

Intergovernmental organisation activities

European Atomic Energy Community

Proposed legislative instruments

Proposal for a Council Directive amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations (COM/2013/715 final)

Following the call of the European Council of 25 March 2011 requiring the European Commission to review the nuclear safety framework of the European Union (EU) and to propose any necessary improvements after the Fukushima accident, the Commission adopted on 13 June 2013 a draft proposal [COM(2013) 343 final] for the revision of the current Nuclear Safety Directive.¹

In accordance with the provisions of Article 31 of the Treaty establishing the European Atomic Energy Community (Euratom Treaty), the draft proposal was submitted to the European Economic and Social Committee (EESC) for its formal opinion. The EESC, whilst making a few specific comments, gave a favourable opinion on 18 September 2013. The Commission, therefore, adopted its formal proposal on 17 October 2013 (COM/2013/715).

The proposal contains new legal provisions that will further enhance the role and independence of national regulators, as well as improve transparency on nuclear safety matters. Ambitious safety objectives for all types of nuclear installations are included, the main objective being to avoid, as much as possible, the release of radioactivity outside the containment of nuclear power plants in case of incidents or accidents. The proposal reinforces the EU wide exchange of experience by establishing a European system of topical peer reviews of nuclear installations that builds on the successful stress tests concept. The peer reviews are intended to lead to the development of harmonised, though legally non-binding, technical guidelines for the improvement of nuclear safety. Finally, the proposal introduces provisions to enhance on-site emergency preparedness and response.

Adopted legislative instruments

Commission Implementing Regulation (EU) No.495/2013 of 29 May 2013 amending Implementing Regulation (EU) No.996/2012 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station²

Following the accident at the Fukushima Daiichi nuclear power plant on 11 March 2011, the Commission was informed that radionuclide levels in certain food products originating in Japan exceeded the action levels in food applicable in Japan. Because such contamination may constitute a threat to public and animal health in the EU, Commission Implementing Regulation (EU) No.297/2011 imposing special conditions governing the import of feed and food originating in or consigned

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1. Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations, OJ L 172, 2.7.2009, pp.18- 22.
 2. OJ L 143, 30.5.2013, pp.3-10.

from Japan following the accident at the Fukushima nuclear power station was adopted on 25 March 2011.³ That regulation was later replaced by Commission Implementing Regulation (EU) No.961/2011,⁴ Commission Implementing Regulation (EU) No.284/2012,⁵ and Commission Implementing Regulation (EU) No.996/2012.⁶

Article 17 of Commission Implementing Regulation (EU) No.996/2012 provides for a review of its provisions when the results of sampling and analysis on the presence of radioactivity of feed and food of the third growing season after the accident would be available, i.e. by 31 March 2014. However, Article 17 also required a review by 31 March 2013 of the provisions concerning the products for which the harvest occurs mainly during the second part of the second growing season and for which all the data of the second growing season were not yet available at the time of adoption of Commission Implementing Regulation (EU) No.996/2012.

Commission Implementing Regulation (EU) No.495/2013, therefore, amends the provisions of Commission Implementing Regulation (EU) No.996/2012, and takes into account the occurrence data on radioactivity in feed and food provided by the Japanese authorities for the period between September 2012 and January 2013.

*Council Decision of 15 July 2013 authorising certain Member States to ratify, or to accede to, the Protocol amending the Vienna Convention on Civil Liability for Nuclear Damage of 21 May 1963 in the interest of the European Union and to make a declaration on the application of the relevant internal rules of Union law (2013/434/EU)*⁷

The EU has exclusive jurisdiction with regard to articles XI and XII of the Vienna Convention as amended by the Protocol of 12 September 1997 insofar as such provisions affect the rules laid down in Council Regulation (EC) No.44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.⁸ The EU is, however, not in a position to become a Contracting Party to the 1997 Protocol because the Vienna Convention and its 1997 Protocol are not open to participation by regional organisations.

Under these circumstances, and given that the 1997 Protocol was negotiated with a view to improving compensation for victims of damage caused by nuclear incidents, the Council of the EU adopted on 15 July 2013 a decision authorising the member states, which are contracting parties to the Vienna Convention – i.e. Bulgaria, the Czech Republic, Estonia, Hungary, Lithuania, Poland and Slovakia – to ratify, or to accede to the 1997 Protocol in the interest of the EU.

