Basic information

2018/0245(NLE) NLE - Non-legislative enactments Regulation	Awaiting final decision
European instrument for nuclear safety 2021–2027 **Subject** 3.60.04 Nuclear energy, industry and safety	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ITRE Industry, Research and Energy	URUTCHEV Vladimir (PPE)	05/09/2018
	Shadow rapporteur GEIER Jens (S&D) MATTHEWS Rupert (ECR) TELIČKA Pavel (ALDE) KOHLÍČEK Jaromír (GUE/NGL) RIVASI Michèle (Verts/ALE) TAMBURRANO Dario (EFDD)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	AUŠTREVIČIUS Petras (ALDE)	10/07/2018
BUDG Budgets	The committee decided not to give an opinion.	
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
International Cooperation and Development	MIMICA Neven

Key events

Date	Event	Reference	Summary
14/06/2018	Legislative proposal published	COM(2018)0462	Summary
05/07/2018	Committee referral announced in Parliament		
03/12/2018	Vote in committee		
10/12/2018	Committee report tabled for plenary, 1st reading/single reading	A8-0448/2018	Summary
17/01/2019	Decision by Parliament	T8-0041/2019	Summary
17/01/2019	Results of vote in Parliament		

Technical information

Procedure reference	2018/0245(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consultation of Parliament
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the European Union TFEU 203
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Awaiting final decision
Committee dossier	ITRE/8/13740

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE628.432	05/10/2018	
Amendments tabled in committee		PE630.393	07/11/2018	
Committee opinion	AFET	PE627.713	22/11/2018	
Committee report tabled for plenary, 1st reading/single reading		A8-0448/2018	10/12/2018	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0041/2019	17/01/2019	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2018)0462	14/06/2018	Summary
	SWD(2018)0337		

Document attached to the procedure		14/06/2018	
Commission response to text adopted in plenary	SP(2019)150	27/02/2019	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	CZ_SENATE	COM(2018)0462	19/12/2018	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES4060/2018	12/12/2018	

Additional information

Source	Document	Date
EP Research Service	Briefing	02/07/2021
European Commission	EUR-Lex	

European instrument for nuclear safety 2021–2027

2018/0245(NLE) - 17/01/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 563 votes to 30, with 36 abstentions, a legislative resolution on the proposal for a Council regulation establishing a European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty.

Members recalled the need for the highest nuclear safety standards and safeguards after the nuclear accidents at the Chernobyl nuclear power plants in 1986 and Fukushima Daiichi in 2011. Therefore, commitments to nuclear safety, non-proliferation and nuclear security, as well as sustainable development objectives and the interests of the Union as a whole, should govern the programming of actions.

Parliament approved the Commission's proposal subject to the following amendments:

Subject matter

The objective of this Regulation is to complement those nuclear cooperation activities that are financed under [the Regulation NDICI], in particular in order to:

- support the promotion of a **high level of nuclear safety**, radiation protection and the application of effective and efficient safeguards of nuclear materials in third countries, building on the regulatory frameworks and best practices within the Community;

- help ensure a **purely civilian use of nuclear material** and by that, the protection of citizens and the environment by also supporting the implementation of transparency in nuclear related decision-making by authorities of third countries.

Parliament pointed out that cooperation provided by the Union in the field of nuclear safety and safeguards under this Regulation is not aimed at promoting nuclear energy.

The specific objectives of the instrument shall include in particular:

- the promotion of an effective nuclear safety culture and governance, the continuous improvement of nuclear safety and implementation of the highest nuclear safety and radiation protection standards;

- the responsible and safe management of radioactive waste, from its production to its final disposal, including spent fuel, as well as the safe and efficient decommissioning and remediation of former nuclear sites and installations and former uranium mining sites or sunken radioactive objects and materials;

- the establishment of effective, efficient and transparent safeguards for nuclear material;

- the promotion of overall transparency and openness of authorities in third countries, as well as public information and participation in decision making processes relating to the safety of nuclear installations and effective radioactive waste management practices, in accordance with relevant international conventions and instruments;

- the use of the Instrument knowledge and actions to leverage political influence in international organisations in the area of energy and security.

