



Plenary sitting

A8-0448/2018

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REPORT

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))

Committee on Industry, Research and Energy

Rapporteur: Vladimir Urutchev

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▯ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council regulation establishing a European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty (COM(2018)0462 – C8-0315/2018 – 2018/0245(NLE))

(Consultation)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2018)0462),
 - having regard to Article 203 of the Treaty establishing the European Atomic Energy Community, pursuant to which the Council consulted Parliament (C8-0315/2018),
 - having regard to Rule 78c of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, Research and Energy and the opinion of the Committee on Foreign Affairs (A8-0448/2018),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, in accordance with Article 293(2) of the Treaty on the Functioning of the European Union;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to substantially amend the Commission proposal;
 5. Instructs its President to forward its position to the Council and the Commission.

Amendment 1

Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Consequently, commitments to nuclear security, non-proliferation and nuclear safety, as well as sustainable development goals, and the Union's overall interests should play a vital role in guidance of the programming of actions under this Regulation.

Amendment 2

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" (*the '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 the regulatory frameworks and sharing of best practices that exist* within the Union.

Amendment 3

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The Instrument should not, by any means, promote the use of nuclear energy in third countries and the Union, but should focus in particular on improving nuclear safety standards globally while promoting a high level of radiation protection and the application of effective and efficient safeguards of nuclear materials.

Amendment 4

Proposal for a regulation Recital 3 b (new)

Text proposed by the Commission

Amendment

(3b) *The nuclear accidents in the nuclear power plants of Chernobyl in 1986 and 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. Those standards and safeguards should reflect state of the art practices, in particular in governance and regulatory independence.*

Amendment 5

Proposal for a regulation Recital 4

Text proposed by the Commission

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].

(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 its Articles 209, 212 and 322(1).***

Amendment 6

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) *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).

Amendment 7

Proposal for a regulation Recital 5 b (new)

Text proposed by the Commission

Amendment

(5b) Transparency and public information in relation to nuclear safety, safeguards, decommissioning and waste management activities such as required, for example, by 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 the Instrument.

Amendment 8

Proposal for a regulation Recital 6

Text proposed by the Commission

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.

(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 the 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.

Amendment 9

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

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

Amendment 10

Proposal for a regulation Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) The Instrument should also promote international cooperation based on conventions on nuclear safety and radioactive waste management. Partner countries should be encouraged to become parties to those conventions allowing for an IAEA-assisted periodic peer review of their national systems. Peer

reviews provide an external view of the state-of-play and challenges in nuclear safety in third countries, which can be used in programming of the high-level Union support. The Instrument can benefit from the reviews of well-respected international nuclear energy agencies that carry out peer reviews reporting to the potential beneficiaries of the Instrument. The findings and recommendations of such peer reviews that are made available to national authorities can also be helpful in prioritising concrete support measures for the third countries concerned.

Amendment 11

Proposal for a regulation Recital 6 c (new)

Text proposed by the Commission

Amendment

(6c) 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 to Regulation ... [COD No 2018/0243 (NDICI)] and activities funded through the Instrument should be coherent and complementary.

Amendment 12

Proposal for a regulation Recital 7

Text proposed by the Commission

Amendment

(7) This Instrument should provide for actions in support of those objectives and build on the actions previously supported

(7) This Instrument should provide for actions in support of those objectives and build on the actions previously supported

under Regulation (Euratom) No 237/2014²⁴ concerning nuclear safety and nuclear safeguards in third countries, in particular in acceding countries, candidate countries and potential candidates.

under Regulation (Euratom) No 237/2014²⁴ 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 ... [COD 2018/0243, NDICI]. With the aim of implementing the highest nuclear safety standards and to detect flaws in existing safety measures, the Instrument might support nuclear regulatory bodies in performing comprehensive risk and safety assessments (“stress tests”) of existing installations, and of nuclear plants being constructed, based on the Community acquis on nuclear safety and radioactive waste, the implementation of recommendations and the monitoring of relevant measures. 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.*

²⁴ 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.)

²⁴ 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 13

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) According to Article 3 TFEU, 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. The projects funded by the Instrument should also 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. The Instrument itself should follow the principles of good governance and by that contribute to the Sustainable Development Goal Peace, justice and strong institutions.

Amendment 14

Proposal for a regulation Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) This Instrument should aim to engage countries receiving financial assistance under this Regulation to uphold the commitments stemming from the association, partnership and cooperation agreements with the Union, the Treaty on the Non-Proliferation of Nuclear Weapons, commit to relevant international conventions, uphold nuclear safety and radiation protection standards and commit to implementation of relevant recommendations and measures with the highest standards of transparency and publicity.

