



**2018/0245(NLE)**

7.11.2018

# **AMENDMENTS**

## **19 - 98**

**Draft report**  
**Vladimir Urutchev**  
(PE628.432v01-00)

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

(COM(2018)0462 – C8-0315/2018 – 2018/0245(NLE))



**Amendment 19**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Title 0**

*Text proposed by the Commission*

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*

*Amendment*

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

establishing a European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument

Or. en

**Amendment 20**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Citation 1**

*Text proposed by the Commission*

Having regard to the Treaty *establishing* the European *Atomic Energy Community*, and in particular *Article 203* thereof,

*Amendment*

Having regard to the Treaty *on the Functioning of* the European *Union* (*TFEU*), and in particular *Articles 209, 212 and 322(1)* thereof,

Or. en

*Justification*

*Since this Regulation is complementing the one establishing the Neighbourhood, Development and International Cooperation Instrument (NDICI) and since the latter is falling under the Treaty on the Functioning of the European Union, and in particular Articles 209, 212 and 322(1) thereof, this Regulation should also fall under the same legal basis.*

## Amendment 21

Pavel Telička

### Proposal for a regulation

#### Recital 3

*Text proposed by the Commission*

(3) The objective of the present Programme "European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty" should be to promote the establishment of effective and efficient nuclear safety, radiation protection, and the application of efficient and effective safeguards of nuclear materials in third countries, building on its own activities within the Union.

*Amendment*

(3) The objective of the present Programme "European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty" should be to promote the establishment of effective and efficient nuclear safety, radiation protection, and the application of efficient and effective safeguards of nuclear materials in third countries, building on its own activities within the Union ***and sharing of best practices.***

Or. en

## Amendment 22

Michèle Rivasi

on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Recital 3

*Text proposed by the Commission*

(3) The objective of the present Programme "European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument ***on the basis of the Euratom Treaty***" should be to promote the establishment of effective and efficient nuclear safety, radiation protection, and the application of efficient and effective safeguards of nuclear materials in third countries, building on its own activities within the

*Amendment*

(3) The objective of the present Programme "European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument" should be to promote the establishment of effective and efficient nuclear safety, radiation protection, and the application of efficient and effective safeguards of nuclear materials in third countries, building on its own activities within the Union.

Union.

Or. en

### **Amendment 23**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

#### **Proposal for a regulation**

##### **Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3 a) The nuclear accidents in Chernobyl in 1986 and in the nuclear power plant Fukushima Daiichi in 2011 have clearly shown that nuclear accidents have devastating global consequences for citizens and the environment. This underlines the necessity for the highest nuclear safety standards and safeguards and continuous efforts to improve these standards and safeguards globally, as well as for the Community's engagement in supporting these goals in third countries. These standards and safeguards should reflect state of the art practices, in particular in governance and regulatory independence.***

Or. en

### **Amendment 24**

**Clare Moody, Theresa Griffin**

#### **Proposal for a regulation**

##### **Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3 a) Secondary objectives of the Programme should include financing a just transition for the former employees and local communities facing unemployment as a result of a the decommissioning of unsafe nuclear sites***

**Amendment 25**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Recital 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***(3 b) Only the Union and the Community together can create the critical mass necessary to react to global challenges such as nuclear safety. Only they are apt to deliver valuable external assistance and to cooperate with third countries through their significant expertise in the field of nuclear safety, building on their own activities and successful policies within the Union.***

Or. en

**Amendment 26**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Recital 3 c (new)**

*Text proposed by the Commission*

*Amendment*

***(3 c) As international regulation on nuclear safety is extensive, but not exhaustive, the Community, as a leading organisation in nuclear safety, has the role to contribute to filling gaps in nuclear safety regulation with this instrument.***

Or. en

**Amendment 27**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

## **Proposal for a regulation**

### **Recital 4**

*Text proposed by the Commission*

(4) This Regulation forms part of the framework devised for the planning of cooperation and should complement those nuclear cooperation measures that are financed under [the Regulation NDICI].

*Amendment*

(4) This Regulation forms part of the framework devised for the planning of cooperation and should complement those nuclear cooperation measures that are financed under [the Regulation NDICI] ***which is falling under the Treaty on the Functioning of the European Union, and in particular ist Articles 209, 212 and 322(1).***

Or. en

## **Amendment 28**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

## **Proposal for a regulation**

### **Recital 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***(5 a) The Community is member of the Convention on Nuclear Safety (1994) and member of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (1997).***

Or. en

## **Amendment 29**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

## **Proposal for a regulation**

### **Recital 5 b (new)**

*Text proposed by the Commission*

*Amendment*

***(5 b) Transparency and public***

*information in relation to nuclear safety, safeguards, decommissioning and waste management activities such as required by e.g. the Aarhus Convention (1998) are an important element to prevent negative impacts of radioactive material on citizens and the environment and should thus be guaranteed under this instrument.*

Or. en

### **Amendment 30**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

#### **Proposal for a regulation**

##### **Recital 6**

*Text proposed by the Commission*

(6) The Community should continue its close cooperation, in accordance with Chapter 10 of the Euratom Treaty with the International Atomic Energy Agency (IAEA), in relation to nuclear safety and nuclear safeguards, in furtherance of the objectives of Chapters 3 and 7 of Title II.