Non-legislative instruments

Report from the Commission to the European Parliament, the Council and the Economic and Social Committee on the implementation by the Member States of Council Directive 2006/117/Euratom on the supervision and control of shipments of radioactive waste and spent fuel [COM(2013)240 final]

Council Directive 2006/117/Euratom⁹ lays down a Community system of supervision and control of transboundary shipments of radioactive waste and spent nuclear fuel, which applies whenever the country of origin or the country of

3. OJ L 80, 26.3.2011, pp.5-8.

4. OJ L 252, 28.9.2011, pp.10-15.

5. OJ L 92, 30.3.2012, pp.16-23.

6. OJ L 299, 27.10.2012, pp.31-41.

7. OJ L 220, 17.8.2013, pp.1-2.

8. OJ L 12, 16.1.2001, pp.1-23.

9. Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel, OJ L 337, 5.12.2006, p.21 (the “Shipments Directive”).

destination or any country of transit is a member state of the Community. The directive ensures that concerned member states are informed about shipments of radioactive waste and spent nuclear fuel to or via their territory with the obligation to give either their consent or reasoned refusal to the shipments.

The directive foresees periodic reporting from the Commission to the European Parliament, to the Council of the EU and to the EESC, on the basis of EU member states' reports.

This first report adopted by the Commission on 25 April 2013 provides some feedback on the implementation of the general provisions of the directive (Chapter 4), as well as a summary overview of the implementation of the directive by the EU member states and of the authorisations given in the Community under the Shipments Directive.

With this report, the Commission notes that the Shipments Directive has been successfully transposed and applied in all EU member states.

International relations

Commission Decision of 24 June 2013 on granting a Euratom loan in support of the Ukraine safety upgrade program of nuclear power units [C(2013)3496]

The National Nuclear Energy Generating Company (“Energoatom”) of Ukraine has requested the Commission to grant a Euratom loan that would contribute to the financing required for the safety upgrade that would aid the 15 operating nuclear power reactors in Ukraine in reaching internationally recognised nuclear safety standards. On 24 June 2013, the Commission adopted a Decision approving the granting of a Euratom loan of up to EUR 300 million for this project.

Signature of the Agreement between the government of South Africa and the European Atomic Energy Community for co-operation in the peaceful uses of nuclear energy, 18 July 2013¹⁰

A new nuclear co-operation agreement between Euratom and South Africa was signed at the Sixth South Africa-EU Summit in Pretoria on 18 July 2013, with the aim of establishing a stable legal framework for co-operation in the nuclear field and fostering scientific co-operation between the two parties. The agreement provides, in particular, for co-operation in researching and developing nuclear energy, including fusion technologies; the use of nuclear materials and technologies, notably in health and agriculture; nuclear safety, radioactive waste and spent fuel management, decommissioning, radiological protection including emergency preparedness and response; and developing nuclear safeguards. Co-operation will include the exchange of experts, scientific and technological information, as well as establishment of joint scientific working groups.

Renewal of the Agreement between the European Atomic Energy Community and the Korean Peninsula Energy Development Organisation (KEDO)¹¹

The renewal of the agreement between Euratom and KEDO was done at New Jersey and at Brussels on 24 June and 4 July 2013 respectively, in order to continue their co-operation with the objective of implementing the termination of the Light Water Reactor project and an orderly winding up of KEDO. The continued existence of the agreement serves to protect the financial and legal interests of its members, including Euratom.

10. OJ L 204, 31.7.2013, pp.3-10.

11. OJ L 188, 9.7.2013, pp.1-2.

*Signature of the Memorandum of Understanding for a partnership between the European Atomic Energy Community and the International Atomic Energy Agency on nuclear safety co-operation, 17 September 2013*¹²

The IAEA and Euratom have developed extensive scientific and technological co-operation for many years. An existing co-operation agreement between the IAEA and Euratom, in force since 1 January 1976, provides a formal basis for the collaboration of the two organisations. So far, co-operation based on this agreement has focused on nuclear safeguards.