Amendment 15

Proposal for a regulation Recital 7 c (new)

Text proposed by the Commission

Amendment

(7c) This Instrument should, through projects funded by it, fully support nuclear safety and safeguards measures as well as improving health situation of people in third countries, especially of

those living near nuclear power installations and/or uranium mining areas, including 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.

Amendment 16

Proposal for a regulation

Recital 7 d (new)

Text proposed by the Commission

Amendment

(7d) This Instrument should aim to engage countries receiving financial assistance under this Regulation to further democratic principles, the rule of law and human rights and to uphold the commitments stemming from the Espoo and Aarhus Conventions.

Amendment 17

Proposal for a regulation

Recital 8

Text proposed by the Commission

Amendment

(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.

(8) The implementation of this Regulation should be based on consultation, where *appropriate*, with the relevant authorities of the *Union and* Member States, *such as the European Nuclear Safety Regulators Group*, and on a dialogue with the partner countries. *Such consultation should, in particular, take place in the course of developing and before the adoption of multiannual indicative programmes. Where such dialogue fails to resolve Union's concerns over nuclear safety, the external funding*

under this Regulation, should not be granted.

Amendment 18

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Individual, differentiated approach towards countries receiving support through the Instrument 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 Instrument, in particular structural changes in the countries concerned.

Amendment 19

Proposal for a regulation Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) Member States' regulatory bodies, technical support organisations, nuclear engineering companies and nuclear energy utilities have the necessary expertise and know-how with regard to implementing the highest standards of nuclear safety and radiation protection in a variety of regulatory systems of the Member States, which can be a useful source of support to partner countries that set out to do the same in their national regulatory and industrial frameworks.

Amendment 20

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. ***The indicators should be performance and result-oriented, in order to require more responsibility and accountability from beneficiary countries to the Union and the Member States on results achieved in the implementation of safety improvement measures.***

Amendment 21
Proposal for a regulation
Recital 10

Text proposed by the Commission

(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 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.

Amendment

(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 ***such as the Euratom research and training programmes***. In order to 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.

Amendment 22

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.

Amendment 23

Proposal for a regulation Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) 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.

Amendment 24

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 *regulatory frameworks and best practices* 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. Within this objective, this Regulation aims also to support the implementation of transparency in nuclear related decision-making by authorities of third countries.*

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

Amendment 25

**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, the continuous improvement of nuclear safety* and implementation of the highest nuclear safety and radiation protection standards, *that exist within the Community and internationally for the relevant nuclear activities*;

Amendment 26

Proposal for a regulation

Article 2 – paragraph 2 – point b

Text proposed by the Commission

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

Amendment

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

Amendment 27

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

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

Amendment

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

Amendment 28

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ca) *encouraging the promotion of overall transparency and openness of authorities in third countries, as well as public information and participation in decision making processes relating to the safety of nuclear installations and effective radioactive waste management practices, in accordance with relevant*

international conventions and instruments;

Amendment 29

Proposal for a regulation

Article 2 – paragraph 2 – point cb (new)

Text proposed by the Commission

Amendment

(cb) using the Instrument knowledge and actions to leverage political influence in international organisations in the area of energy and security;

Amendment 30

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

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 Programmes, as well as policy coherence for development shall be ensured.

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 *legislative acts such as the Directives 2009/11/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.

Amendment 31

Proposal for a regulation

Article 3 – paragraph 2 a (new)

2a. *The Commission shall coordinate its cooperation with third countries and with international organisations pursuing similar objectives, in particular the IAEA and the OECD/NEA. This 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.*

Amendment 32

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 **266** million in *constant* prices.

Amendment 33

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

The association agreements, partnership and cooperation agreements, multilateral agreements, and other agreements that establish a legally binding relationship with partner countries, as well as, European Council conclusions and Council conclusions, summit declarations or conclusions of high-level meetings with partner countries, communications of the

Amendment

The Community acquis related to nuclear safety and safe management of spent fuel and radioactive waste, the association agreements, partnership and cooperation agreements, multilateral agreements, and other agreements that establish a legally binding relationship with partner countries, as well as, European Council conclusions and Council conclusions, summit

Commission or Joint communications of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy, shall constitute the overall policy framework for the implementation of this Regulation.

declarations or conclusions of high-level meetings with partner countries, communications of the Commission or Joint communications of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy, shall constitute the overall policy framework for the implementation of this Regulation.

Amendment 34

Proposal for a regulation Article 6 – paragraph 2

Text proposed by the Commission

2. The multiannual indicative programmes shall aim at providing a coherent framework for cooperation between the Community and the third countries *or* regions concerned, consistent with the overall purpose and scope, objectives, principles and policy of the Community and based on the policy framework referred to in article 5.

Amendment

2. The multiannual indicative programmes shall aim at providing a coherent framework for cooperation between the Community and the third countries, regions *or international organisations* concerned, consistent with the overall purpose and scope, objectives, principles and policy of the Community and based on the policy framework referred to in article 5.