*Amendment*

(6) The Community should continue its close cooperation, in accordance with Chapter 10 of the Euratom Treaty with the International Atomic Energy Agency (IAEA), in relation to nuclear safety and nuclear safeguards, in furtherance of the objectives of Chapters 3 and 7 of Title II. ***It should further cooperate with other highly regarded international organisations in the field such as the Organisation for Economic Co-operation and Development/Nuclear Energy Agency, the European Bank for Reconstruction and Development and the Northern Dimension Environmental Partnership, which pursue similar goals in nuclear safety as the Community. Coherence, complementarity and cooperation between this instrument and these organisations and their programmes can increase the scope, efficiency and effectiveness of nuclear safety measures around the world. Unnecessary duplications and overlaps should be avoided.***

Or. en



**Amendment 31**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Recital 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**(6 a) To continuously improve nuclear safety and to enhance regulation in this area in the Union, the Council adopted the Council Directives 2009/71/Euratom as amended by Directive 2014/87/Euratom, 2011/70/Euratom and 2013/59/Euratom. These directives, as well as the high nuclear safety and decommissioning standards in the Community, shall serve as a guideline for actions financed under this instrument and shall motivate cooperating third countries to implement regulations and standards with the same level of safety.**

Or. en

**Amendment 32**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Recital 6 b (new)**

*Text proposed by the Commission*

*Amendment*

**(6 b) The concepts of nuclear safety and nuclear security are inextricably linked, as lacks in nuclear safety, e.g. in safe operation processes, can lead to nuclear security risks, and as nuclear security risks, especially new risks e.g. in cyber-security, may lead to new challenges for nuclear safety. Thus, the Union's nuclear security activities in third countries, as laid down in Annex II of Regulation No 2018/0243 (NDICI) and activities funded through this instrument should be**

*coherent and complementary.*

Or. en

### **Amendment 33**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Recital 7**

*Text proposed by the Commission*

(7) This Instrument should provide for actions in support of those objectives and build on the actions previously supported under Regulation (Euratom) No 237/2014<sup>24</sup> concerning nuclear safety and nuclear safeguards in third countries, in particular in acceding countries, candidate countries and potential candidates.

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<sup>24</sup> Council Regulation (Euratom) No 237/2014 of 13 December 2013 establishing an Instrument for Nuclear Safety Cooperation (OJ L 77 15.3.2014 p 109.)

*Amendment*

(7) This Instrument should provide for actions in support of those objectives and build on the actions previously supported under Regulation (Euratom) No 237/2014<sup>24</sup> concerning nuclear safety, ***safe management of radioactive waste, safe decommissioning and remediation of former nuclear-related sites*** and nuclear safeguards in third countries, in particular in acceding countries, candidate countries and potential candidates, ***as well as in the Neighbourhood area within the meaning of [Regulation NDICI] ('the Neighbourhood area')***.

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<sup>24</sup> Council Regulation (Euratom) No 237/2014 of 13 December 2013 establishing an Instrument for Nuclear Safety Cooperation (OJ L 77 15.3.2014 p 109.)

Or. en

### **Amendment 34**

**Pavel Telička**

#### **Proposal for a regulation**

##### **Recital 7**

*Text proposed by the Commission*

(7) This Instrument should provide for actions in support of those objectives and build on the actions previously supported under Regulation (Euratom) No 237/2014<sup>24</sup> concerning nuclear safety and nuclear safeguards in third countries, in particular in acceding countries, candidate countries and potential candidates.

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<sup>24</sup> Council Regulation (Euratom) No 237/2014 of 13 December 2013 establishing an Instrument for Nuclear Safety Cooperation (OJ L 77 15.3.2014 p 109.)

*Amendment*

(7) This Instrument should provide for actions in support of those objectives and build on the actions previously supported under Regulation (Euratom) No 237/2014<sup>24</sup> concerning nuclear safety and nuclear safeguards in third countries, in particular in acceding countries, candidate countries and potential candidates. ***Priority should be given to the countries neighbouring the EU.***

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<sup>24</sup> Council Regulation (Euratom) No 237/2014 of 13 December 2013 establishing an Instrument for Nuclear Safety Cooperation (OJ L 77 15.3.2014 p 109.)

Or. en

**Amendment 35**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation  
Recital 7 a (new)**

*Text proposed by the Commission*

*Amendment*

***(7 a) In order to be able to implement the highest nuclear safety standards and to detect flaws in existing safety measures and regulations in third countries, stress tests should be carried out in third countries, especially in those building new reactors. Their results should then be used to implement measures to address the detected flaws immediately. The European Parliament should be informed regularly by the Commission about the activities in nuclear safety undertaken in third countries and about the status of their implementation.***

Or. en

**Amendment 36**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Recital 7 a (new)**

*Text proposed by the Commission*

*Amendment*

***(7 a) This Instrument should provide for actions concerning environmentally safe uranium mining, uranium and thorium safeguards as well as safe remediation of former uranium mines-related sites in third countries, in particular in Central Asia and in Africa where currently some 18% of the global supply of uranium comes from South Africa, Niger and Namibia.***

Or. en

*Justification*

*Uranium mining and milling is a recognised as a source of human health effect and environment impacts. When closing down remediation of these sites, it must be conducted in a safe way. The 18% figure comes from <https://www.miningafrika.net/natural-resources-africa/mining-uranium-in-africa/>.*

**Amendment 37**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Recital 7 b (new)**

*Text proposed by the Commission*

*Amendment*

***(7 b) The projects funded by this instrument should be coherent with the internal and external policies of the Union by e.g. contributing to the achievement of the Sustainable Development Goals such as Good health***

*and well-being, Clean water and sanitation and Climate Action. The instrument itself should follow the principles of good governance and by that contribute to the Sustainable Development Goal Peace, justice and strong institutions.*

Or. en

### **Amendment 38**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

#### **Proposal for a regulation**

**Recital 7 c (new)**

*Text proposed by the Commission*

*Amendment*

*(7 c) The instrument should, through projects funded by it, contribute to the climate-mainstreaming of the European budget.*

Or. en

### **Amendment 39**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

#### **Proposal for a regulation**

**Recital 7 d (new)**

*Text proposed by the Commission*

*Amendment*

*(7 d) In order to fully support nuclear safety measures in third countries, soft and hard support is necessary. Hence, this instrument should seek to fund actions in both areas.*