In May 2008, both organisations signed a Joint Statement whereby they agreed to examine concrete steps to significantly reinforce the quality and intensity of their co-operation. The IAEA and the Commission currently co-operate in various areas and their co-operation has grown significantly over the last few years.

Based on the 1976 Co-operation Agreement and the 2008 “Joint Statement”, the IAEA and Euratom signed a Memorandum of Understanding on 17 September 2013 in Vienna within the framework of the 57th General Conference of the IAEA, with the aim of defining specific areas of nuclear safety co-operation and establishing a working mechanism following the example of nuclear safeguards co-operation.

Commission Decision on the adoption of the Report of the European Atomic Energy Community for the Sixth Review Meeting of Contracting Parties to the Convention on Nuclear Safety (CNS) to be held in Vienna from 24 March to 4 April 2014 (C/2013/7005)

The Euratom Report on the implementation of the obligations under the CNS was adopted by a decision of the Commission on 23 October 2013 and submitted to the IAEA on the same day, in accordance with the procedural rules. The report presents the latest developments at the level of the EU in the field of nuclear safety since the Fifth Review Meeting of the Contracting Parties to the CNS, held from 4-14 April 2011.

International Atomic Energy Agency

IAEA Action Plan on Nuclear Safety

Two years after the adoption of the IAEA Action Plan on Nuclear Safety (GOV/2011/59-GC(55)/14) by the IAEA’s policy-making organs in September 2011, significant progress has been made in several key areas, including in the context of the action focused on improving the effectiveness of the international legal framework. Some of the main developments and related actions are summarised in the next sections. Reference may also be made to the report submitted by the IAEA Director General to the IAEA policy-making organs in August 2013 (GOV/INF/2013/8-GC(57)/INF/5).

Work is also underway on a comprehensive report on the Fukushima Daiichi accident, to be finalised in 2014. The goal is to produce an authoritative, factual and balanced assessment, addressing the causes and consequences of the accident, as well as lessons learned. The report will, among other things, cover the description and context of the accident, safety assessment, emergency preparedness and response, radiological consequences, as well as post-accident recovery.

Convention on Nuclear Safety

The third meeting of the Working Group on Effectiveness and Transparency, that was established by the Contracting Parties to the Convention on Nuclear Safety

12. Available at: http://ec.europa.eu/energy/nuclear/safety/doc/20130917_ec_iaea_mou_nuclear.pdf.

(CNS) during their Second Extraordinary Meeting in August 2012, was organised in Vienna from 2-4 September 2013. The last meeting of the Working Group will be held from 4-6 November 2013. The final report of the Working Group will include a list of actions to strengthen the CNS and will be considered at the Sixth Review Meeting of the Contracting Parties to the CNS to be held from 24 March to 4 April 2014.

Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management

During the Fourth Review Meeting of the Contracting Parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (Joint Convention), the contracting parties agreed to organise a Topical Meeting on Comprehensive Approaches to Managing the Back End of the Nuclear Fuel Cycle. This meeting, open only to the contracting parties to the Joint Convention, was held at IAEA Headquarters in Vienna from 16-18 October 2013. The objective was to provide a forum for the exchange of information on approaches to managing the back-end of the nuclear fuel cycle in a comprehensive manner.

Legislative assistance activities

The IAEA Secretariat continued to support member states, upon request, under its legislative assistance programme. During the period from June to September 2013, several draft national laws were reviewed and comments were provided to the countries concerned. The IAEA Office of Legal Affairs also trained scientific visitors and fellows from a number of member states in various aspects of nuclear law. Awareness missions were dispatched to member states in order to raise awareness of national policymakers about the importance of adhering to relevant international legal instruments adopted under the IAEA's auspices, and preparations are underway to conduct similar missions in other interested member states over the coming months.