Amendment 35

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

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 of *and circumstances in* 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

to avoid duplication with other programmes and initiatives, in particular those of international organisations pursuing similar objectives and major donors.

cooperation and how to avoid duplication with other programmes and initiatives, in particular those of international organisations pursuing similar objectives and major donors.

Amendment 36

Proposal for a regulation

Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The multiannual indicative programmes shall aim to engage countries receiving financial assistance under this Regulation to uphold the commitments arising from agreements with the Union and the Treaty on the Non-Proliferation of Nuclear Weapons, to commit themselves to relevant international conventions, uphold nuclear safety and radiation protection standards and commit themselves to implementing relevant recommendations and measures with the highest standards of transparency and publicity.

Amendment 37

Proposal for a regulation

Article 6 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Multiannual indicative programmes should set out a framework for qualified and independent oversight to increase the level of nuclear safety of the partner countries. They could include provisions for supporting nuclear regulatory authorities in performing

comprehensive risk and safety assessments (“stress tests”) of nuclear power installations, based on the Community acquis on nuclear safety and radioactive waste, as well as the implementation of recommendations arising from those stress tests and the monitoring of the application of relevant measures, for example in acceding countries, candidate countries, potential candidates and countries covered by the European Neighbourhood Policy.

Amendment 38

Proposal for a regulation Article 6 – paragraph 5

Text proposed by the Commission

5. Multiannual indicative programmes shall be based on a dialogue with the partner countries or regions.

Amendment

5. Multiannual indicative programmes shall be based on a dialogue with the partner countries or regions. ***In elaborating and prior to the adoption of programmes, the Commission should consult the European Nuclear Safety Regulators Group (ENSREG) and, where appropriate, the relevant national authorities of the Member States.***

Amendment 39

Proposal for a regulation Article 6 – paragraph 6

Text proposed by the Commission

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.

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 ***review them at mid-term, and,*** following the same procedure, if necessary, revise and update those indicative programmes.

Amendment 40

Proposal for a regulation

Article 7 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

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

Amendment

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

Amendment 41

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.

Amendment 42

Proposal for a regulation

Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

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 the case of active co-operation, that commitment shall be evaluated annually taking into account National Reports and other documents on the implementation of relevant Conventions. On the basis of such an evaluation, a decision shall be taken with regard to the continuation of the cooperation. In an emergency, flexibility shall, on an exceptional basis, 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 pursuant to paragraph 2. The 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.

Amendment 43

**Proposal for a regulation
Article 12 – paragraph 1**

Text proposed by the Commission

(1) Monitoring, reporting and evaluation shall be carried out in accordance with Article 31 paragraphs 2, 4, 5 and 6, and Articles 32 and 36 of the Regulation (EU) No XXX/XXX NDICI.

Amendment

(1) Monitoring, reporting and evaluation shall be carried out in accordance with Article 31 paragraphs 2, 4, 5 and 6, and Articles 32 and 36 of the Regulation (EU) No XXX/XXX NDICI. ***Specific evaluations, as referred in Article 32(2) of the Regulation (EU) No XXX/XXX NDICI, related to nuclear safety, radiation protection and safeguard, after consulting the ENSREG, shall be discussed in European Instrument for International Nuclear Safety Cooperation committee and presented to the European Parliament.***

Amendment 44

**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;***

Amendment 45

**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 those studies.***

Amendment 46

Proposal for a regulation

Article 12 – paragraph 2 – point ba (new)

Text proposed by the Commission

Amendment

(ba) 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.

Amendment 47

Proposal for a regulation

Article 12 a (new)

Text proposed by the Commission

Amendment

Article 12a

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 those third countries with the help of the Instrument and in relation to their 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 shall include 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 and international instruments.

EXPLANATORY STATEMENT

INTRODUCTION

The External Financing Instruments provide the EU with the tools necessary to reinforce its role and to ensure the promotion of its interests and values on the world stage.

The support to nuclear safety in third countries by the European Communities started in response to increased awareness of trans-boundary effects of the Chernobyl accident (1986) with the intention to transfer the knowledge, high-level safety culture and sophisticated regulatory regimes that exist in EU Member States that have nuclear power plants. This was in recognition of the urgent need for assistance for safe operation, regulation and remediation of legacy waste in the new independent states after the dissolution of the Soviet Union in 1991.

After addressing highly urgent needs, the European Communities' cooperation centred the assistance on nuclear regulatory support, safe management of radioactive waste and safeguards for nuclear materials. Whilst its geographic scope became world-wide, the focus was on countries near the EU.

The Fukushima Daiichi accident in 2011 once again highlighted the importance of the strong, independent and competent regulatory authorities to ensure a safe use of nuclear energy.