Or. en

### **Amendment 40**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**  
**Recital 7 e (new)**

*Text proposed by the Commission*

*Amendment*

*(7 e) According to Art. 3 TEU, it is the Union's goal to improve its people's well-being. This instrument offers the opportunity for the Union to improve sustainably the socio-economic and health situation of people globally, within and beyond its borders, and especially of those living near nuclear power plants and/or uranium mining areas.*

Or. en

**Amendment 41**  
**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**  
**Recital 7 f (new)**

*Text proposed by the Commission*

*Amendment*

*(7 f) This instrument should not, by any means, promote the use of nuclear energy in third countries and the Union, but should exclusively focus on improving nuclear safety standards globally.*

Or. en

**Amendment 42**  
**Michèle Rivasi**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

*Amendment*

(8) The implementation of this Regulation should be based on

(8) The implementation of this Regulation should be based on

consultation, where relevant, with the relevant authorities of the Member States, and on a dialogue with the partner countries.

consultation, where relevant, with the relevant authorities of the Member States, and on a dialogue with the partner countries. ***Where such dialogue fails to resolve Union's concerns over nuclear safety, the external funding under this Regulation, [Regulation NDICI] and [Regulation IPA III] should not be granted.***

Or. en

### **Amendment 43**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***(8 a) As part of this Instrument, the Community might support nuclear regular bodies in performing stress tests, based on the Union acquis within the field of the nuclear safety, as well as subsequent implementation measures, in particular related to the nuclear power plants being built in acceding countries, candidate countries and potential candidates, as well as in the Neighbourhood area.***

Or. en

### **Amendment 44**

**Pavel Telička**

### **Proposal for a regulation**

#### **Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***(8 a) Individual, differentiated approach towards countries receiving support***

*through this programme should be promoted. Use of the Instrument should be based on the assessment of specific needs of countries receiving the support, as well as on the expected overall benefit of the programme, in particular structural changes in the countries concerned.*

Or. en

## **Amendment 45**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Recital 9**

*Text proposed by the Commission*

(9) *Whenever possible and appropriate*, the results of the Community's external action should be monitored and assessed on the basis of pre-defined, transparent, country-specific and measurable indicators, adapted to the specificities and objectives of the Instrument and preferably based on the results framework of the partner country.

*Amendment*

(9) The results of the Community's external action should be monitored and assessed on the basis of pre-defined, transparent, country-specific and measurable indicators, adapted to the specificities and objectives of the Instrument and preferably based on the results framework of the partner country.

Or. en

## **Amendment 46**

**Pavel Telička**

### **Proposal for a regulation**

#### **Recital 9**

*Text proposed by the Commission*

(9) *Whenever possible and appropriate*, the results of the Community's external action should be monitored and assessed on the basis of pre-defined, transparent, country-specific and measurable indicators, adapted to the

*Amendment*

(9) The results of the Community's external action should be monitored and assessed on the basis of pre-defined, transparent, country-specific and measurable indicators, adapted to the specificities and objectives of the



specificities and objectives of the Instrument and preferably based on the results framework of the partner country.

Instrument and preferably based on the results framework of the partner country.

Or. en

#### **Amendment 47**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

#### **Proposal for a regulation**

#### **Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9 a) There are still great differences in nuclear safety standards between industrial and developing countries. It is therefore important to further support developing countries in the implementation of nuclear safety standards and regulations. This is why this instrument should focus primarily on such countries.***

Or. en

#### **Amendment 48**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

#### **Proposal for a regulation**

#### **Recital 10**

*Text proposed by the Commission*

*Amendment*

(10) The Union and the Community should seek the most efficient use of available resources in order to optimise the impact of their external action. That should be achieved through coherence and complementarity between the Union's external financing instruments, as well as the creation of synergies with other Union policies and Programmes. In order to maximise the impact of combined interventions to achieve a common

(10) The Union and the Community should seek the ***optimal and*** most efficient use of available resources ***and should seek to improve the implementation and quality of spending*** in order to optimise the impact of their external action. That should be achieved through coherence and complementarity between the Union's external financing instruments, as well as the creation of synergies with other Union policies and Programmes. In order to

objective, this Regulation should allow for the combination of funding with other Union Programmes, as long as the contributions do not cover the same costs.

maximise the impact of combined interventions to achieve a common objective, this Regulation should allow for the combination of funding with other Union Programmes, as long as the contributions do not cover the same costs.

Or. en

## **Amendment 49**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

### **Proposal for a regulation**

#### **Recital 13**

##### *Text proposed by the Commission*

(13) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 106(a) of the Euratom Treaty and Article 322 of the Treaty on the Functioning of the European Union should apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, financial assistance, budget support, trust funds, financial instruments and budgetary guarantees, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 106(a) of the Euratom Treaty and Article 322 of the Treaty on the Functioning of the EU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in Member States and third countries, as the respect for the rule of law is essential for sound financial management and effective EU funding.

##### *Amendment*

(13) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 106(a) of the Euratom Treaty and Article 322 of the Treaty on the Functioning of the European Union should apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, financial assistance, budget support, trust funds, financial instruments, ***if a thorough evaluation confirms the conformity of the sources and destination of funds with the Union's values and principles***, and budgetary guarantees, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 106(a) of the Euratom Treaty and Article 322 of the Treaty on the Functioning of the EU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in Member States and third countries, as the respect for the rule of law is essential for sound financial management and effective EU funding.

Or. en

## Amendment 50

Jens Geier, Kathleen Van Brempt, Răzvan Popa

### Proposal for a regulation

#### Recital 14

*Text proposed by the Commission*

(14) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.