IAEA Treaty Event

The second IAEA Treaty Event took place during the 57th Regular Session of the IAEA General Conference, and provided member states with a further opportunity to deposit their instruments of ratification, acceptance or approval of, or accession to, the treaties deposited with the Director General, notably those related to nuclear safety, security and civil liability for nuclear damage. During the event, Cuba and Malta deposited their respective instruments of ratification of the *Amendment to the Convention on the Physical Protection of Nuclear Material (CPPNM)*, whilst Lesotho deposited an instrument of accession to the *Convention on Early Notification of a Nuclear Accident* and an instrument of accession to the *Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency*.

Nuclear Law Institute

The third session of the Nuclear Law Institute was organised by the IAEA Office of Legal Affairs in Baden, Austria, from 29 September to 11 October 2013. The comprehensive two-week course is designed to help meet the increasing demand by IAEA member states for legislative assistance and to enable participants to acquire a solid understanding of all aspects of nuclear law, as well as to draft, amend or review their national nuclear legislation. Using modern teaching methods based on interaction and practice, all areas of nuclear law are comprehensively addressed. Approximately 63 representatives from IAEA member states participated.

Workshop for diplomats on nuclear law

The Secretariat organised a workshop for diplomats on nuclear law in Vienna, Austria, on 15 July 2013. The workshop provided diplomats and technical experts from the Permanent Missions of IAEA member states with a broad understanding of all aspects of nuclear law. It included presentations on the key international legal instruments relating to nuclear safety, nuclear security, safeguards and civil liability for nuclear damage, as well as an overview of the IAEA's legislative assistance programme. A similar workshop was held in Geneva, Switzerland on 29 April 2013.

Publication of International Law Series No.5

The explanatory text for the Joint Protocol on the Application of the Vienna Convention and the Paris Convention, which was developed by the International Expert Group on Nuclear Liability (INLEX), was recently published as IAEA International Law Series No.5.¹³

International Conference on Nuclear Security: Enhancing Global Efforts

The International Conference on Nuclear Security: Enhancing Global Efforts was convened at the IAEA headquarters in Vienna from 1-5 July 2013. The conference was attended by more than 1 300 registered participants from 125 member states, 34 of which were represented at ministerial level, and 21 intergovernmental and non-governmental organisations. The conference provided a forum where experiences and lessons learned could be discussed and ideas exchanged to identify emerging trends and to consider medium and long term objectives for international nuclear security efforts, as well as to inform the development of the IAEA's Nuclear Security Plan 2014-2017.

A highlight of the conference was the adoption by consensus of a ministerial declaration, which demonstrated a strong commitment to the common goal of strengthening nuclear security worldwide. The ministerial declaration, among other things, invited states that have not yet done so to become party to and fully implement the Convention on the Physical Protection of Nuclear Material (CPPNM) and its 2005 Amendment and the International Convention for the Suppression of Acts of Nuclear Terrorism (ICSANT). The declaration also encouraged the IAEA and states to continue efforts to promote the entry into force of the 2005 Amendment to the CPPNM at the earliest possible date. It also invited states that have not yet done so to make a political commitment to implement the non-legally binding Code of Conduct on the Safety and Security of Radioactive Sources and supplementary Guidance on the Import and Export of Radioactive Sources, and encourage all states to implement these instruments and to maintain effective security of radioactive sources throughout their life cycle. Further, the IAEA was encouraged, in consultation with member states, to consider ways of further promoting the exchange, on a voluntary basis, of information on the implementation of the legal instruments relevant to nuclear security.

The conference had main sessions and technical sessions in which technical experts from member states and various organisations participated. In the session on implementing and enhancing the international nuclear security framework, and as reflected in the President's Summary of the Conference, the participants agreed that the universalisation of the international legal instruments in the area of nuclear security is of the utmost importance and should be promoted, not only by the states concerned, but also by international bodies, such as the IAEA. They also agreed that

13. IAEA (2013), The 1988 Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention - Explanatory Text, IAEA International Law Series No.5, Vienna.

in this area, there now exists a working system of binding and non-binding instruments that complement and reinforce each other, and that the IAEA plays an indispensable role in bringing together and facilitating the work of technical, legal and political experts to develop both the binding and, in particular, the non-binding measures and guidelines for application by member states. Finally, they agreed that in the nuclear sphere, there is a delicate balance between transparency and confidentiality, which should be developed very carefully in order not to jeopardise the future of the peaceful use of nuclear energy, to prevent the threat to humanity caused by malicious acts, and to build confidence that nuclear security measures are applied appropriately worldwide.

