

# NEWS BRIEFS

## **Accession of the European Atomic Energy Community (Euratom) to the MNEPR Agreement**

The Multilateral Nuclear Environmental Programme in the Russian Federation (MNEPR) aims to provide a framework designed to promote co-operation in the field of safety of spent nuclear fuel and radioactive waste management in the Russian Federation (see *Nuclear Law Bulletin* Nos. 71, 73 and 76).

The MNEPR Agreement and its Protocol on Claims, Legal Proceedings and Indemnification were signed in Stockholm on 21 May 2003 and entered into force on 14 April 2004. Both texts are reproduced in *Nuclear Law Bulletin* No. 71.

The Framework Agreement was ratified, accepted or approved by Belgium, Denmark, Finland, France, Germany, the Netherlands, Norway, Russia, Sweden, the United Kingdom and signed by the United States, the European Community and the European Atomic Energy Community. The European Bank for Reconstruction and Development (EBRD) and the Nordic Environment Finance Corporation (NEFCO) deposited their instruments of accession on 4 March 2004 and on 19 January 2005 respectively (see *Nuclear Law Bulletin* Nos. 73 and 76).

The European Commission adopted on 4 December 2006, on behalf of Euratom, a Decision [2006/890/Euratom] concerning the conclusion of the MNEPR Agreement and its Protocol.

## **50<sup>th</sup> Anniversary of the Nuclear Law Committee**

The NEA's Nuclear Law Committee (NLC) celebrated its 50<sup>th</sup> anniversary on 6 February 2007. This Committee was originally founded on 24 January 1957, although for most of its existence it was known by a different name, the Group of Governmental Experts on Third Party Liability in the Field of Nuclear Energy.

To mark this special occasion, a Colloquium on the Past, Present and Future of the Nuclear Law Committee was held at the Château de la Muette in Paris, with Committee members and special guests in attendance. Special guests included past chairpersons and vice-chairpersons of the Committee and former Heads of NEA Legal Affairs. Presentations were made by Director-General of the NEA Mr. Luis Echávarri, Head of NEA Legal Affairs Mrs. Julia Schwartz, and by current members of the NLC Dr. Norbert Pelzer (Germany) and M. Marc Léger (France).

The proceedings of this colloquium are available at: [www.nea.fr](http://www.nea.fr).

## **Communication from the Commission to the European Council and the European Parliament on an Energy Policy for Europe (2007)**

In its communication, published on 10 January 2007, the European Commission proposed a comprehensive package of measures to establish a new energy policy for Europe to combat climate change and boost the EU's energy security and competitiveness. The package of proposals sets a series of ambitious targets on greenhouse gas emissions and renewable energy and aims to create a true internal market for energy and strengthen effective regulation. The Commission proposes that the European Union commits now to cut greenhouse gas emissions by at least 20% by 2020, in particular through energy measures.

The Commission considers that research is crucial to lower the cost of clean energy and to put EU industry at the forefront of the rapidly growing low carbon technology sector. To meet these objectives, the Commission will propose a strategic European Energy Technology Plan. The European Union will also increase by at least 50% its annual spending on energy research for the next seven years.

At present, nuclear electricity makes up 14% of EU energy consumption and 30% of EU electricity. The Commission proposals underline that it is for each Member State to decide whether or not to rely on nuclear electricity. The Commission recommends that where the level of nuclear energy reduces in the EU, this must be offset by the introduction of other low-carbon energy sources; otherwise the objective of cutting greenhouse gas emissions will become even more challenging.

As set out in a new Nuclear Illustrative Programme,<sup>1</sup> at EU level, the role should be to develop further, in conformity with Community law, the most advanced framework for nuclear energy in those Member States that choose nuclear power, meeting the highest standards of safety, security and non-proliferation as required by the Euratom Treaty. The Commission also acknowledges, however, that nuclear power also raises important issues regarding waste and decommissioning so these issues should also be included in future Community work.

In order to make progress in the fields of nuclear safety and security, the Commission proposes to establish an EU High Level Group on Nuclear Safety and Security with the mandate of progressively developing common understanding and, eventually, additional European rules, on nuclear safety and security.

### **European Atomic Energy Community**

#### ***Commission Communication on 50 Years of the Euratom Treaty***

25 March 2007 marked the 50<sup>th</sup> anniversary of the signing of the Treaties of Rome, the basis of the European Economic Community, now the European Community, and the European Atomic Energy Community, often referred to as Euratom. On 20 March 2007, the Commission addressed a Communication to the Council and the European Parliament,<sup>2</sup> considering that this anniversary provides an opportunity to consider the main "Euratom rules" with a view to better future action.

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1. Nuclear Illustrative Programme – COM(2006)844.

2. This communication of 20 March 2007 [COM(2007)124 final] is available on the EUR-Lex site at the following URL: [http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007\\_0124en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007_0124en01.pdf).

The principal “Euratom rules” are as follows:

- the promotion of research and dissemination of knowledge;
- protection of the health of workers by basic standards;
- the Community perspective on investment in the nuclear sector;
- regular and equitable supplies for all users;
- safeguarding the peaceful use of nuclear materials;
- international cooperation in all competence areas, in particular in the fields of innovation, nuclear safety and security, radiation protection and non-proliferation.

The Commission considered in its communication that the results of the activities conducted for 50 years under the auspices of the Euratom Treaty can be regarded as extremely positive. The Treaty has enabled the Community to carry out important activities in a strategic sector, in particular in terms of energy supply for the EU. It is recognised as having made significant achievements in the field of research, the protection of health, safeguarding the peaceful use of nuclear materials and international relations.