The Commission shall coordinate its cooperation with third countries and with international organisations pursuing similar objectives, in particular the IAEA and the OECD/NEA.

Proposed budget

Members proposed to set the financial envelope for the implementation of the Regulation for the period 2021-2027 at **EUR 266 million in constant prices** (EUR 300 million in the Commission's proposal).

Criteria for international cooperation in nuclear safety

Under the amended text, a common understanding and a reciprocal agreement between the third country and the Community shall be confirmed through a formal request to the Commission, committing the respective Government.

Third countries wishing to cooperate with the Community shall be members of the Treaty on the Non Proliferation of Nuclear Weapons and should have its Additional Protocol or a safeguards agreement with the International Atomic Energy Agency sufficient to provide credible assurance of the non-diversion of declared nuclear material from peaceful nuclear activities and of the absence of undeclared nuclear material or activities in that state as a whole in place.

In the case of active cooperation, that commitment shall be evaluated annually. On the basis of such an evaluation, a decision shall be taken with regard to the continuation of the cooperation.

In general, the instrument shall encourage countries receiving financial assistance to (i) comply with their commitments under the Treaty on the Non-Proliferation of Nuclear Weapons; (ii) comply with relevant international conventions; (iii) comply with nuclear safety and radiation protection standards; and (iv) undertake to implement recommendations and measures in this regard according to the highest standards of transparency and publicity.

This Instrument shall aim to engage countries receiving financial assistance under this Regulation to: (i) uphold the commitments under the Treaty on the Non-Proliferation of Nuclear Weapons, (ii) commit to relevant international conventions, (iii) uphold nuclear safety and radiation protection standards and (iv) commit to implementation of relevant recommendations and measures with the highest standards of transparency and publicity.

Transparency

The necessary information in relation to the nuclear safety measures undertaken in those third countries with the help of the Instrument and in relation to their nuclear safety standards in general, shall be made available to workers and the general public, with specific consideration to local authorities, population and stakeholders in the vicinity of a nuclear installation.

European instrument for nuclear safety 2021–2027

2018/0245(NLE) - 14/06/2018 - Legislative proposal

PURPOSE: to establish a European instrument for nuclear safety complementing the neighbourhood, development and international cooperation instrument on the basis of the Euratom Treaty for the period 2021-2027.

PROPOSED ACT: Council Regulation.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: the non-proliferation regime, which has been challenged in recent years, calls for a continuous support to strengthen the international framework to prevent the spread of weapons of mass destruction. Under different association and partnership agreement (e.g. with Ukraine), the Union has committed to support the concerned countries in adopting in their national legislation the *acquis communautaire*, including nuclear safeguards.

Under the multiannual financial framework 2014-2020, a financing instrument which will expire on 31 December 2020 was dedicated to the promotion of a high level of nuclear safety.

Under the 2014-2020 multi-annual financial framework, the Commission proposed to streamline the Union's external action instruments into a broad instrument called **the neighbourhood, development and international cooperation instrument (NDICI)**. The proposed new European instrument shall complement this framework with activities to promote the establishment of effective nuclear safety standards in third countries, building on the experience of nuclear safety operations within the Euratom Community.

The objective of the new European instrument for nuclear safety is to promote the establishment of effective and efficient nuclear safety standards in third countries in accordance with Article 203 of Euratom Treaty, building on the experience of nuclear safety activities within the Euratom Community.

CONTENT: the proposal for a Regulation - presented for a Union of 27 Member States - seeks to establish the **European instrument for nuclear safety** which complements those nuclear cooperation activities that are financed under the Regulation NDICI, in particular in order to support the promotion of a high level of nuclear safety, radiation protection, and the application of effective and efficient safeguards of nuclear materials in third countries.