The non-proliferation regime has also been challenged in recent years and calls for continuous support to strengthen the international framework to prevent the spread of weapons of mass destruction. This is the primary role of the safeguards of nuclear materials which aims at preventing and detecting the diversion of nuclear materials.

The achievements of the support for third countries in nuclear safety and safeguards, including activities within the current Instrument for Nuclear Safety Cooperation are well recognised and successive peer reviews by IAEA, WANO (World Association of Nuclear Operators) and others confirm the positive effect of completed actions under this EU initiative.

SIMPLIFICATION OF EXTERNAL ACTION INSTRUMENTS

Simplification of the regulatory environment is a priority for the European Parliament and the Commission. Streamlining a number of instruments within one broad instrument provides an opportunity to rationalise management and oversight systems, and so reduce the administrative burden for EU institutions and Member States. Instead of dealing with multiple programming processes, efforts would be focused on political objectives and engagement with external partners. Actions that receive cumulative funding from different Union programmes must be combined so they are transparent and can be audited only once, covering all involved programmes and their respective applicable rules.

A broad instrument would provide a more geographically and thematically comprehensive approach, facilitating the implementation of different policies in a trans-regional, multi-sectoral and global way thus ensuring a consistent transfer of the high-level practices in the field of nuclear safety, regulation and safeguards existent in the EU Member States having nuclear reactors..

The rapporteur welcomes the creation of the broad Neighbourhood, Development and International Cooperation Instrument (NDICI) which encompasses 10 existing external action instruments. Parts of nuclear safety cooperation activities currently covered by the Instrument for Nuclear Safety Cooperation do not fall under a streamlined broad instrument NDICI, since they need to follow the specific procedure of Article 203 of the Euratom Treaty, which is incompatible with the procedure based on Articles 209 and 212 of the Treaty on the Functioning of the European Union.

The rapporteur welcomes the new European Instrument for Nuclear Safety complementing the broad instrument NDICI and sharing the same rules for monitoring, reporting, evaluation, information, communication and publicity as specified in the broad instrument NDICI regulation. In terms of aligning rules, incorporating provisions from the Common Implementing Regulation will give both NDICI and European Instrument For Nuclear Safety (EINS) instruments a coherent set of principles across all its component parts and will make it easier to understand for partners and implementing agents.

OBJECTIVES OF THE EINS

The rapporteur agrees that the European Instrument for Nuclear Safety should promote and transfer the EU Member States' advanced nuclear safety rules, standards and practices to third countries in line with the provisions of the EURATOM Treaty and a set of three Directives on radiation protection, nuclear safety, and management of radioactive waste and spent fuel (*acquis communautaire*).

Because EU Directives are transposed into the Member State legal frameworks which vary enormously, specialised know-how to do this has been developed. This know-how is most relevant and practical to support specific partner countries as they set out to do the same in their national legal and industrial framework.

The establishment of competent and independent nuclear regulatory authorities is of utmost importance, which in turn will guarantee the deployment of the highest safety standards in the partner countries. Member States with nuclear power plants have a great role to play in this regard.

The European Instrument for Nuclear Safety should promote international cooperation based on conventions on nuclear safety and radioactive waste management, and the Treaty on the Non-Proliferation of Nuclear Weapons.

Partner countries are encouraged to become party to these conventions allowing for an IAEA-assisted periodic peer review of relevant national systems. Conventions' review reports provide an external view on the state-of-play and challenges in nuclear safety in third countries, which can be used in programming of the high-level European support. WANO peer reviews can also be helpful in prioritising concrete needs for support in the third countries concerned.

The European Instrument for Nuclear Safety objectives should also be relevant to the third country partners' needs and priorities accounted for through consultations, road maps, strategies and dedicated structures.

IMPLEMENTATION OF THE EINS

The rapporteur considers that an increased measurability of effectiveness and impact is to be further pursued by Commission services and all implementing agents. This should be done from the planning and programming stages through results oriented monitoring and review to the completion evaluations of the results. The better measurability can also facilitate the communication on performance with non-expert decision makers. A strong cooperation with IAEA, WANO and others is essential so as to avoid duplication of effort.

Centralized management of the EINS is a good arrangement to ensure that qualified assistance is provided on the basis of high-level nuclear expertise in a coordinated way with Member States' relevant authorities, which actually have the know-how and the expertise needed. Centralized management also supports close coordination of the EINS with the programmes and action plans of the other external action support instruments.

In terms of coherence with other instruments, the streamlined broad NDICI regulation will reduce the multiplicity of programmes, including separation between geographic and thematic programs within different instruments, thus the possibility for overlapping actions may be avoided. The capacity of EU delegations involved in the implementation of external support should be further strengthened in order to be better equipped to overcome difficulties in managing and exploiting complementarities and to create synergies between the instruments.