Further information on the conference, including the ministerial declaration and the president's summary, can be found on the IAEA's website.¹⁴

57th Regular Session of the IAEA General Conference

The 57th Regular Session of the IAEA General Conference was held in Vienna, Austria, from 16-20 September 2013. Delegates from 159 member states and representatives of various international organisations participated in the conference.

Resolutions of the conference

A number of resolutions were adopted by the General Conference. As in previous years, two resolutions – GC(57)/RES/7 relating to international co-operation in nuclear, radiation, transport and waste safety and GC(57)/RES/8 relating to nuclear security – include sections that are of legal relevance. All resolutions adopted during the 57th Regular Session of the General Conference are available on the IAEA website: www.iaea.org/About/Policy/GC/GC56/Resolutions/index.html.

- Measures to Strengthen International Cooperation in Nuclear, Radiation, Transport and Waste Safety [GC(57)/RES/9]

Conventions, Regulatory Frameworks and Supporting Non-Legally-Binding Instruments for Safety

The resolution allotted a specific section – Part 2 – to cover matters relating to conventions, regulatory frameworks and non-legally binding instruments on safety. In Part 2, the General Conference urged all member states, in particular those planning, constructing, commissioning or operating nuclear power plants or considering nuclear power programs, to become Contracting Parties to the Convention on Nuclear Safety. It also urged all member states, particularly those exploring nuclear energy, to become parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. It further urged all member states to become parties to the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and thereby contribute to a broader and stronger international emergency response capability, to the benefit of all member states.

The General Conference continued to endorse the principles and objectives of the Code of Conduct on the Safety and Security of Radioactive Sources, underlined the important role of the Guidance on the Import and Export of Radioactive Sources, and urged all States to make a political commitment to implement the Code of Conduct and to act in accordance with its associated Guidance. It noted that as of 30 June 2013, 117 states had made a political commitment to implement

14. Available at: www-pub.iaea.org/iaeameetings/43046/International-Conference-on-Nuclear-Security-Enhancing-Global-Efforts.

the Code of Conduct and 89 of those states had notified the Director General of their intention to act in accordance with the Guidance, and requested the IAEA Secretariat to continue providing support in order to facilitate states' implementation of said instruments.

The Conference also urged member states with research reactors under construction, in operation, being decommissioned or in extended shutdown to apply the guidance of the non-legally-binding Code of Conduct on the Safety of Research Reactors.

Further, the Conference requested the IAEA to review the effectiveness of existing international instruments for the safety of nuclear facilities, and urged member states to strengthen regulatory effectiveness in the field of nuclear, radiation, transport and waste safety and to continue promoting co-operation and co-ordination among regulatory bodies within a member state, as appropriate, and among member states.

Nuclear liability

The General Conference again recognised the importance of having in place effective and coherent nuclear liability mechanisms at the national and global levels (preambular paragraph [dd]), and made specific reference to the Paris Convention on Third Party Liability in the Field of Nuclear Energy, the Vienna Convention on Civil Liability for Nuclear Damage, the Brussels Convention supplementary to the Paris Convention, the Joint Protocol Related to the Application of the Vienna Convention and the Paris Convention, as well as the protocols amending these conventions and the Convention on Supplementary Compensation for Nuclear Damage, and the objectives thereof (preambular paragraph [ee]). It noted the intention of the Convention on Supplementary Compensation for Nuclear Damage to establish a worldwide nuclear liability regime based on the principles of nuclear liability law, without prejudice to other liability regimes. It also referred to the Joint Statement on liability for nuclear damage that was made by France and the United States.

In Part 2 of the resolution, the General Conference continued to recognise the valuable work of the International Expert Group on Nuclear Liability (INLEX), took note of its recommendations on establishing a global nuclear liability regime, encouraged the continuation of INLEX, notably for the identification of actions to address gaps in existing nuclear liability regimes and support for the IAEA's outreach activities to facilitate the achievement of a global nuclear liability regime, and encouraged member states, as appropriate, to give due consideration to the possibility of joining international nuclear liability instruments.

