

17.10.2013

A7-0327/ 001-026

AMENDMENTS 001-026

by the Committee on Industry, Research and Energy

Report

Holger Krahmer

Nuclear safety cooperation

A7-0327/2012

Proposal for a regulation (COM(2011)0841 – C7-0014/2012 – 2011/0414(CNS))

Amendment 1

Proposal for a regulation

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) A financial reference amount for the instrument, within the meaning of Point 18 of the Interinstitutional Agreement of ... 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, is included in this Regulation, without the budgetary powers of the European Parliament and the Council, as set out in the Treaty on the Functioning of the European Union, being affected hereby.*

** OJ ...*

Amendment 2

Proposal for a regulation

Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) Improving implementation and quality of spending should constitute guiding principles for achieving the objectives of the instrument while ensuring optimal use of financial resources.

Amendment 3

Proposal for a regulation

Recital 1 c (new)

Text proposed by the Commission

Amendment

(1c) It is important to ensure the sound financial management of the instrument and its implementation in the most effective and user-friendly manner possible, while also ensuring legal certainty and the accessibility of the instrument to all participants.

Amendment 4

Proposal for a regulation

Recital 3

Text proposed by the Commission

Amendment

(3) The Chernobyl accident in 1986 highlighted the global importance of nuclear safety. The Fukushima Daiichi accident in 2011 confirmed ***the need*** to continue the efforts to improve nuclear safety to the highest standards. To create the conditions of safety necessary to eliminate hazards to the life and health of the public, the European Atomic Energy Community (the ‘Community’) should be able to support nuclear safety in third countries.

(3) The Chernobyl accident in 1986 highlighted the global importance of nuclear safety. The Fukushima Daiichi accident in 2011 confirmed ***that nuclear risks are inherent in every reactor and that it is therefore necessary*** to continue the efforts to improve nuclear safety to ***achieve*** the highest standards ***that reflect state of the art practices, in particular in terms of governance and regulatory independence. As long as existing nuclear power stations remain in operation and***

new ones are being built, this instrument should aim to ensure that the level of nuclear safety in assisted countries reflects European safety standards, that such standards are upheld and that support for independent supervisory authorities is made a main priority. To create the conditions of safety necessary to eliminate hazards to the life and health of the public, the European Atomic Energy Community (the 'Community') should be able to support nuclear safety in third countries.

Amendment 5

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) By acting within common policies and strategies with its Member States, the European Union *alone has the critical mass* to respond to global challenges and *is also best placed* to coordinate *the* cooperation with third countries.

Amendment

(4) *A number of countries around the world are considering or planning to build nuclear power plants, which brings about a wide range of challenges and the need for creating adequate nuclear safety cultures and governance systems. It is necessary to find ways of improving the safety and security of nuclear power plants being developed close to the Union's borders, in particular where there is a lack of political cooperation with the Union. In this regard, stress tests should be carried out in all Member States and third countries concerned in order to detect potential safety hazards and the necessary measures to correct them should be implemented immediately.* By acting within common policies and strategies with its Member States *and by cooperating with international and regional organisations*, the European Union *is well placed* to respond to global challenges and to coordinate cooperation with third countries. *Priority should be given to ensuring support from independent supervisory authorities and to supporting their regulators, as well as multilateral regional and international structures which can strengthen*

confidence and the application of standards through peer review mechanisms. In this regard, the European Parliament should be regularly informed by the Commission of the plans of third countries in the area of nuclear safety in accordance with this Directive .

Amendment 6

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) In order to maintain and promote the continuous improvement of nuclear safety and its regulation, the Council adopted Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for nuclear safety of nuclear installations. The Council also adopted Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste. These Directives and the high standards of nuclear safety and radioactive waste and spent fuel management implemented in the Union are examples that can be used to encourage third countries to adopt similar high standards.

Amendment

(6) In order to maintain and promote the continuous improvement of nuclear safety and its regulation, the Council adopted Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for nuclear safety of nuclear installations. ***The Commission Communication of 4 October 2012 on the comprehensive risk and safety assessments ("stress tests") of nuclear power plants in the European Union and related activities highlights the need to strengthen this framework.*** The Council also adopted Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste. These Directives and the high standards of nuclear safety and radioactive waste and spent fuel management implemented in the Union are examples that can be used to encourage third countries to adopt similar high standards, ***but are credible only if they are adequately transposed by all Member States.***

Amendment 7

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) There is a particular need for the

Amendment

(10) There is a particular need for the

Community to continue its efforts in support of the application of effective safeguards of nuclear material in third countries, building on its own safeguard activities within the Union.