In terms of coherence with Member States, findings note the potential for joint programming to be further strengthened. However, this would require more commitment, in certain cases, from partner country governments and Member States.

CONCLUSION

The contemporary challenges:

- Aging of nuclear power fleet and life time extension programs;
- Safe decommissioning of the shutdown power plants;
- Embarking of new states on introduction of nuclear energy in their energy mix;

These challenges open the window for further assistance of the Community for third countries concerned in regulatory authority capacity building, establishment of sound licensing procedures, review of safety assessments and implementation of recommendations, establishment and maintaining of sound arrangements for safe management of radioactive waste.

Special emphasis should be given to the close neighbourhood countries who were once part of the Soviet Union. This applies to those countries developing new nuclear plants as well as those who are dealing with the aging phenomena and decommissioning of existing nuclear power plants.

The rapporteur believes that, within the new EINS, the Union will continue its support for third countries concerned in adopting the highest safety standards that exist within the EU Member States and internationally in all nuclear activities, including nuclear safeguards in an effective and more coordinated way.

22.11.2018

OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS

for the Committee on Industry, Research and Energy

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))

Rapporteur for opinion: Petras Auštrevičius

SHORT JUSTIFICATION

The rapporteur generally supports the objectives of 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 for the Regulation. Such Regulation will provide for new actions and continuity of EU measures financed under the Instrument for Nuclear Safety Cooperation (2014-2020).

The EU must ensure continuity in the high level of nuclear safety in its neighbourhood and around the world, as it does in all 28 EU member states. The accidents in Chernobyl (1986) and Fukushima (2011) have had global public health and policy consequences, therefore the EU should continue striving to use its long experience with civilian use of nuclear energy in this field and support international efforts toward respect for nuclear safety standards and related activities.

The Commission proposal focusses on financial assistance and related measures aimed at the promotion of an effective nuclear safety and nuclear security globally, in particular the promotion of an effective nuclear safety culture and implementation of the highest nuclear safety and radiation protection standards, and continuous improvement of nuclear safety; responsible and safe management of spent fuel and radioactive waste, and the decommissioning and remediation of former nuclear sites and installations; establishing efficient and effective safeguard systems.

With regard to the context of EU's external action, commitments to nuclear security, non-

proliferation and nuclear safety, as well as sustainable development goals, and overall EU's interest should play vital roles in guidance of the programming of actions under this Regulation, as upheld by the principles of the Union's external actions, as laid down in Articles 3(5), 8 and 21 of the Treaty on European Union.

The Instrument should continue to address EU's foreign policy interests, needs, and priorities based on its partnership agreements or international commitments, as supported by the International Atomic Energy Agency (IAEA) and the G7 Nuclear Safety and Security Group (NSSG).

The rapporteur highlights the continued strategic role of the EEAS in programming and the management cycle in terms of coordination, coherence and consistency of measures with other EU actions (e.g. under the current Instrument contributing to Stability and Peace, or the future NDICI Regulation) in the spirit and letter of international Conventions and Treaties, and flexible reaction to international developments (e.g. Iran JCPOA) and supporting EU political dialogue and leverage with partners, and in particular countries in EU's immediate vicinity.

The rapporteur emphasises the EU's added value in comparison with possible individual EU Member States' actions, and the political leverage it can gain.

Crucially, the draft opinion additionally proposes to add provisions that would develop EU's capabilities in promoting of an effective nuclear safety culture and implement the highest nuclear safety and radiation protection standards, in particular in the immediate EU neighbourhood. Monitoring and supervision of nuclear sites since their very inception must be ensured by mechanisms of the EU or other international bodies relevant in this field such as the IAEA. The amendments seek to establish and finance measures for implementation of the recommendations of nuclear power plants (NPPs) stress tests and provide for the relevant monitoring mechanisms with regard to the NPPs under construction in the immediate EU neighbourhood. In addition, conditionality should be introduced, i.e. the overall EU support for the country in question must be conditional upon the level of the latter's cooperation and openness in the nuclear safety field. The concrete example of the Ostrovets NPP in Belarus should fall within such mechanism¹.

With regard to the above-mentioned newly proposed areas of support, the rapporteur suggest to raise the amount of foreseen budget from 300 million EUR to 350 million EUR.

The rapporteur reminds that the provisioning of the External Action Guarantee for loans to third countries referred to in Article 10 (2) of this Regulation (EINS) shall be financed from Regulation (EINS) but subject to rules set by the NDICI regulation, art. 26 (2).

Under the Euratom Treaty, Article 203, the EP is consulted only, and therefore is not involved an ordinary legislative procedure.