In Part 7 of the resolution relating to transport safety, the Conference continued to stress the importance of having effective liability mechanisms in place to ensure prompt compensation for damage to people, property and the environment, as well as actual economic loss due to a radiological accident or incident during the transport of radioactive material, including maritime transport, and noted, in particular, the application of the principles of nuclear liability, including strict liability, in the event of a nuclear accident or incident during the transport of radioactive material.

National infrastructures

In Part 1 of the resolution, the General Conference requested the Secretariat to continue to assist, upon request, member states, particularly member states considering or embarking on a nuclear power program, in developing and improving their national infrastructure, including legislative and regulatory frameworks, for nuclear, radiological, transport and waste safety.

Nuclear installation safety

In Part 5 of the resolution, the General Conference took account of the outcomes of the Second Extraordinary Meeting of the Contracting Parties to the Convention on Nuclear Safety, recognised the efforts of the “Effectiveness and Transparency” working group established to report to the Sixth Review Meeting of the Contracting Parties on a list of actions to strengthen the CNS and on proposals to amend, as necessary, the CNS, and encouraged the contracting parties to actively participate in both the working group and the Sixth Review Meeting in April 2014.

Safety of spent fuel and radioactive waste management

In Part 8 of the resolution, the General Conference encouraged contracting parties to the Joint Convention to build on the work carried out inter-sessionally (on 14-18 April 2013) since the Fourth Review Meeting of the Contracting Parties, and encouraged the IAEA Secretariat to continue supporting the review process.

Safe management of radioactive sources

In Part 10 of the resolution, the General Conference encouraged member states to support the review meetings on the non-legally-binding Code of Conduct on the Safety and Security of Radioactive Sources and its associated Guidance on the Import and Export of Radioactive Sources so as to ensure their continuing relevance, and requested the Secretariat to continue to foster information exchange on the implementation of the Code of Conduct and its associated Guidance.

The General Conference also appreciated the intensive efforts undertaken by the IAEA Secretariat to develop a code of conduct on the transboundary movement of scrap metal, or materials produced from scrap metal, that may inadvertently contain radioactive material, and encouraged the Secretariat to make the results of the discussion conducted on this issue available to member states by issuing a relevant technical document and to facilitate meetings between member states as the need arises on the lessons learned in this regard.

Nuclear and Radiological Incident and Emergency Preparedness and Response

The General Conference recognised that implementation of the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, notably in the areas of technical and administrative procedures, may be further enhanced and, therefore, requested the Secretariat to provide support to the contracting parties to the two conventions and to other international organisations in strengthening technical and administrative procedures so as to enhance the implementation of both conventions effectively, and also requested the Secretariat to improve the effectiveness of the international arrangements for communication during a nuclear or radiological emergency. Further, the General Conference requested the Secretariat, in collaboration with member states, to continue to address the conclusions of the Sixth Meeting of the Representatives of the Competent Authorities and to further enhance the international nuclear and radiological emergency preparedness and response system.

- Nuclear Security [GC(57)/RES/10]

The General Conference again reaffirmed the importance of the Convention on the Physical Protection of Nuclear Material (CPPNM) and the value of the Amendment extending its scope.

It also noted the IAEA’s central role in developing comprehensive nuclear security guidance documents and, on request, providing assistance to member states in order to facilitate their implementation.

The General Conference noted the recommended requirements for measures to protect against sabotage of nuclear facilities and unauthorised removal of nuclear material in use, transport and storage included in IAEA Nuclear Security Series No. 13 (INFCIRC/225/Rev.5), which uses a graded approach, and it looked forward to the preparation of further guidance on the implementation of the recommended requirements, including during the process of construction and maintenance of nuclear facilities.

The General Conference reaffirmed the importance and value of the non-legally-binding Code of Conduct on the Safety and Security of Radioactive Sources and underlined the important role of the supplementary Guidance on the Import and Export of Radioactive Sources.