Community to continue its efforts in support of the application of effective safeguards of nuclear material in third countries, building on its own safeguard activities within the Union. ***The use of Union experts to assist third countries in the nuclear field is also important for maintaining a high level of expertise within the Union.***

Amendment 8

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Horizon 2020 – the new Framework Programme for Research and Innovation (2014-2020) ('Horizon 2020')¹ and the Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing Horizon 2020² pay particular attention to international cooperation and Union relations with third countries. In this regard, particular attention should be paid to the development of human resources.

¹ ***Regulation (EU) No .../2013 of the European Parliament and of the Council of ... establishing Horizon 2020 – The Framework Programme for Research and Innovation (2014 to 2020) and repealing Decision 1982/2006/EC (OJ L...).***

² ***Council Regulation (Euratom) No .../... of ... on the Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing Horizon 2020 - the Framework Programme for Research and Innovation (OJ ...).***

Amendment 9

Proposal for a regulation

Recital 12 b (new)

Text proposed by the Commission

Amendment

(12b) Coherence, coordination and complementarity of Union assistance in the field of nuclear safety should be ensured by means of the individual efforts of Member States, as well as other international, regional and local organisations in order to avoid overlaps and double financing.

Amendment 10

Proposal for a regulation

Article 1

Text proposed by the Commission

Amendment

Article 1

Article 1

Subject matter and scope

Subject matter and scope

The European Union shall finance measures to support the promotion of a high level of nuclear safety, radiation protection and the application of efficient and effective safeguards of nuclear material in third countries, in line with the provisions of this Regulation.

The European Union shall finance measures to support the promotion of a high level of nuclear safety, radiation protection and the application of efficient and effective safeguards of nuclear material in third countries, in line with the provisions of this Regulation. ***This will ensure that nuclear material is used only for the civilian purposes for which it is intended.***

1. The following specific objectives shall be pursued:

1. The following specific objectives shall be pursued:

(a) promotion of an effective nuclear safety culture and implementation of the highest nuclear safety standards and radiation protection;

(a) promotion of an effective nuclear safety culture ***and governance*** and implementation of the highest nuclear safety standards and radiation protection

(b) responsible and safe management of spent fuel and radioactive waste, decommissioning and remediation of former nuclear sites and installations;

(b) responsible and safe management of spent fuel and radioactive waste, decommissioning and remediation of former nuclear sites and installations ***in third countries***;

(c) establishment of frameworks and methodologies for the application of efficient and effective safeguards for nuclear material in third countries.

2. The overall progress in achieving the above specific objectives shall be assessed, respectively, through the following performance indicators:

(a) number and importance of issues identified during relevant IAEA peer review missions;

(b) status of development of the spent fuel, nuclear waste and decommissioning strategies, the respective legislative and regulatory framework and implementation of projects;

(c) number and importance of issues identified in relevant IAEA nuclear safeguards reports.

3. The Commission shall ensure that the measures adopted are consistent with the Union's overall strategic policy framework for the partner country and in particular with the objectives of its development and economic cooperation policies and programmes.

(c) establishment of frameworks and methodologies for the application of efficient and effective safeguards for nuclear material in third countries.

2. The overall progress in achieving the above specific objectives shall be assessed, respectively, through the following performance indicators:

(a) number and importance of issues identified during relevant IAEA peer review missions;

(aa) the degree to which the assisted countries develop the highest nuclear safety standards which are similar to the levels required in the Union regarding technical, regulatory and operational respects;

(b) status of development of the spent fuel, nuclear waste and decommissioning strategies, the ***number of and the scale of the remediation required in former nuclear sites and installations***, the respective legislative and regulatory framework and implementation of projects;

(c) number and importance of issues identified in relevant IAEA nuclear safeguards reports.

(ca) long-term impact on the environment;

3. The Commission shall ensure that the measures adopted are consistent with the Union's overall strategic policy framework for the partner country and in particular with the objectives of its development and economic cooperation policies and programmes.