*Amendment*

(14) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance, ***while considering their accessibility for potential partners and their ability to create legal certainty***. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.

Or. en

## Amendment 51

Jens Geier, Kathleen Van Brempt, Răzvan Popa

### Proposal for a regulation

#### Recital 14 a (new)

*Text proposed by the Commission*

*Amendment*

***(14 a) As nuclear is an important and sensitive strategic sector, it should be ensured that projects funded under the instrument do not contribute to any illegal nuclear activities or nuclear activities against the Union's interest, values or principles by thorough monitoring, reporting and evaluation processes.***

Or. en

## Amendment 52

Jens Geier, Kathleen Van Brempt, Răzvan Popa

### Proposal for a regulation

#### Recital 15 a (new)

*Text proposed by the Commission*

*Amendment*

***(15 a) In order to foster the implementation of the highest standards of nuclear safety in third countries efficiently and timely, decision and negotiations processes within the Commission and with third countries need to be efficient and fast.***

Or. en

## Amendment 53

Jens Geier, Kathleen Van Brempt, Răzvan Popa

### Proposal for a regulation

#### Article 2 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. 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 activities within the Community and in line with the provisions of this Regulation.

1. The objective of this Regulation is to complement those nuclear cooperation activities that are financed under [the Regulation NDICI], ***as well as activities by international organisations such as the IAEA or the OECD/NEA***, 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 activities within the Community and in line with the provisions of this Regulation ***and helping to ensure a purely civilian use of nuclear material and by that, the protection of citizens and the environment. The Regulation shall not promote the use of nuclear energy in third countries or the Union.***

**Amendment 54**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 2 – paragraph 1**

*Text proposed by the Commission*

1. 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 activities within the Community and in line with the provisions of this Regulation.

*Amendment*

1. 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, ***the implementation of highest standards of transparency, public information and participation in the decision-making process***, and the application of effective and efficient safeguards of nuclear materials in third countries, building on the activities within the Community and in line with the provisions of this Regulation.

***Cooperation provided by the Union in the field of nuclear safety and safeguards under this Regulation is not aimed at promoting nuclear energy.***

Or. en

*Justification*

*The proposed Regulation tries to make it clear that safety and not the promotion of nuclear energy is the overriding aim. This amendment seeks to simply reinsert a provision which is an integral part of the existing INSC Council Regulation 237/2014 (Annex - point (1) (a) - seventh bullet point).*

**Amendment 55**

**Clare Moody**

**Proposal for a regulation**

**Article 2 – paragraph 1**

*Text proposed by the Commission*

1. 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 activities within the Community and in line with the provisions of this Regulation.

*Amendment*

1. 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 activities within the Community and in line with the provisions of this Regulation. ***Cooperation provided by the Union in the field of nuclear safety and safeguards under this Regulation is neutral as to the overall appropriateness of nuclear energy.***

Or. en

**Amendment 56**  
**Algirdas Saudargas**

**Proposal for a regulation**  
**Article 2 – paragraph 1**

*Text proposed by the Commission*

1. 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 activities within the Community and in line with the provisions of this Regulation.

*Amendment*

1. 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, ***the implementation of highest standards of transparency and publicity*** and the application of effective and efficient safeguards of nuclear materials in third countries, building on the activities within the Community and in line with the provisions of this Regulation.

Or. en

## **Amendment 57**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Article 2 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) 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;

*Amendment*

(a) 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; ***the early closure when the nuclear facility or installation cannot be upgraded to meet international accepted nuclear safety standards fully;***

Or. en

## **Amendment 58**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

### **Proposal for a regulation**

#### **Article 2 – paragraph 2 – point a**

*Text proposed by the Commission*

(a) 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;

*Amendment*

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

Or. en

## **Amendment 59**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Article 2 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

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

(b) responsible and safe management of radioactive waste, **including spent fuel, (i.e. pre-treatment, treatment, processing, storage and disposal)**, and the **safe** decommissioning and remediation of former nuclear sites and installations **as well as legacy sites related to uranium mining or sunken radioactive objects and materials**;

Or. en

*Justification*

*Losing the Annex of the existing INSC Council Regulation 237/2014 where the criteria and priorities were detailed, it is now of importance to elaborate the objectives set by Article 2 of this new Regulation. This amendment seeks to simply reinsert some provisions which were part of the existing INSC Council Regulation 237/2014.*

**Amendment 60**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Article 2 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

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

(b) responsible and safe management of spent fuel and radioactive waste and the **fast and efficient** decommissioning and remediation of former nuclear sites and installations;

Or. en

**Amendment 61**

**Kathleen Van Brempt, Jens Geier**

**Proposal for a regulation**

**Article 2 – paragraph 2 – point b a (new)**



*Text proposed by the Commission*

*Amendment*

*(b a) attributing responsibility to nuclear operators and waste licensees by demanding full insurance of all operations and installations as well as waste and spent fuel sites, with all insurance costs, liabilities and costs for damage caused to people and the environment in the case of accidents, fully covered and born by the operators and licensees;*

Or. en

**Amendment 62**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 2 – paragraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) establishing efficient *and* effective *safeguard systems*.

(c) establishing efficient, effective *and transparent safeguards for nuclear material*.

