supply of equipment ('hard assistance'), the INSC objective is enhanced cooperation with a view to improving nuclear safety with a much reduced emphasis on the supply of equipment ('soft assistance'). Partners have also been encouraged to take a more prominent role in the definition, management and implementation of cooperation projects.

Cooperation with new partner countries initially concentrated on strengthening regulatory authorities, but progressively cooperation is being extended to the development of management of spent nuclear fuel and radioactive waste, decommissioning, site remediation and, to a lesser extent, to the improvement of operational safety.

The **cooperation with the International Atomic Energy Agency (IAEA)** was stepped up for a number of reasons, including the need to improve coordination, to avoid duplication of efforts, to jointly establish priorities and to support the IAEA's implementation of projects in areas where this improves the effectiveness of implementation due to the IAEA's international standing and particular expertise.

The **suspension of cooperation with the Russian Federation** on new nuclear safety projects, due to the fact that Russia was not prepared to conclude Financing Agreements with the Commission, gives cause for concern. Limited cooperation has continued under ongoing TACIS projects and the Commission has continued to explore possible ways to solve the current impasse with Russian authorities.

The cooperation with **Armenia** has continued, despite the EU's firm position that the Armenian nuclear power plant, which operates a 'first generation' reactor, should be shut down as soon as possible. All specific safety cooperation actions need to continue to be reviewed against the agreed strategic framework for the implementation of the INSC programme.

The long **delay observed between the definition of new cooperation projects and their eventual implementation is a serious problem**, particularly when engaging in cooperation with new partner countries. These delays result from the steps required from identification of a project until its contracting.

Typically, the process starts with an exploratory mission by the Commission services, followed by an expert mission to develop 'action fiches' which provide a broad definition of potential projects. The subsequent approval process includes an InterService Consultation, an opinion by the INSC Committee followed by the adoption of the Commission Decision. Tendering and contracting can then only really start after the conclusion of a Financing Agreement with the partner country, which can cause additional delay. In some cases, the initial phase of the cooperation was somewhat shortened, as in the case of Brazil, where a high degree of inter-institutional preparedness allowed rapid progress on establishing the 'action fiches'. However the process remains lengthy.

Activities in nuclear safeguards during 2007-2009 have been significantly less than projected under the Indicative Programme for the period (0.25% Vs 14% of the Programme). The Commission will take this into account in the formulation of the Indicative Programme for 2012-2013 and future Action Programmes.

Conclusions: the evaluation of the implementation of the INSC programme by the Commission leads to the following main conclusions:

- the projects were established in line with the strategic documents of the Instrument of Nuclear Safety Cooperation (INSC);
- the INSC continued the nuclear safety cooperation initiated under TACIS and gradually expanded it to new partner countries. However, further cooperation with the Russian Federation was suspended while searching a solution to its objections concerning the conclusion of a Financing Agreement;
- the enhancement of the nuclear safety culture through INSC incorporated lessons learned from the TACIS Nuclear Safety programme, while addressing emerging needs within a mandate no longer restricted to the region of the former Soviet Union;
- the time to start implementing projects following their identification is currently two to three years due to lengthy decisional and contracting processes and generally heavy administrative procedures. The Commission will need to review if and how it may be possible to reduce projects' implementation cycle by adjusting operational and implementation practices;
- the Commission concurs with the independent evaluation finding that the INSC implementation was well targeted and the projects well conceived. When successfully implemented the projects are expected to contribute significantly to enhance nuclear safety and nuclear safety culture. The INSC projects with focus on exchange of know-how and practices were found to be particularly appreciated by partners in target countries;
- for countries that do not have nor plan to have a nuclear power programme, the INSC is also helping to build the required nuclear safety regulatory infrastructure particularly related to the management of nuclear waste;
- for countries planning to implement nuclear power programmes, the INSC is helping to build the required nuclear safety regulatory infrastructure while for countries with established nuclear power programmes, which lacked nuclear safety resources due to underfunding or isolation, it focuses on capacity building and improving nuclear safety culture.

Overall, the INSC programme has become a well established vehicle for nuclear safety cooperation worldwide.

The Commission considers that the concerns which were raised in respect of the implementation of the INSC Regulation, and how they might be mitigated, can be addressed within the existing provisions of the Regulation and that there is no need for a new legislative proposal.