3a. The objectives set out in paragraph 1 above shall be achieved primarily through the following measures:

(a) support for regulatory bodies to ensure their independence, competence and development and for investment in human resources;

(b) support for measures to strengthen and implement the legislative framework;

(c) support for the design and implementation of safety assessment systems based on standards similar to those applied in the European Union;

(d) cooperation in the following areas: expertise, experience and skills development, accident management procedures and accident prevention, strategies for responsible and safe management of spent fuel and decommissioning strategies.

The measures shall include a substantial element of knowledge transfer (expertise sharing, support for both existing or new education and training programmes in the area of nuclear safety) in order to reinforce sustainability of the results achieved.

4. Specific measures supported by this Regulation and criteria applying to nuclear safety cooperation are detailed in the Annex.

5. The financial, economic and technical cooperation provided under this Regulation shall be complementary to that provided by the Union under other development cooperation instruments.

4. Specific measures supported by this Regulation and criteria applying to nuclear safety cooperation are detailed in the Annex.

5. The financial, economic and technical cooperation provided under this Regulation shall be complementary to that provided by the Union under other development cooperation instruments, *'Horizon 2020' and the Research and Training programme of the European Atomic Energy Community (2014 - 2018) complementing Horizon 2020.*

5a. In providing aid under this instrument priority shall be given to countries beneficiaries under Regulation (EU) No .../...¹ and Regulation (EU) No .../...² of the European Parliament and of the Council .

¹ *Regulation (EU) No .../2013 of the European Parliament and of the Council of ... on the Instrument for Pre-accession Assistance (IPA II) (OJ L...)*

² *Regulation (EU) No .../2013 of the European Parliament and of the Council of ... establishing a European*

Justification

Although nuclear safety is of major importance for all countries and should be supported worldwide, your rapporteur is of the opinion that the primary focus of EU-aid should be related to its closest vicinity, namely countries beneficiaries of IPA and ENI instruments.

Amendment 11

Proposal for a regulation

Article 2 – paragraph 3

Text proposed by the Commission

3. Strategy papers will aim at providing a coherent framework for cooperation between the Union and the partner countries or regions concerned, consistent with the overall purpose and scope, objectives, principles and **policy** of the Union.

Amendment

3. Strategy papers will aim at providing a coherent framework for cooperation between the Union, **the Member States**, and the partner countries or regions concerned, consistent with the overall purpose and scope, objectives, principles and **external and internal policies** of the Union.

Amendment 12

Proposal for a regulation

Article 2 – paragraph 5

Text proposed by the Commission

5. The strategy paper shall be approved by the Commission in accordance with the examination procedure referred to in Article 15(3) of the Common Implementing Regulation. Strategy papers **may** be reviewed at mid-term or whenever necessary in accordance with the same procedure. However, that procedure shall not be required for updates of the strategy which do not affect the initial priority areas and objectives set out in the paper.

Amendment

5. The strategy paper shall be approved by the Commission in accordance with the examination procedure referred to in Article 15(3) of the Common Implementing Regulation. Strategy papers **must** be reviewed at mid-term or whenever necessary in accordance with the same procedure. However, that procedure shall not be required for updates of the strategy which do not affect the initial priority areas and objectives set out in the paper, **unless they have a financial impact above the thresholds defined in Article 2(2) of the Common Implementing Regulation.**

The strategy paper must be presented to the European Parliament, which shall give its assessment at the mid-term review.

Amendment 13

Proposal for a regulation Article 3 – paragraph 2

Text proposed by the Commission

2. Multiannual indicative programmes shall set out the priority areas selected for financing, the specific objectives, the expected results, the performance indicators and the indicative financial allocations, both overall and per priority area, and including a reasonable reserve of unallocated funds; this may be given in the form of a range or a minimum, where appropriate.

Amendment

2. Multiannual indicative programmes shall set out the priority areas selected for financing, the specific objectives, the expected results, ***clear, specific and transparent*** performance indicators and indicative financial allocations, both overall and per priority area, and including a reasonable reserve of unallocated funds ***but without prejudice to the powers of the budgetary authority***; this may be given in the form of ***either*** a range or a minimum, where appropriate. ***Multiannual indicative programmes shall set out rules to avoid duplication and to ensure the proper use of available funds.***

Amendment 14

Proposal for a regulation Article 3 – paragraph 3

Text proposed by the Commission

3. Multiannual indicative programmes shall, ***in principle***, be based on a dialogue with the partner countries or region(s) which involves the stakeholders, so as to ensure that the country or region concerned takes sufficient ownership of the process and to encourage support for national development strategies.