Or. en

**Amendment 63**

**Algirdas Saudargas**

**Proposal for a regulation**

**Article 2 – paragraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(c a) encouraging the promotion of transparency of authorities in third countries in decision making processes relating to the safety of nuclear installations and effective radioactive waste management practices.*

**Amendment 64**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 2 – paragraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(c a) the promotion of overall transparency and openness on issues relating to the safety of nuclear installations and effective radioactive waste management practices;*

Or. en

**Amendment 65**

**Clare Moody, Theresa Griffin**

**Proposal for a regulation**

**Article 2 – paragraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(c a) communicating to the public how the Programme has improved nuclear safety and successfully decommissioned former nuclear sites.*

Or. en

**Amendment 66**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 2 – paragraph 2 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

***(c b) giving the general public relevant information and the appropriate opportunities to participate effectively in the decision-making process related to nuclear installations, in accordance with relevant international conventions and instruments.***

Or. en

**Amendment 67**

**Clare Moody, Theresa Griffin**

**Proposal for a regulation**

**Article 2 – paragraph 2 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

***(c b) using the Programme's knowledge and actions to leverage political influence in international organisations in the area of energy and security***

Or. en

**Amendment 68**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 2 – paragraph 2 – point c c (new)**

*Text proposed by the Commission*

*Amendment*

***(c c) providing direct technical assistance to local civil society to carry out independent and direct measurements of the radiation rate in ambient air or at ground level;***

Or. en

**Amendment 69**  
**Kathleen Van Brempt, Jens Geier**

**Proposal for a regulation**  
**Article 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 2 a**

***Specific Measures***

***1. The objectives set out in point 2 (a) of Article 2 shall be pursued through, in particular, the following measures:***

***(a) support for regulatory bodies, technical support organisations;***

***(b) reinforcement of the regulatory framework, in particular with regard to review and assessment, licensing and oversight activities for nuclear power plants and other nuclear installations and the necessary measures to ensure the highest level of safety that reflects state of the art practices in the EU in technical, regulatory and operational aspects; in that regard and in line with the Aarhus and Espoo Convention, ensuring the establishment of cross border environmental impact assessments and public consultation also when extensions of the permitted life-time of nuclear power plants are being considered;***

***(c) promotion, and implementation 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;***

***(d) 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***

*between such bodies;*

*(e) establishment of effective arrangements for the prevention of accidents with radiological consequences, including accidental exposure, as well as the sustainable 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 cooperation with national and international organisations in the case of accidental exposure, and for emergency-planning, preparedness and response, civil protection and rehabilitation measures;*

*(f) assigning responsibility to nuclear operators and waste licensees by demanding full insurance of all operations and installations as well as waste and spent fuel sites, with all insurance costs, liabilities and costs for damage caused to people and the environment in the case of accidents, fully covered and born by the operators and licensees;*

*(g) support for ensuring safety of nuclear installations and sites regarding practical protective measures and comprehensive safety and risk assessments (stress tests) designed to reduce existing radiation risks to the environment, the health of workers and of the general public;*

*(h) establishment off-site emergency response plans for sufficiently broad zones surrounding the nuclear sites, stipulating actions and measures to be taken in case of nuclear accidents such as evacuations, shelter, distribution of iodine tablets,...*

*(i) support the establishment of full scope level 3 probabilistic risk assessments in order to estimate the socio-economic impacts of nuclear accidents and the dispersion of radio-activity in order to adjust emergency response plans and the legal requirements on the liabilities of*

*nuclear plant operators;*

*(j) 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.*

*2. The objectives set out in point 2 (b) of Article 2 shall be pursued through, in particular, the following measures:*

*(a) support for regulatory bodies, technical support organisations, and the reinforcement of the regulatory framework, in particular with regard to the responsible and safe management of spent nuclear fuel and radioactive waste;*

*(b) development and implementation of specific strategies and frameworks for the responsible and safe management of spent nuclear fuel and radioactive waste;*

*(c) 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.*

*3. The objective set out in point 2 (c) of Article 2 shall be limited to the technical aspects that ensure that ores, source material and special fissile material are not diverted from their intended uses as declared by the users. It shall be pursued through, in particular, the following measures:*

*(a) the establishment of the necessary regulatory framework, methodologies, technology and approaches for the implementation of nuclear safeguards, including for the proper accounting and control of fissile materials at State and operators' level;*

*(b) support for the infrastructure and training of personnel.*

*4. The measures referred to in paragraphs 1 and 2 may include actions to promote international cooperation, including implementation and monitoring of international Conventions and Treaties. They shall also include a substantial element of knowledge transfer, such as exchange of information, capacity building and training in the area of nuclear safety and research, in order to reinforce the sustainability of the results achieved. They shall be implemented through cooperation with the competent authorities of Member States of the Union and/or with third countries' authorities, nuclear regulators and their technical support organisations, and/or relevant international organisations, in particular the IAEA. In specific and duly justified cases, the measures concerning points (b) and (c) of paragraph 1 shall be implemented through cooperation with operators and/or competent organisations from the Member States and third countries' operators of nuclear installations, as defined in Article 3(1) of Directive 2009/71/Euratom as amended by Directive 2014/87/Euratom, and nuclear sites. Or. {EN}en*

Or. en

**Amendment 70**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Article 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 2 a*

*Specific Measures*

*1. The objectives set out in point 2 (a) of Article 2 shall be pursued through, in particular, the following measures:*

- (a) support for regulatory bodies, technical support organisations;*
- (b) reinforcement of the regulatory framework, in particular with regard to review and assessment, licensing and oversight activities for nuclear power plants and other nuclear installations and the necessary measures to ensure the highest level of safety that reflects state of the art practices in the EU in technical, regulatory and operational aspects;*
- (c) promotion, and implementation 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;*
- (d) 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 between such bodies;*
- (e) establishment of effective arrangements for the prevention of accidents with radiological consequences, including accidental exposure, as well as the sustainable 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 cooperation with national and international organisations in the case of accidental exposure, and for emergency-planning, preparedness and response, civil protection and rehabilitation measures;*
- (f) support for ensuring safety of nuclear installations and sites regarding practical protective measures and comprehensive safety and risk assessments (stress tests) designed to reduce existing radiation risks to the environment, the health of workers*



*and of the general public;*

*(g) 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.*

*2. The objectives set out in point 2 (b) of Article 2 shall be pursued through, in particular, the following measures:*

