

## Forum on Stakeholders Confidence, 24.-26. April 2002:

### Lessons learnt and open questions: The viewpoint of policy specialists

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*This draft summarises the lessons learnt from the FSC initiatives so far. It contains some general lessons which seem to apply to all stakeholders. As a basis for further discussions, a definition of the term "policy specialists" is proposed. Four areas of political activity have been identified. Lastly, open questions for forthcoming meetings have been formulated.*

#### 1. Introduction

The activities of the Forum of stakeholder Confidence (FSC) and the two workshops in particular have brought up some general points that are important for a successful radioactive waste management:

1. Especially the Turku workshop showed that Stakeholders can be usefully involved at different stages. They set specific priorities and have different assets in know-how and financial resources.
2. Many of the requirements that are essential for a programme to succeed apply to all Stakeholders. Among others, these are: open debate and interaction with other stakeholders, competence, confidence and trust, transparency and honesty.

One of the thematic rapporteurs pointed out the existence of "in-groups" and "out-groups". The "in-group" perspective is reflected in the review of the lessons learnt and the identification of open questions seen from the implementer's, regulator's, policy specialist's and R&D specialist's point of view. Therefore another lesson to be learnt is:

3. Implementers, regulators, policy specialists and R&D specialists play an important role, but they are not the only ones playing the game.

## 2. Who are the policy specialists?

In Finland it became clear that the regulators and the implementers play key roles. But the question is, what is the role of policy makers?

Intuitively it must have been clear for the FSC that policy makers play the most important role. In the strategic directions (NEA/RWM/FSC(2001)2/REV1) the two main priorities of the FSC are described as:

- *To identify specific issues of interest on which stakeholders can learn from one another.*
- *To distill in a concise form the lessons learnt and provide a fund of information accessible to policy makers and other interested parties in the NEA Member countries.*

But whereas the role and tasks of implementers, regulators and R&D specialists as part of the "other interested parties" are well defined it is not always easy to define who the policy specialists – and more important – the policy makers are.

In our view, policy makers include, first of all, the national governments and parliaments. However in many countries, the decision making process does not only involve the national level but goes down the hierarchy to the local level (i.e. states, counties, cantons, communities). Therefore the regional and local governments become directly or indirectly involved in the policy and decision making process, which often makes the political process more complex.

Moreover opinion leaders from private industry, political parties, NGO's, leading academics etc. play an important role in the policy and decision making process.

### 3. Defining the rules of the game

It is accepted that safe radioactive waste management is in the first place a responsibility of the waste owner but it is, ultimately, the responsibility of society. Those who benefit from nuclear energy and the application of radioactive substances in research, medicine and industry must provide the solutions and financial resources to dispose of the resulting radioactive waste. The overall aim is the protection against radiation hazards and the environment today and in the future.

Probably it is no exaggeration to say that the policy makers are standing above it all. *They define the ground rules of radioactive waste management. This includes the prescription of a disposal concept and ensuring the financing over a long period. But this also means to define the process for implementation, the responsibilities of regulators and implementers as well as the stakeholder involvement.*

The rules are defined and adjusted depending on the existing social realities of the different countries. These include cultural values, the political system, the economy and others. *This "realities" may change over time.*

### 4. Areas of political activity

#### Legislative and regulatory framework

The most important task of policy makers is the establishment of the legislative and regulatory framework. In general, national governments and parliaments provide this framework for radioactive waste management.

It should be democratically legitimised (e.g. election of parliament, referendum) and socially accepted. This means that *before establishing a national law, which defines a disposal concept, the discussion about the concept should have taken place.*

The legislative and regulatory framework then fixes this concept. But it also defines implementation of the waste management programme, which should be a step-by-step procedure and decision-making process. In the case of a repository, important steps are site selection, site investigations, construction, operation, closure and post-

closure. Each one of these steps needs to be defined within the legislative and regulatory framework.

This includes the *legal requirements to go from one step to the other, but also the responsibilities of the key players at each stage, and the stakeholder involvement.*

### Political support

Radioactive waste management is a national task – and a political as well as a technical, social and ethical issue.

First of all, people and policy makers should be aware there is a problem that needs to be solved. A clear commitment by the government to solve the problem is essential. The government should define the strategy as well as a timetable with the most important cornerstones of the national waste management programme. Waste management is a national task and therefore the support by policy-makers at a national level is important. Finally, the attitude on the local level is also essential. Support by the local politicians and population is needed in a democratic society.

### Decision-making process

The rules should be made clear to all stakeholders in the decision-making process: at what stage can they participate and to what extent will the result be influenced.

The municipality at the site is a major stakeholder in the decision making process. This must be taken into account. The Turku workshop showed that having the power to make the final decision (veto power) made it easier to say Yes.

It is during this process that concerns of the public will be expressed and need to be taken into account. The decision-making process therefore should allow for feedback and improvements.

### Information and participation

Differences in knowledge and perception exist between the “experts” and the “laymen”. This can be dealt with by a transparent information policy. Open and factual information is paramount to bring about acceptance by the population.

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A repository affects the residents at the site, the population as a whole and it will evoke fear. This can be dealt with by encouraging public debate. Whereas information is a one-way road, public debate means participation and takes into account the wide range of views found throughout a country and ensures that public concerns are recognised and considered. This form of participation allows for a dialogue among the stakeholders and the public and is an important mean for conflict management.

#### Some open questions

- Have the important fields of political activity been identified?
- Is there a difference between policy specialists and policy makers?
- To what extent are the basic requirements country specific or do they apply internationally?
- What forces politicians to make decisions?
- Does the creation of "expert groups" help to implement disposal facilities?