Amendment

3. Multiannual indicative programmes shall, ***as far as possible***, be based on a dialogue with the partner countries or region(s) which involves the stakeholders, so as to ensure that the country or region concerned takes sufficient ownership of the process and to encourage support for national development strategies. ***These multiannual indicative programmes shall take into account the IAEA work programme in the field of nuclear safety and waste management.***

Amendment 15

Proposal for a regulation Article 3 – paragraph 5

Text proposed by the Commission

5. The multi annual indicative programmes shall be revised as necessary, taking into account any review of the relevant strategy papers, in accordance with the same procedure. However, the examination procedure shall not be required for modifications to multiannual indicative programmes, which make technical adjustments, reassign funds within the allocations per priority area, or increase or decrease the size of the initial indicative allocation **by less than 20%**, provided that these modifications do not affect the initial priority areas and objectives set out in the document. Any such technical adjustments shall be communicated within one month to the European Parliament and to the Council.

Amendment

5. The multi annual indicative programmes shall be revised as necessary, taking into account any review of the relevant strategy papers, in accordance with the same procedure. However, the examination procedure shall not be required for modifications to multiannual indicative programmes, which make technical adjustments, reassign funds within the allocations per priority area, or increase or decrease the size of the initial indicative allocation ***within the relevant percentage limit set out in Article 2(2) of the Common Implementing Regulation***, provided that these modifications do not affect the initial priority areas and objectives set out in the document. Any such technical adjustments shall be communicated within one month to the European Parliament and to the Council.

If the total amount of non-substantial amendments or their budgetary impact exceeds the thresholds for small-scale financing, as stipulated in Article 2(2) of the Common Implementing Regulation, the procedure referred to in Article 15(3) of that Regulation shall apply.

Amendment 16

Proposal for a regulation Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

Reporting

1. The Commission shall review the progress achieved in implementing the measures taken pursuant to this Regulation and shall submit to the European Parliament and the Council a

biannual report on the implementation of the cooperation assistance.

2. The report shall contain information relating to the previous two years on the measures financed, information on the results of monitoring and evaluation exercises and the implementation of budget commitments and payments, broken down by country, region and type of cooperation, as well as the plans of third countries in the area of nuclear safety.

Amendment 17

Proposal for a regulation Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5a

Coherence and complementarity of Union assistance

- 1. In implementing this Regulation, coherence shall be ensured with other areas and instruments of the Union external action, as well as other relevant Union policies.*
- 2. The Union and the Member States shall coordinate their respective support programmes with the aim of increasing effectiveness and efficiency in the delivery of support and policy dialogue in accordance with the established principles for strengthening operational coordination in the field of external support, and for harmonising policies and procedures. Coordination shall involve regular consultations and frequent exchanges of relevant information during the different phases of the support cycle.*
- 3. The Union shall, in liaison with the Member States, take the necessary steps to ensure proper coordination and cooperation with multilateral and regional organisations and entities, including, but not limited to, European*

financial institutions, international financial institutions, United Nations agencies, funds and programmes, private and political foundations and non-Union donors.

Amendment 18

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

1. The financial reference amount for the implementation of this Regulation over the period 2014 to 2020 is EUR 631 100 000.

Amendment

1. The financial **reference amount** for the implementation of this Regulation over the period 2014 to 2020 is ~~/~~EUR 631 100 000~~/~~.

Amendment 19

Proposal for a regulation Article 8 – paragraph 2

Text proposed by the Commission

2. Annual appropriations shall be authorised by the budgetary authority **within** the **limits** of the **multi-annual** financial framework.

Amendment

2. Annual appropriations shall be authorised by the **European Parliament and the Council within the limits of the multiannual** financial framework.

Amendment 20

Proposal for a regulation Annex – Specific supported measures

Text proposed by the Commission

Specific supported measures

The following measures may be supported to fulfil the objectives set out in article 1 of this Regulation.

(a) The promotion of an effective nuclear safety culture and implementation of the highest nuclear safety standards and radiation protection at all levels, in particular through:

Amendment

Specific supported measures

The following measures may be supported to fulfil the objectives set out in article 1 of this Regulation.