*(a) support for regulatory bodies, technical support organisations, and the reinforcement of the regulatory framework, in particular with regard to the responsible and safe management of spent nuclear fuel and radioactive waste;*

*(b) development and implementation of specific strategies and frameworks for the responsible and safe management of spent nuclear fuel and radioactive waste;*

*(c) 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.*

*3. The objective set out in point 2 (c) of Article 2 shall be limited to the technical aspects that ensure that ores, source material and special fissile material are not diverted from their intended uses as declared by the users. It shall be pursued through, in particular, the following measures:*

*(a) the establishment of the necessary regulatory framework, methodologies, technology and approaches for the implementation of nuclear safeguards, including for the proper accounting and control of fissile materials at State and operators' level;*

*(b) support for the infrastructure and training of personnel.*

*4. The measures referred to in paragraphs 1 and 2 may include actions to promote international cooperation, including implementation and monitoring of international Conventions and Treaties. They shall also include a substantial element of knowledge transfer, such as exchange of information, capacity building and training in the area of nuclear safety and research, in order to reinforce the sustainability of the results achieved. They shall be implemented through cooperation with the competent authorities of Member States of the Union and/or with third countries' authorities, nuclear regulators and their technical support organisations, and/or relevant international organisations, in particular the IAEA. In specific and duly justified cases, the measures concerning points (b) and (c) of paragraph 1 shall be implemented through cooperation with operators and/or competent organisations from the Member States and third countries' operators of nuclear installations, as defined in Article 3(1) of Directive 2009/71/Euratom as amended by Directive 2014/87/Euratom, and nuclear sites.*

Or. en

## **Amendment 71**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1**

*Text proposed by the Commission*

1. In implementing this Regulation, consistency, synergies and complementarity with Regulation (EU) No XXX/XXX NDICI, other Programmes of Union external action, other relevant Union policies and Programmes, as well as policy coherence for development shall be

*Amendment*

1. In implementing this Regulation, consistency, synergies and complementarity with Regulation (EU) No XXX/XXX NDICI, other Programmes of Union external action, other relevant Union policies and ***Directives such as the Council Directives 2009/11/Euratom as***

ensured.

*amended by Directive 2014/87/Euratom, 2011/70/Euratom and 2013/59/Euratom, Union goals and values and Programmes such as the Research and Training Programme of the European Atomic Energy Community complementing Horizon Europe, as well as policy coherence for development shall be ensured.*

Or. en

## **Amendment 72**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

### **Proposal for a regulation**

#### **Article 3 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2 a. The Commission shall coordinate its cooperation with third countries with organisations pursuing similar objectives, in particular international organisations, including in particular the IAEA. That coordination will enable the Community and the organisations concerned to avoid any duplication of actions and funding in relation to third countries. The Commission shall also involve the competent authorities of Member States and European operators in the fulfilment of its task, thereby harnessing the quality of European expertise in the field of nuclear safety and safeguards. The Commission shall ensure that there is no duplication between the cooperation in the field of safeguards.*

Or. en

## **Amendment 73**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

The financial envelope for the implementation of this Regulation for the period 2021 – 2027 shall be EUR 300 million in *current* prices.

*Amendment*

The financial envelope for the implementation of this Regulation for the period 2021 – 2027 shall be EUR 300 million in *constant* prices.

Or. en

**Amendment 74**  
**Rupert Matthews**

**Proposal for a regulation**  
**Article 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 4 a**

***Third countries associated to the Programme***

***1. The Programme shall be open to the following third countries:***

***(a) European Free Trade Association (EFTA) members which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the EEA agreement;***

***(b) acceding countries, candidates and potential candidates, in accordance with the general principles and general terms and conditions for their participation in Union programmes established in the respective framework agreements and association council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and them;***

***(c) countries covered by the European Neighbourhood Policy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes***

*established in the respective framework agreements and association council decisions, or similar agreements, and in accordance with the specific conditions laid down in agreements between the Union and those countries;*

*(d) other third countries that fulfil the criterion of commitment to a rules-based open market economy, backed by democratic institutions;*

*2. Participation of other third countries shall be in accordance with the conditions laid down in a specific agreement covering the participation of the third country to any Union programme, provided that the agreement:*

*(a) ensures a fair balance as regards the contributions and benefits of the third country participating in the Union programmes;*

*(b) lays down the conditions of participation in the programmes, including the calculation of financial contributions to individual programmes and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of the Financial Regulation;*

*(c) does not confer to the third country a decisional power on the programme;*

*(d) guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.*

Or. en

## **Amendment 75**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation  
Article 6 – paragraph 3**

*Text proposed by the Commission*

3. The multiannual indicative programmes shall constitute a general basis for the cooperation, and shall set out the Community's goals for cooperation under this Regulation, having regard to the needs of the countries concerned, the Community's priorities, the international situation and the activities of the third countries concerned. The multiannual indicative programmes shall also indicate the added value of the cooperation and how to avoid duplication with other programmes and initiatives, in particular those of international organisations pursuing similar objectives and major donors.

*Amendment*

3. The multiannual indicative programmes shall constitute a general basis for the cooperation, and shall set out the Community's goals for cooperation under this Regulation, having regard to the needs ***and circumstances*** of the countries concerned, the Community's priorities, the international situation and the activities of the third countries concerned. The multiannual indicative programmes shall also indicate the added value of the cooperation and how to avoid duplication with other programmes and initiatives, in particular those of international organisations pursuing similar objectives and major donors.

Or. en

**Amendment 76**

**Pavel Telička**

**Proposal for a regulation**

**Article 6 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4 a. Multiannual indicative programmes should set out a framework for qualified and independent oversight to increase the level of nuclear safety of the partner countries.***

Or. en

**Amendment 77**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Article 6 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

6. The Commission shall adopt the multiannual indicative programmes in accordance with the examination procedure referred to in Article 13(2). The Commission shall, following the same procedure, *revise* and, if necessary, update those indicative programmes.