AMENDMENTS

¹ European Parliament resolution of 24 November 2016 on the situation in Belarus (2016/2934(RSP)), paragraph 15; OJ C 224, 27.6.2018, p. 135–139 ; <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1536682023489&uri=CELEX:52016IP0456>

The Committee on Foreign Affairs calls on the Committee on Industry, Research and Energy, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Consequently, commitments to nuclear security, non-proliferation and nuclear safety, as well as sustainable development goals, and overall Union's interest should play a vital role in guidance of the programming of actions under this Regulation.

Amendment 2

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

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

Amendment 3

Proposal for a regulation

Recital 6

Text proposed by the Commission

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

(6) The Community should continue its close cooperation, in accordance with Chapter 10 of the Euratom Treaty with the International Atomic Energy Agency (IAEA), ***NATO and the national authorities of the Member States***, in relation to nuclear safety and nuclear

objectives of Chapters 3 and 7 of Title II.

safeguards, in furtherance of the objectives of Chapters 3 and 7 of Title II. ***The Instrument should also promote international cooperation based on conventions on nuclear safety and radioactive waste management.***

Amendment 4

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 237/2014²⁴ concerning nuclear safety and nuclear safeguards in third countries, in particular in acceding countries, candidate countries and potential candidates.

²⁴ 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 237/2014²⁴ 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, ***in the Neighbourhood area within the meaning of [Regulation NDICI] ('the Neighbourhood area')***, ***as well as in partner countries having association, partnership and cooperation agreements with the Union.***

²⁴ 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 5

Proposal for a regulation

Recital 8

Text proposed by the Commission

(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.

Amendment

(8) The implementation of this Regulation should be based on consultation with the relevant authorities of the *Union and the* Member States, and on *an effective and result-oriented* 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 be temporarily suspended or should not be granted. The Union should be additionally prepared to address legitimate concerns of the Member States as regards nuclear safety of new nuclear power plants, in particular those being built in acceding countries, candidate countries and potential candidates, as well as in the Neighbourhood area.*

Amendment 6

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) As part of the Instrument, the Union might support nuclear regulatory 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 those related to the nuclear power plants being built in acceding countries, candidate countries and potential candidates, as well as in the Neighbourhood area.

Amendment 7

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) 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. ***The Union should establish and finance necessary regular monitoring mechanisms (e. g. Union's experts teams or missions) to supervise implementation of stress tests recommendations for new nuclear power plants, in particular those being built in the immediate Neighbourhood area.***

Amendment 8

Proposal for a regulation Recital 18

Text proposed by the Commission

(18) The *references to Union instruments in Article 9 of Council Decision 2010/427/EU³²*, should *be read as references to this Regulation and to those Regulations referred to herein. The Commission should ensure that this Regulation is implemented in accordance with the role of the EEAS as provided in that Decision.*

Amendment

(18) The ***High Representative of the Union for Foreign Affairs and Security Policy should guarantee overall political coordination of the Union's external action, ensuring its unity, consistency and effectiveness of, in particular through this Regulation. The EEAS should contribute to the programming and management cycle for this Regulation, on the basis of the policy objectives set out in Article 2.***

³² Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, 3.8.2010, p. 30).

Amendment 9

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, **transparency standards as well as** 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. **The cooperation provided by the Union in the field of nuclear safety and safeguards under this Regulation shall not aim to promote nuclear energy and shall therefore not be interpreted as a measure to promote that energy source in third countries.**

Amendment 10

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 **and radiation protection** 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 fully meet internationally accepted nuclear safety standards;**

Amendment 11

Proposal for a regulation

Article 2 – paragraph 2 – point b

Text proposed by the Commission

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

Amendment

(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;***

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 12

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

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

Amendment

(c) establishing efficient, effective ***and transparent*** safeguard systems, ***in which the national authorities in charge of counterproliferation are also involved, including the financing of comprehensive risk and safety assessments ("stress tests") of nuclear power plants, implementation of recommendations originating from such stress tests, based on the Union acquis, and related monitoring measures, in particular those in acceding countries, candidate countries and potential candidates, as well as in the Neighbourhood area.***

Amendment 13

Proposal for a regulation
Article 2 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

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

Amendment 14

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

Amendment

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

The financial envelope for the implementation of this Regulation for the period 2021 – 2027 shall be EUR **350** million in current prices.

Amendment 15

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

Amendment

The association agreements, partnership and cooperation agreements, multilateral agreements, and other agreements that establish a legally binding relationship with partner countries, as well as, European Council conclusions and Council conclusions, summit declarations or conclusions of high-level meetings with partner countries, communications of the Commission or Joint communications of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy, shall constitute the overall policy framework for the implementation of this Regulation.

The association agreements, partnership and cooperation agreements, multilateral agreements, and other agreements that establish a legally binding relationship with partner countries, as well as, European Council conclusions and Council conclusions, summit declarations or conclusions of high-level meetings with partner countries, communications of the Commission or Joint communications of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy, **and the Union *acquis related to nuclear safety*** shall constitute the overall policy framework for the implementation of this Regulation.