(a) The **establishment and** promotion of an effective nuclear safety culture **and governance** and implementation of the highest nuclear safety standards **that reflect state of the art practices** and radiation protection at all levels, in particular

– continuous support for regulatory bodies, technical support organisations, and the reinforcement of the regulatory framework, notably concerning licensing activities, including the review and *follow up* of *effective and comprehensive risk and safety assessments* (‘stress tests’);

– the promotion of effective regulatory frameworks, procedures and systems to ensure adequate protection against ionising radiations from radioactive materials, in particular from high activity radioactive sources, and their safe disposal;

– the establishment of effective arrangements for the prevention of accidents with radiological consequences as well as the mitigation of such consequences should they occur (for example, monitoring the environment in case of radioactive releases, design and implementation of mitigation and remediation activities), and for emergency-planning, preparedness and response, civil protection and rehabilitation measures.

– *support to* nuclear operators, in exceptional cases, under specific and well justified circumstances in the framework of follow-up measures of the comprehensive safety and risk assessments (‘stress tests’);

(b) Responsible and safe management of

through:

– continuous support for regulatory bodies, technical support organisations, and the reinforcement of the regulatory framework, notably concerning licensing activities, including the review and *the implementation of the necessary measures to ensure the highest level of safety in nuclear installations to a standard that reflects state of the art practices in the EU in technical, regulatory and operational respects*;

– the promotion of effective *and transparent* regulatory frameworks, procedures and systems to ensure adequate protection against ionising radiations from radioactive materials, in particular from high activity radioactive sources, and their safe disposal;

– *promotion of effective nuclear safety governance systems, which guarantee the independence, responsibility and authority of the regulatory bodies as well as regional and international cooperation structures between such bodies*;

– the establishment of effective arrangements for the prevention of accidents with radiological consequences as well as the mitigation of such consequences should they occur (for example, monitoring the environment in case of radioactive releases, design and implementation of mitigation and remediation activities), and for emergency-planning, preparedness and response, civil protection and rehabilitation measures.

– *cooperation with* nuclear operators, in exceptional cases, under specific and well justified circumstances in the framework of follow-up measures of the comprehensive safety and risk assessments (‘stress tests’);

– *promotion of information, education and professional training policies in the field of nuclear power and relating to the nuclear fuel cycle, nuclear waste management and radiation protection*.

(b) Responsible and safe management of

spent fuel and radioactive waste, decommission and remediation of former nuclear sites and installations, in particular through:

- cooperation with third countries in the domain of spent nuclear fuel and radioactive waste management (i.e. transport, pre-treatment, treatment, processing, storage and disposal), including the development of specific strategies and frameworks for the responsible management of spent nuclear fuel and radioactive waste;
- the development and implementation of strategies and frameworks for decommissioning existing installations, for the remediation of former nuclear sites and legacy sites related to uranium mining, and for the recovery and management of sunken radioactive objects and material at sea;
- The establishment of the necessary regulatory framework and methodologies (including nuclear forensics methods) for the implementation of nuclear safeguards, including for the proper accounting and control of fissile materials at State and operators' level;
- Measures to promote international cooperation (including in the framework of relevant international organisations, notably IAEA) in the above fields, including the implementation and monitoring of international Conventions and Treaties, exchange of information, capacity building and training in the area of nuclear safety and research.

spent fuel and radioactive waste, decommission and remediation of former nuclear sites and installations, in particular through:

- cooperation with third countries in the domain of spent nuclear fuel and radioactive waste management (i.e. transport, pre-treatment, treatment, processing, storage and disposal), including the development of specific strategies and frameworks for the responsible management of spent nuclear fuel and radioactive waste;
- the development and implementation of strategies and frameworks for decommissioning existing installations, for the remediation of former nuclear sites and legacy sites related to uranium mining, and for the recovery and management of sunken radioactive objects and material at sea;
- The establishment of the necessary regulatory framework and methodologies (including nuclear forensics methods) for the implementation of nuclear safeguards, including for the proper accounting and control of fissile materials at State and operators' level;
- Measures to promote international cooperation (including in the framework of relevant *regional and* international organisations, notably IAEA) in the above fields, including the implementation and monitoring of international Conventions and Treaties, exchange of information, capacity building and training in the area of nuclear safety and research.