6. The Commission shall adopt the multiannual indicative programmes in accordance with the examination procedure referred to in Article 13(2). The Commission shall, following the same procedure, *review them at mid-term* and, if necessary, *revise and* update those indicative programmes.

Or. en

**Amendment 78**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 7 – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) action plans, individual measures and support measures, for which the Union's funding does not exceed EUR **10** million;

(a) action plans, individual measures and support measures, for which the Union's funding does not exceed EUR **5** million;

Or. en

*Justification*

*According to EPRS (briefing, July 2017), most of the INSC expenditure in third countries in 2007-2013 were below EUR 10 million. It is therefore key not to derogate to the ceiling of EUR 5 million as it is currently the case under Council Regulation 237/2014.*

**Amendment 79**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 7 – paragraph 3 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) special measures for which the Union's funding does not exceed EUR **10** million;

(b) special measures for which the Union's funding does not exceed EUR **5** million;

Or. en

*Justification*

*According to EPRS (briefing, July 2017), most of the INSC expenditure in third countries in 2007-2013 were below EUR 10 million. It is therefore key not to derogate to the ceiling of EUR 5 million as it is currently the case under Council Regulation 237/2014.*

**Amendment 80**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 7 – paragraph 3 – subparagraph 1 – point c – point iii**

*Text proposed by the Commission*

*Amendment*

(iii) increases or reductions of the budget of action plans and measures by not more than 20 % of the initial budget and not exceeding EUR **10** million;

(iii) increases or reductions of the budget of action plans and measures by not more than 20 % of the initial budget and not exceeding EUR **5** million;

Or. en

*Justification*

*According to EPRS (briefing, July 2017), most of the INSC expenditure in third countries in 2007-2013 were below EUR 10 million. It is therefore key not to derogate to the ceiling of EUR 5 million as it is currently the case under Council Regulation 237/2014.*

**Amendment 81**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Article 8 – paragraph 2 – point b**



*Text proposed by the Commission*

(b) expenditures related to the provision of information and communication actions, including the development of communication strategies and corporate communication and visibility of the political priorities of the Union.

*Amendment*

(b) expenditures related to the provision of information and communication actions, including the development of communication strategies and corporate communication and visibility of the political priorities, ***goals and values*** of the Union.

Or. en

**Amendment 82**

**Clare Moody, Theresa Griffin**

**Proposal for a regulation**

**Article 8 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(b a) expenditures related to ensuring a just transition for former employees and communities in the decommissioning of a nuclear site.***

Or. en

**Amendment 83**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Article 10 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1 a. Financial instruments shall only be used under this instrument after a thorough evaluation of the source and destination of the funds which should be completely in line with the Union's interest, values and principles and with the objectives of this regulation.***

Or. en

**Amendment 84**

**Michèle Rivasi**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 10 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3 a. Union's funding and support referred to in paragraphs 1 and 2 shall be conditional on the respect by the country concerned of the criteria set out in Article 11 bis of this Regulation.**

Or. en

**Amendment 85**

**Clare Moody, Theresa Griffin**

**Proposal for a regulation**

**Article 11 – paragraph 1 – point g a (new)**

*Text proposed by the Commission*

*Amendment*

**(g a) Any failure to meet conditions or consequences of failing to meet them shall not compromise direct nuclear safety and security action taken under this Regulation.**

Or. en

*Justification*

*In principle, attaching conditions for third countries to meet such as on the Espoo and Aarhus Conventions, Association Agreements with the EU or nuclear stress test conditions are welcome. However, they should not compromise direct nuclear safety action, instead the consequences of failing to meet conditions should be enacted through the NDICI or non-nuclear related expenditures under this Regulation.*

**Amendment 86**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**  
**Article 11 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**9 a.** *Third countries wishing to cooperate with the Community shall fully subscribe to the principles of non-proliferation. They shall also be parties to the relevant Conventions, within the framework of the IAEA, on nuclear safety, such as the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and the Safety of Radioactive Waste Management, or have taken steps demonstrating a firm undertaking to accede to such Conventions. This commitment shall be evaluated annually and, on the basis of that evaluation, a decision will be taken with regard to the continuation of the cooperation. Cooperation with the Community could be made conditional on accession to or the completion of steps towards accession to the relevant Conventions. In cases of emergency, flexibility shall, exceptionally, be shown in the application of those principles.*

Or. en

**Amendment 87**  
**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**  
**Article 11 – paragraph 9 b (new)**

*Text proposed by the Commission*

*Amendment*

**9 b.** *In order to ensure and to monitor compliance with the cooperation objectives of this Regulation, the third country concerned shall accept the evaluation of the actions undertaken. This evaluation should allow the monitoring and verification of compliance with the*

*agreed objectives and could be a condition for continued payment of the Community contribution.*

Or. en

**Amendment 88**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Article 11 – paragraph 9 c (new)**

*Text proposed by the Commission*

*Amendment*

**9 c. Cooperation provided by the Union in the field of nuclear safety and safeguards under this Regulation is not aimed at promoting nuclear energy and should therefore not be interpreted as a measure to promote that energy source in third countries.**

Or. en

**Amendment 89**

**Algirdas Saudargas**

**Proposal for a regulation**

**Article 11 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 11 a**

**Criteria applying to International Nuclear Safety Cooperation**

**1. 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.**

**2. 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. They shall fully subscribe to Fundamental Safety Principles as stipulated in IAEA Safety Standards and be parties to the relevant Conventions, such as the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and the Safety of Radioactive Waste Management, or have taken steps demonstrating a firm undertaking to accede to such Conventions. In case of active co-operation, this commitment shall be evaluated annually, taking into account National Reports and other documents on the implementation of relevant Conventions. On the basis of that evaluation, a decision shall be taken with regard to the continuation of the cooperation. In cases of emergency, flexibility should, exceptionally, be shown in the application of those principles.*