Amendment 16

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

2. The multiannual indicative programmes shall aim at providing a coherent framework for cooperation between the Community and the third countries *or* regions concerned, consistent with the overall purpose and scope, objectives, principles and policy of the Community and based on the policy framework referred to in article 5.

Amendment

2. The multiannual indicative programmes shall aim at providing a coherent framework for cooperation between the Community and the third countries, regions *or international organisations* concerned, consistent with the overall purpose and scope, objectives, principles and policy of the Community and based on the policy framework referred to in article 5.

Amendment 17

Proposal for a regulation

Article 6 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. *The multiannual indicative programmes shall reflect the Community's goals and objectives in international organisations, as referred to in Article 5, leveraging the Programme's knowledge and experience in nuclear safety in relevant international organisations.*

Amendment 18

Proposal for a regulation

Article 7 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

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

Amendment

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

Amendment 19

Proposal for a regulation Article 8 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

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

Amendment 20

Proposal for a regulation Article 11 – paragraph 2

Text proposed by the Commission

Amendment

2. All supplies and materials financed under this Regulation may originate from the countries and under the respective conditions specified in paragraph 1.

2. All supplies and materials financed under this Regulation may originate from the countries and under the respective conditions specified in paragraph 1 **and Article 11a.**

Amendment 21

Proposal for a regulation Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Conditionality and suspension of assistance

1. Union's assistance under this Regulation shall be conditional on the respect by the partner country concerned of the following:

(a) the relevant international conventions within the framework of the IAEA;

(b) the Convention on Environmental Impact Assessment in a Transboundary Context, adopted in Espoo, Finland on 25

January 1991, and the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, done at Aarhus, Denmark, on 25 June 1998, and their subsequent amendments;

(c) the Treaty on the Non-Proliferation of Nuclear Weapons and the Additional Protocols thereto;

(d) the commitments under the partnership and association agreements with the Union;

(e) the commitments to implementation of stress tests and related measures.

2. In the event of the failure to respect the conditions listed in paragraph 1, Union's financial assistance under this Regulation, and [Regulation NDICI] or [Regulation IPA III], where relevant, shall be reconsidered and may be restricted or temporarily suspended.

Amendment 22

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) legal and regulatory acts prepared, introduced and or revised; and

Amendment 23

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.

Amendment 24

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ba) implementation of measures for the improvement of nuclear safety and radioactive waste management, based on the highest safety standards, including recommendations of international peer review.

Amendment 25

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Amendment 26

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

Amendment

This Regulation shall ***apply in accordance with Decision 2010/427/EU.***

The High Representative of the Union for Foreign Affairs and Security Policy shall guarantee overall political coordination of the Union's external action, ensuring its unity, consistency and effectiveness, in particular through this Regulation. The EEAS shall contribute to the programming and management cycle for this Regulation, on the basis of the policy objectives set out in Article 2.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Establishing a European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty
References	COM(2018)0462 – C8-0315/2018 – 2018/0245(NLE)
Committee responsible	ITRE
Opinion by Date announced in plenary	AFET 5.7.2018
Rapporteur Date appointed	Petras Auštrevičius 10.7.2018
Date adopted	21.11.2018
Result of final vote	+: 51 –: 4 0: 1
Members present for the final vote	Michèle Alliot-Marie, Nikos Androulakis, Petras Auštrevičius, Bas Belder, Victor Boştinaru, Elmar Brok, Klaus Buchner, James Carver, Lorenzo Cesa, Georgios Epitideios, Eugen Freund, Michael Gahler, Iveta Grigule-Pēterse, Sandra Kalniete, Tunne Kelam, Wajid Khan, Andrey Kovatchev, Eduard Kukan, Arne Lietz, Sabine Lösing, Andrejs Mamikins, David McAllister, Francisco José Millán Mon, Javier Nart, Pier Antonio Panzeri, Demetris Papadakis, Ioan Mircea Paşcu, Alojz Peterle, Tonino Picula, Julia Pitera, Cristian Dan Preda, Jozo Radoš, Michel Reimon, Sofia Sakorafa, Jean-Luc Schaffhauser, Anders Sellström, Alyn Smith, Jordi Solé, Dobromir Sośnierz, Jaromír Štětina, Dubravka Šuica, Charles Tannock, László Tőkés, Miguel Urbán Crespo, Ivo Vajgl
Substitutes present for the final vote	Doru-Claudian Frunzuliță, Takis Hadjigeorgiou, Marek Jurek, Antonio López-Istúriz White, David Martin, Gilles Pargneaux, José Ignacio Salafranca Sánchez-Neyra, Marietje Schaake, Eleni Theocharous, Mirja Vehkaperä, Željana Zovko