(ba) Assistance for ensuring a high level of competence and expertise of regulators, technical support organisations and operators (without distortion of competition) in the fields covered by this Regulation, in particular through :

- ***continuous support for the education and training of the staff of regulatory bodies, technical support organisations and nuclear operators (without distortion***

of competition);

– promoting the development of adequate training facilities.

Amendment 21

Proposal for a regulation

Annex – Criteria – 1. General criteria

Text proposed by the Commission

1. General criteria

- Cooperation **may** cover all ‘third countries’ (non-EU Member States) **worldwide**.
- Priority will be given to Accession Countries and countries in the European Neighbourhood region. Regional approaches will be favoured.
- High income countries should be included only in order to allow exceptional measures to be undertaken, for example following a major nuclear accident, if necessary and appropriate.
- A common understanding and a reciprocal agreement between the third country and the European Union should be confirmed through a formal request to the Commission, committing the respective Government.
- Third countries wishing to cooperate with the European Union should fully subscribe to the principles of non-proliferation. They should also be parties to the relevant conventions, within the framework of the IAEA, on nuclear safety and security or have taken steps demonstrating a firm undertaking to accede to such conventions. Cooperation with the European Union **could** be made conditional on accession **or the completion of steps towards accession** to the relevant

Amendment

1. General criteria

- Cooperation **should** cover all ‘third countries’ (non-EU Member States) **in accordance with the objectives set out in Article 1 of this Regulation**.
- Priority will be given to Accession Countries and countries in the European Neighbourhood region. Regional approaches will be favoured.
- High income countries should be included only in order to allow exceptional measures to be undertaken, for example following a major nuclear accident, if necessary and appropriate. **For the purpose of this Regulation, ‘high income countries’ means the countries and territories listed in Annex I to Council Regulation (EC) No 1934/2006¹**
- A common understanding and a reciprocal agreement between the third country and the European Union should be confirmed through a formal request to the Commission, committing the respective Government.
- Third countries wishing to cooperate with the European Union should fully subscribe to the principles of non-proliferation. They should also be parties to the relevant conventions, within the framework of the IAEA, on nuclear safety and security or have taken steps demonstrating a firm undertaking to accede to such conventions. Cooperation with the European Union **should** be made conditional on accession to the relevant conventions **and their implementation**. In

conventions. In cases of emergency, flexibility should, exceptionally, be shown in the application of this principle.

– In order to ensure and monitor compliance with the cooperation objectives, the third country beneficiary must accept the principle of evaluation of the actions undertaken. ***Evaluation would make it possible to monitor and verify*** compliance with the agreed objectives ***and could*** be a condition for continued payment of the Community contribution.

– Cooperation in the fields of nuclear safety and safeguards under this Regulation is not aimed at promoting nuclear energy.

cases of emergency, flexibility should, exceptionally, be shown in the application of this principle, ***if a failure to take action would be likely to increase the risks for the Union and its citizens.***

– In order to ensure and monitor compliance with the cooperation objectives, the third country beneficiary must accept the principle of evaluation of the actions undertaken. ***Verifiable and continued*** compliance with the agreed objectives ***should*** be a condition for continued payment of the Community contribution.

– Cooperation in the fields of nuclear safety and safeguards under this Regulation is not aimed at promoting nuclear energy ***or extending the lifetime of existing nuclear power plants.***

¹ ***Council Regulation (EC) No 1934/2006 of 21 December 2006 establishing a financing instrument for cooperation with industrialised and other high-income countries and territories, and with developing countries falling within the scope of Regulation (EC) No 1905/2006 of the European Parliament and of the Council, for activities other than official development assistance (OJ L 405, 30.12.2006).***

Amendment 22

Proposal for a regulation

Annex – Criteria – 2. Countries with installed nuclear generating capacity - paragraph 1

Text proposed by the Commission

In the case of countries which have already benefited from Community financing, additional cooperation should depend on the evaluation of actions funded by the Community budget and on proper justification of new needs. The evaluation should make it possible to determine more precisely the nature of the cooperation and

Amendment

In the case of countries which have already benefited from Community financing, additional cooperation should depend on the evaluation of actions funded by the Community budget and on proper justification of new needs. The evaluation should make it possible to determine more precisely the nature of the cooperation and

the amounts to be granted to those countries in the future.