The General Conference encouraged all member states that had not yet done so to become parties to the CPPNM and ratify, accept or approve the 2005 Amendment to the CPPNM as soon as possible, and encouraged the IAEA to continue efforts to promote the entry into force of the amendment at the earliest possible date. It also encouraged all states party to the CPPNM that had not yet done so to ratify, accept or approve the amendment as soon as possible, and encouraged them to act in accordance with the objectives and purposes of the amendment until such time as it enters into force.

The General Conference also encouraged all member states that had not yet done so to become parties to the International Convention on the Suppression of Acts of Nuclear Terrorism as soon as possible.

Likewise, the General Conference invited states that had not yet done so to make political commitments to implement the non-legally binding Code of Conduct on the Safety and Security of Radioactive Sources and the revised supplementary Guidance on the Import and Export of Radioactive Sources, and encouraged all states to implement these instruments and to maintain effective security of radioactive sources throughout their life cycle.

The Conference also encouraged the IAEA, in consultation with member states, to consider ways of further promoting, on a voluntary basis, the exchange of information on the implementation of the international legal instruments relevant to nuclear security.

OECD Nuclear Energy Agency

Joint Declaration on Co-operation signed with the China Atomic Energy Authority

The NEA and the China Atomic Energy Authority (CAEA) have signed a Joint Declaration on Co-operation in the Field of Peaceful Uses of Nuclear Energy. The agreement foresees co-operation in a number of areas, including nuclear safety, nuclear science, new reactor designs, radiological protection and radioactive waste management. It also provides for collaboration on nuclear energy technology development, economic analysis and the fuel cycle. The Joint Declaration is intended to facilitate wider international co-operation on fundamentally important scientific research, the assessment of innovative technologies and the development of national and international legal frameworks, in the interest of further strengthening the safety of nuclear power.

The CAEA, which represents China at the International Atomic Energy Agency (IAEA), is responsible for developing policies on the peaceful uses of nuclear energy, as well as developing programmes, planning and industrial standards. It supervises and co-ordinates China's major nuclear research and development projects and co-operates with international organisations.

China has a major presence in the nuclear energy field with 18 operational reactors (including a 20 MWe fast breeder reactor called the CEFR) and a further 30 reactors under construction, in line with the country's decision to increase its reliance on nuclear energy. China's research and development efforts are also significant, with over a dozen research reactors in operation. The country plans to further develop fast breeder reactor technology, as well as construct a demonstration Generation IV high-temperature, gas-cooled reactor using pebble bed fuel (the 200 MWe HTR-PM).

While the principle of co-operation with China is already established at the OECD level, the country has also been involved since 2006 in two programmes for which the NEA acts as Technical Secretariat. China is a member of the Generation IV International Forum (GIF, an international research and development initiative for the next generation of nuclear energy systems), and its National Nuclear Safety Administration (NNSA) participates in the Multinational Design Evaluation Programme (MDEP, an international forum of nuclear regulators, which is reviewing new reactor designs). In addition, China has been participating in two joint projects under NEA auspices, one on information sharing on occupational radiological protection and the other on mitigating hydrogen risks in nuclear power plants.

See the complete press release at: www.oecd-nea.org/press/2013/2013-04.html.

Benchmark Study of the Accident at the Fukushima Daiichi Nuclear Power Station

The NEA has undertaken a number of activities following the March 2011 accident at the Fukushima Daiichi nuclear power plant in Japan.¹⁵ In November 2012, the NEA initiated the Benchmark Study on the Accident at the Fukushima Daiichi Nuclear Power Station (BSAF) in order to evaluate the progression of the accident and the status of the reactor cores in units 1 to 3 of the Fukushima Daiichi nuclear power plant – an essential step in preparing for fuel debris removal and the dismantling and decommissioning of the power plant.

On 15-17 October 2013, representatives from BSAF member organisations in France, Germany, Japan, Korea, Russia, Spain, Switzerland and the United States met to review progress of the project. Participants noted that there was agreement between the various analysis and the limited information available on plant behaviour. Differences in analysis assumptions were seen as an important basis for future modelling and investigative work into possible accident scenarios. Participants also mapped out a schedule for the remaining project activities, with a view to the completion of a final report in the latter half of 2014.

Further information on the BSAF benchmark is available at: www.oecd-nea.org/jointproj/bsaf.html.