The Commission further referred to the “longevity of the initial provisions of the Euratom Treaty” and noted that they inspired or anticipated the development of other fields of Community law, as did the Euratom inspections carried out since 1960 which paved the way for Community inspectorates in other fields (air and maritime safety etc.).

It notes that the ongoing debate on the definition of European energy policy centred on competitiveness, security of supply and environmental concerns provides an opportunity to consider future Euratom action. It believes that in future, the application of the Euratom Treaty must continue to focus on nuclear safety and security.

The Commission concludes by stressing the importance of maintaining a technological lead in the nuclear field, supporting the development of the most advanced framework in this area, including in the fields of the safety and security of existing and future installations, non-proliferation, waste management and decommissioning. It states therefore that the Community will be required to continue providing help to support the development of the nuclear industry and to guarantee compliance with the highest radiation protection, safety and security standards for all uses of radioactivity in order to help raise the standard of living and increase the quality of life of people in the EU, whatever forms of energy individual States may choose, as well as beyond the EU’s frontiers in collaboration with third countries and international organisations.

### **G7 Endorsement of Nuclear Energy**

On 13 April 2007, finance chiefs from G7, the world’s leading industrial nations, issued a joint statement which said “In order to ensure energy security and to address climate change, we consider energy efficiency and the promotion of energy diversification to be important issues for both developed and developing economies. Diversification can include advanced energy technology such as renewable, nuclear and clean coal”. This was the first time that G7 leaders unanimously accepted a statement including nuclear among potential alternative power sources.

## **Global Nuclear Energy Partnership**

The Global Nuclear Energy Partnership (GNEP) is a comprehensive strategy to increase US and global energy security, reduce the risk of nuclear proliferation, encourage clean development around the world, and improve the environment.<sup>3</sup>

The GNEP has four main goals: first, reduce US dependence on foreign sources of fossil fuels and encourage economic growth; secondly, recycle nuclear fuel using new proliferation-resistant technologies to recover more energy and reduce waste; thirdly, encourage prosperity, growth and clean development around the world; and fourthly, utilise the latest technologies to reduce the risk of nuclear proliferation worldwide.

The GNEP strategy includes seven elements, outlined by the Secretary of the US Department of Energy (DOE), on 6 February 2006:

- building of a new generation of nuclear power plants in the US;
- developing and deploying new nuclear recycling technologies;
- working to effectively manage and eventually store spent nuclear fuel in the US;
- designing advanced burner reactors that would produce energy from recycled nuclear fuel;
- establishing a fuel services programme that would allow developing nations to acquire and use nuclear energy economically while minimising the risk of nuclear proliferation;
- developing and constructing small scale reactors designed for the needs of developing countries;
- improving nuclear safeguards to enhance the proliferation-resistance and safety of expanded nuclear power.

On 10 January 2007, the US DOE released the GNEP Strategic Plan, which details the initiative's purpose, principles and implementation strategy. The Plan outlines a path forward to enable worldwide increase in the use of safe, emissions-free nuclear energy without contributing to the spread of nuclear weapons capabilities in a manner that responsibly addresses the waste produced.

## **International Nuclear Law Association**

### *2007 Nuclear Inter Jura Biennial Congress in Brussels*

The 2007 Nuclear Inter Jura Congress will be held in Brussels, Belgium from 1 to 4 October 2007, followed by a technical visit which will be organised on 5 October.

The second announcement for this Congress comprising further details on the programme of this event is now available at: [www.bnla.be](http://www.bnla.be).

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3. More detailed information on the GNEP is available on the website of the US Department of Energy at the following address: [www.gnep.energy.gov](http://www.gnep.energy.gov).

## **Joint Declaration on Co-operation signed by the OECD Nuclear Energy Agency and the Russian Federation (2007)**

A Joint Declaration on co-operation was signed by the OECD Nuclear Energy Agency (NEA) and the Russian Federation on 21 March 2007 in Moscow during a ceremony attended by officials from the NEA and the Russian Federation agencies involved in its implementation. Konstantin Pulikovsky, Chairman of the Federal Environmental, Industrial and Nuclear Supervision Service (Rostekhnadzor), signed on behalf of the Russian Federation and Director-General Luis Echávarri signed on behalf of the NEA.

The Joint Declaration opens the way for the Russian Federation to participate as a regular observer in all of the Agency's standing technical committees and their working groups. Coordination of the co-operation carried out under the Joint Declaration will be the responsibility of the Federal Agency for Atomic Energy (Rosatom) and the NEA Secretariat respectively.

The Joint Declaration has multiple goals: facilitating scientific research in the nuclear field; assessing innovative technology development; advancing national and international legal frameworks; and performing economic analyses essential for the safe, ecological and economical use of nuclear energy for peaceful purposes.

The NEA Steering Committee has identified the Russian Federation for a number of years in its outreach strategy, notably because of the country's sizable nuclear power programme, its technical capacity and the mutual benefit that would ensue from such cooperation. In the past, the Russian Federation has already participated in NEA work in the areas of nuclear safety, nuclear regulation and nuclear law. It also participates in a number of NEA joint projects, several of which it has hosted.

The text of the Joint Declaration in English, French and Russian is available on the NEA website, at the following URL: [www.nea.fr/html/general/press/2007/declaration-text.pdf](http://www.nea.fr/html/general/press/2007/declaration-text.pdf).