the amounts to be granted to those countries in the future. ***The Union should encourage regional cooperation and peer review mechanisms.***

Amendment 23

Proposal for a regulation

Annex – Criteria – 3. Countries without installed nuclear generating capacity – paragraph 2

Text proposed by the Commission

In the case of countries that wish to develop nuclear generating capacity, whether or not they have research reactors and for which the issue arises of intervention at the appropriate moment to ensure that a nuclear safety and security culture is fostered in parallel with the development of the nuclear generating programme, especially as regards strengthening the regulatory authorities and technical support organisations, ***cooperation*** will take into account the credibility of the nuclear power development programme, the existence of a government decision on the use of nuclear energy and the drawing up of a preliminary road map.

Amendment

In the case of countries that wish to develop nuclear generating capacity, whether or not they have research reactors and for which the issue arises of intervention at the appropriate moment to ensure that a nuclear safety and security culture is fostered in parallel with the development of the nuclear generating programme, especially as regards strengthening ***nuclear safety governance, and the independence and capacity of*** the regulatory authorities and technical support organisations. ***Cooperation*** will take into account the credibility of the nuclear power development programme, the existence of a government decision on the use of nuclear energy and the drawing up of a preliminary road map.

Amendment 24

Proposal for a regulation

Annex – Priorities – paragraph 1

Text proposed by the Commission

In order to create the safety conditions necessary to eliminate hazards to the life and health of the public, and to ensure that nuclear materials are not diverted to purposes other than those for which they are intended, cooperation is directed primarily at the nuclear regulators (and their technical support organisations). ***The objective is to ensure*** their technical

Amendment

Under this instrument, cooperation is directed primarily at the nuclear regulators (and their technical support organisations), ***with the objective of ensuring*** their technical competence and independence and the reinforcement of the regulatory framework, notably concerning licensing activities, including the review and follow up of effective and comprehensive risk and

competence and independence and the reinforcement of the regulatory framework, notably concerning licensing activities, including the review and follow up of effective and comprehensive risk and safety assessments ('stress tests').

safety assessments ('stress tests'). ***This should create the safety conditions necessary to eliminate hazards to the life and health of the public, and to ensure that nuclear materials are not diverted to purposes other than those for which they are intended.***

Amendment 25

Proposal for a regulation Annex – Priorities – paragraph 2

Text proposed by the Commission

Other priorities of the cooperation programmes to be developed in the context of this Regulation include:

- the development and implementation of responsible strategies and frameworks for the responsible and safe management of spent fuel and radioactive waste;
- decommissioning of existing installations, the remediation of former nuclear sites and legacy sites related to uranium mining, as well as the recovery and management of sunken radioactive objects and material at sea, when these constitute a danger to the public.

Amendment

Other priorities of the cooperation programmes to be developed in the context of this Regulation include:

- ***licensing activities;***
- the development and implementation of responsible strategies and frameworks for the responsible and safe management of spent fuel and radioactive waste;
- decommissioning of existing installations, the remediation of former nuclear sites and legacy sites related to uranium mining, as well as the recovery and management of sunken radioactive objects and material at sea, when these constitute a danger to the public;
- ***ensuring that nuclear materials are not diverted to purposes other than those for which they are intended.***

Justification

As also acknowledged by the EESC opinion (23 May 2012) "The INSC proposal states that the goal of INSC is to eliminate nuclear risk but it should be noted that, technically, as with the elimination of risk in any complex industrial process, achieving this goal cannot be guaranteed, especially not the prevention of catastrophic nuclear accident. [...] It should also be noted that a belief that risk has been eliminated in any process does not encourage a high-level safety culture."

Amendment 26

Proposal for a regulation

Annex – Priorities – paragraph 3

Text proposed by the Commission

Cooperation with operators of nuclear installations in third countries will be considered in specific situations in the framework of follow-up measures of the 'stress tests'. Such cooperation with nuclear installations operators will exclude supply of equipment.

Amendment

Cooperation with operators of nuclear installations in third countries will be considered in specific situations in the framework of follow-up measures of the 'stress tests'. Such cooperation with nuclear installations operators will exclude supply of equipment, ***and other activities or assistance that could and should be purchased on a commercial basis by the operator in order to meet regulatory safety standards.***

Justification

The EU should not subsidise nuclear operators in foreign countries.