New report – The Fukushima Daiichi Nuclear Power Plant Accident: OECD/NEA Nuclear Safety Response and Lessons Learnt

In September 2013, the OECD Nuclear Energy Agency (NEA) published a report on the actions taken by its member countries and standing technical committees in response to the March 2011 accident at the Fukushima Daiichi nuclear power plant. *The Fukushima Daiichi Nuclear Power Plant Accident: OECD/NEA Nuclear Safety Response and Lessons Learnt*¹⁶ outlines international efforts to strengthen nuclear regulation,

15. For an overview of NEA activities in response to the Fukushima Daiichi accident, see: www.oecd-nea.org/press/2013/news-01.html.

16. OECD/NEA (2013), *The Fukushima Daiichi Nuclear Power Plant Accident: OECD/NEA Nuclear Safety Response and Lessons Learnt*, Paris, available at www.oecd-nea.org/pub/2013/7161-fukushima2013.pdf.

safety, research and radiological protection in the post-Fukushima context. It also highlights key messages and lessons learnt, notably as related to assurance of safety, shared responsibilities, human and organisational factors, defence-in-depth, stakeholder engagement, crisis communication and emergency preparedness.

In the weeks following the March 2011 accident at the Fukushima Daiichi nuclear power plant, the NEA began establishing expert groups in the nuclear safety and radiological protection areas, as well as contributing to information exchange with the Japanese authorities and other international organisations. It promptly provided a forum for high-level decision makers and regulators within the G8-G20 frameworks. The NEA actions in response to the accident have been carried out primarily by the three NEA standing technical committees concerned with nuclear and radiation safety issues – the Committee on Nuclear Regulatory Activities (CNRA), the Committee on the Safety of Nuclear Installations (CSNI) and the Committee on Radiation Protection and Public Health (CRPPH) – under the leadership of the CNRA.

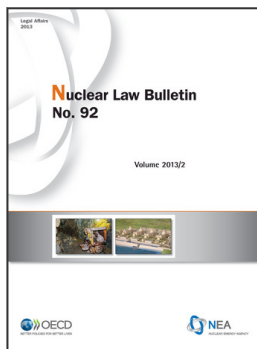
NEA holds workshop on nuclear regulatory approaches

On 28-30 October 2013, the NEA held a workshop on regulatory approaches and the characteristics of an effective regulator, hosted by the Swedish Radiation Safety Authority (SSM) in Stockholm. The first part of the workshop focused on the SSM study entitled *Regulatory Approaches in Nuclear Power Supervision*. The second part of the workshop reviewed the characteristics of an effective regulator and included a panel session on their importance to a given organisation and the challenges that the organisation must overcome to achieve them. For more information on the content and background of the workshop, please visit: www.oecd-nea.org/nsd/workshops/wracer/.

14th Regular Meeting of the Forum on Stakeholder Confidence (FSC)

On 17-19 September, the NEA Forum on Stakeholder Confidence (FSC) held its 14th regular meeting. The FSC welcomed new members from the Republic of Korea and the Russian Federation, who described societal aspects of managing radioactive waste in their countries, and heard updates from Finland, France, Japan and the United Kingdom. The Czech Radioactive Waste Repository Authority (SURA) and the Chair of the Czech working group “Dialogue on the Deep Geological Repository Siting Process” presented the status of the progress and gave feedback on the 2012 FSC national workshop and community visit in the Czech Republic. The meeting also included a topical session on the right of civil society to early involvement in decision-making established by the Aarhus and Espoo Conventions. The FSC was informed about the “E-TRACK” and “TgBEPPa” initiatives by the European Commission and the European Nuclear Energy Forum respectively, which are intended to foster effective citizen participation in radioactive waste management in Europe. FSC delegates also reviewed the recent FSC publication: *Stakeholder Confidence in Radioactive Waste Management: An Annotated Glossary of Key Terms*.¹⁷

17. OECD/NEA (2013), *Stakeholder Confidence in Radioactive Waste Management: An Annotated Glossary of Key Terms*, Paris, available at: www.oecd-nea.org/rwm/docs/2013/6988-fsc-glossary.pdf.



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