Objectives: the proposed Regulation shall aim in particular at:

- the promotion of an effective nuclear safety culture and implementation of the highest nuclear safety and radiation protection standards, and continuous improvement of nuclear safety;
- responsible and safe management of spent fuel and radioactive waste and the decommissioning and remediation of former nuclear sites and installations;
- establishing efficient and effective safeguard systems.

Implementation: the implementation of this Regulation shall be based on consultation, where relevant, with the relevant authorities of the Member States, and on a dialogue with the partner countries. Cooperation between the Community and the third countries or regions concerned shall be implemented on the basis of multiannual indicative programmes.

EU funding may be provided through grants, procurement contracts for services or supplies, remunerated external experts and blending.

Proposed budget: the European Commission has proposed to allocate **EUR 89.5 billion** (in current prices) to the neighbourhood, development cooperation and international cooperation instrument for 2021-2027, of which **EUR 300 million** (in current prices) shall be allocated to this instrument in order to complement the nuclear activities covered by the Euratom Treaty.

European instrument for nuclear safety 2021–2027

2018/0245(NLE) - 10/12/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Industry, Research and Energy adopted the report by Vladimir URUTCHEV (EPP, BG) on the proposal for a Council regulation establishing a European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty.

Members recalled that the nuclear accidents at the Chernobyl nuclear power plants in 1986 and Fukushima Daiichi in 2011 have clearly demonstrated the need for the highest nuclear safety safeguards and standards and for continuous efforts to improve these standards and safeguards globally, as well as to secure the Community's commitment to these objectives in third countries.

The committee responsible recommended that the European Parliament approve the Commission's proposal subject to the following amendments:

Subject matter: the objective of this Regulation is to complement those nuclear cooperation activities that are financed under [the Regulation NDICI], in particular in order to support the promotion of a high level of nuclear safety, radiation protection and the application of effective and efficient safeguards of nuclear materials in third countries, building on the regulatory frameworks and best practices within the Community.

The aim would be to help **ensure a purely civilian use of nuclear material** and by that, the protection of citizens and the environment by also supporting the implementation of transparency in nuclear related decision-making by authorities of third countries.

Members pointed out that cooperation provided by the Union in the field of nuclear safety and safeguards under this Regulation is **not aimed at promoting nuclear energy**.

The specific objectives of the instrument shall include in particular:

- the responsible and safe management of radioactive waste, from its production to its final disposal;
- the establishment of effective, efficient and transparent safeguards for nuclear material;
- the promotion of overall transparency and openness of authorities in third countries, as well as public information and participation in decision making processes relating to the safety of nuclear installations and effective radioactive waste management practices, in accordance with relevant international conventions and instruments;
- the use of the Instrument knowledge and actions to leverage political influence in international organisations in the area of energy and security.

The Commission shall coordinate its cooperation with third countries and with **international organisations** pursuing similar objectives, in particular the IAEA and the OECD/NEA.

Proposed budget: Members proposed to set the financial envelope for the implementation of the Regulation for the period 2021-2027 at **EUR 266 million** in constant prices.

Criteria for international cooperation in nuclear safety: under the amended text, a common understanding and a **reciprocal agreement** between the third country and the Community shall be confirmed through a formal request to the Commission, committing the respective Government.

Third countries wishing to cooperate with the Community shall be members of the Treaty on the Non Proliferation of Nuclear Weapons and should have its Additional Protocol or a safeguards agreement with the International Atomic Energy Agency sufficient to provide credible assurance of the non-diversion of declared nuclear material from peaceful nuclear activities and of the absence of undeclared nuclear material or activities in that state as a whole in place.

In the case of active cooperation, that commitment shall be evaluated annually. On the basis of such an evaluation, a decision shall be taken with regard to the continuation of the cooperation.

Transparency: the necessary information in relation to the nuclear safety measures undertaken in those third countries with the help of the Instrument and in relation to their nuclear safety standards in general, shall be made available to workers and the general public, with specific consideration to local authorities, population and stakeholders in the vicinity of a nuclear installation.