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

51	+
ALDE	Petras Auštrevičius, Iveta Grigule-Pēterse, Javier Nart, Jozo Radoš, Marietje Schaake, Ivo Vajgl, Mirja Vehkaperä
ECR	Bas Belder, Charles Tannock, Eleni Theoharous
GUE/NGL	Takis Hadjigeorgiou, Sabine Lösing, Sofia Sakorafa, Miguel Urbán Crespo
PPE	Michèle Alliot-Marie, Elmar Brok, Lorenzo Cesa, Michael Gahler, Sandra Kalniete, Tunne Kelam, Andrey Kovatchev, Eduard Kukan, Antonio López-Istúriz White, David McAllister, Francisco José Millán Mon, Alojz Peterle, Julia Pitera, Cristian Dan Preda, José Ignacio Salafranca Sánchez-Neyra, Anders Sellström, Jaromír Štětina, Dubravka Šuica, László Tőkés, Željana Zovko
S&D	Nikos Androulakis, Victor Boștinaru, Eugen Freund, Doru-Claudian Frunzuliță, Wajid Khan, Arne Lietz, Andrejs Mamikins, David Martin, Pier Antonio Panzeri, Demetris Papadakis, Gilles Pargneaux, Ioan Mircea Pașcu, Tonino Picula
VERTS/ALE	Klaus Buchner, Michel Reimon, Alyn Smith, Jordi Solé

4	-
ENF	Jean-Luc Schaffhauser
NI	James Carver, Georgios Epitideios, Dobromir Sośnierz

1	0
ECR	Marek Jurek

Key to symbols:

+ : in favour

- : against

0 : abstention

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Establishing a European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty		
References	COM(2018)0462 – C8-0315/2018 – 2018/0245(NLE)		
Date of consultation / request for consent	3.7.2018		
Committee responsible Date announced in plenary	ITRE 5.7.2018		
Committees asked for opinions Date announced in plenary	AFET 5.7.2018	BUDG 5.7.2018	ENVI 5.7.2018
Not delivering opinions Date of decision	BUDG 28.6.2018	ENVI 21.6.2018	
Rapporteurs Date appointed	Vladimir Urutchev 5.9.2018		
Discussed in committee	5.11.2018	21.11.2018	
Date adopted	3.12.2018		
Result of final vote	+: -: 0:	41 1 0	
Members present for the final vote	Zigmantas Balčytis, José Blanco López, Jonathan Bullock, Jerzy Buzek, Angelo Ciocca, Jakop Dalunde, Theresa Griffin, Hans-Olaf Henkel, Eva Kaili, Seán Kelly, Peter Kouroumbashev, Zdzisław Krasnodębski, Miapetra Kumpula-Natri, Janusz Lewandowski, Edouard Martin, Tilly Metz, Csaba Molnár, Angelika Niebler, Morten Helveg Petersen, Carolina Punset, Julia Reda, Paul Rübig, Massimiliano Salini, Sven Schulze, Neoklis Sylikiotis, Patrizia Toia, Evžen Tošenovský, Vladimir Urutchev, Martina Werner, Lieve Wierinck, Hermann Winkler, Anna Záborská, Flavio Zanonato		
Substitutes present for the final vote	Pilar Ayuso, Michał Boni, Françoise Grossetête, Werner Langen, Marisa Matias, Luděk Niedermayer, Răzvan Popa, Giancarlo Scottà		
Substitutes under Rule 200(2) present for the final vote	Renate Sommer		
Date tabled	10.12.2018		

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

41	+
ALDE	Morten Helveg Petersen, Carolina Punset, Lieve Wierinck
ECR	Hans-Olaf Henkel, Zdzisław Krasnodębski, Evžen Tošenovský
ENF	Angelo Ciocca, Giancarlo Scottà
GUE/NGL	Marisa Matias, Neoklis Sylikiotis
PPE	Pilar Ayuso, Michał Boni, Jerzy Buzek, Françoise Grossetête, Seán Kelly, Werner Langen, Janusz Lewandowski, Angelika Niebler, Luděk Niedermayer, Paul Rübig, Massimiliano Salini, Sven Schulze, Renate Sommer, Vladimir Urutchev, Hermann Winkler, Anna Záborská
S&D	Zigmantas Balčytis, José Blanco López, Theresa Griffin, Eva Kaili, Peter Kouroumbashev, Miapetra Kumpula-Natri, Edouard Martin, Csaba Molnár, Răzvan Popa, Patrizia Toia, Martina Werner, Flavio Zanonato
VERTS/ALE	Jakop Dalunde, Tilly Metz, Julia Reda
1	-
EFDD	Jonathan Bullock
0	0

Key to symbols:

+ : in favour

- : against

0 : abstention