*3. In order to ensure and to monitor compliance with the cooperation objectives of this Regulation, the third country concerned shall accept the evaluation of the actions undertaken. This evaluation shall allow the monitoring and verification of compliance with the agreed objectives and can be a condition for continued payment of the Community contribution.*

*4. Cooperation provided by the Union in the field of nuclear safety and safeguards under this Regulation is not aimed at promoting nuclear energy and should therefore not be interpreted as a measure to promote that energy source in third countries.*

**Amendment 90**  
**Michèle Rivasi**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 11 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 11 a*

***Criteria applying to Instrument of  
Nuclear Safety Cooperation***

***1. A common understanding and a reciprocal agreement between the third country and the Union shall be confirmed through a formal request to the Commission committing the respective Government.***

***2. Third countries wishing to cooperate with the Union shall fully respect:***

***- democratic principles, the rule of law and human rights, which constitute an essential element thereof,***

***- the Treaty on the Non-Proliferation of Nuclear Weapons and the Additional Protocols thereto,***

***- the relevant international Conventions within the Framework of the IAEA,***

***- the Espoo and the Aarhus Conventions and their subsequent amendments.***

***3. In order to ensure and to monitor compliance with the cooperation objectives of this Regulation, the third country concerned shall accept the evaluation of the actions undertaken. This evaluation shall allow the monitoring and verification of compliance with the agreed objectives.***

***4. In the event of violation of any of the objectives referred to in Article 2 of this Regulation or the above mentioned***

*principles, treaties or conventions, the Union will reconsider any action foreseen under this Regulation, [Regulation NDICI] and [Regulation IPA III], in particular the discontinuation of the Union contribution.*

Or. en

#### *Justification*

*It is of key importance to elaborate the general criteria which should apply to third countries wishing to cooperate with the Union using this Instrument. Such criteria were actually detailed in the Annex of the existing INSC Council Regulation 237/2014, which has simply disappeared from this 2018 Commission proposal. This AM therefore seeks to reinsert and to broaden the provisions of the existing Regulation 237/2014.*

#### **Amendment 91**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

#### **Proposal for a regulation**

#### **Article 12 – paragraph 2 – point a**

##### *Text proposed by the Commission*

(a) number of legal and regulatory acts prepared, introduced and or revised; and

##### *Amendment*

(a) number of legal and regulatory acts prepared, introduced and or revised ***and their successful implementation, as well as their impact on nuclear safety standards and safeguards in the respective countries, including impact on citizens and environment;*** and

Or. en

#### **Amendment 92**

**Algirdas Saudargas**

#### **Proposal for a regulation**

#### **Article 12 – paragraph 2 – point a**

##### *Text proposed by the Commission*

(a) ***number of*** legal and regulatory acts

##### *Amendment*

(a) legal and regulatory acts prepared,

prepared, introduced and or revised; and

introduced and or revised; and

Or. en

### **Amendment 93**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

#### **Proposal for a regulation**

#### **Article 12 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) number of design, concept or feasibility studies for the establishment of facilities in line with the highest standards of nuclear safety.

*Amendment*

(b) number of design, concept or feasibility studies for the establishment of facilities in line with the highest standards of nuclear safety ***and the successful implementation of the results of these studies.***

Or. en

### **Amendment 94**

**Algirdas Saudargas**

#### **Proposal for a regulation**

#### **Article 12 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) ***number of*** design, concept or feasibility studies for the establishment of facilities in line with the highest standards of nuclear safety.

*Amendment*

(b) design, concept or feasibility studies for the establishment of facilities in line with the highest standards of nuclear safety.

Or. en

### **Amendment 95**

**Algirdas Saudargas**

#### **Proposal for a regulation**

#### **Article 12 – paragraph 2 – point b a (new)**



*Text proposed by the Commission*

*Amendment*

***(b a) nuclear safety, radiation protection, and effective and efficient safeguards improvement measures, based on the highest standards of nuclear safety, radiation protection and nuclear safeguards, including international peer review results, implemented in nuclear facilities.***

Or. en

*Justification*

*Standards are only effective if they are properly applied in practice. The indicators to evaluate the objective must be qualitative and not quantitative.*

#### **Amendment 96**

**Clare Moody, Theresa Griffin**

#### **Proposal for a regulation**

**Article 12 – paragraph 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(b a) the degree to which the public, in the partner countries, have been informed of the Programme.***

Or. en

#### **Amendment 97**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

#### **Proposal for a regulation**

**Article 12 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2 a. Monitoring, reporting and evaluation processes shall ensure that projects funded under this instrument do not contribute to any illegal nuclear***

*activities or nuclear activities against the interests, values and principles of the Union or against the objectives of this regulation.*

Or. en

**Amendment 98**

**Jens Geier, Kathleen Van Brempt, Răzvan Popa**

**Proposal for a regulation**

**Article 12 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 12 a*

*Transparency*

*The Commission and the third countries cooperating with the Union under this instrument shall ensure that necessary information in relation to the nuclear safety measures undertaken in these countries with the help of the instrument and in relation to these countries' nuclear safety standards in general, is made available to workers and the general public, with specific consideration to local authorities, population and stakeholders in the vicinity of a nuclear installation. That obligation includes ensuring that the competent regulatory authority and the licence holders provide information within their fields of competence. Information shall be made available to the public in accordance with relevant legislation and international instruments, provided that this does not jeopardise other overriding interests, such as security, which are recognised in relevant legislation or international instruments.*

Or. en