EU ENERGY POLICY

Federica, phd.

Jean Monnet Module on EU Foreign Policy

WHAT IS THIS MODULE ABOUT…

- Which are the main features of the EU foreign energy policy? With a particular focus on the Energy Union strategy and the related 2030 Framework for Climate and Energy and the European Energy Security Strategy

- Which is the role of the EU in the Energy Charter Treaty?

- What is the role and function of EURATOM?

- Which is the role of the EU in the international arena with regard energy and climate change policies?

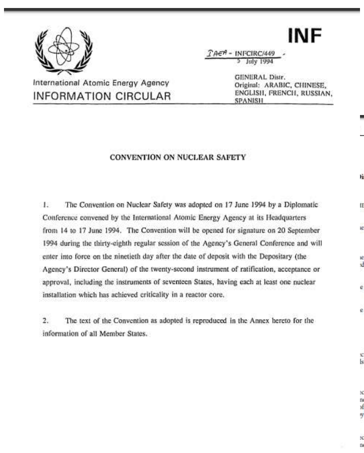
LECTURES' AND SEMINARS' CONTENT

- the main features of the EU foreign energy policy (**Lecture No. 1**)
- the role and function of the European Atomic Energy Community (EAEC or Euratom) (**Lecture No. 2**)
- the role of the EU in the Energy Charter Treaty (**Lecture No. 3**)
- external action instruments in the energy sector and local action support (**Lecture No. 4**)

- mini-simu on climate change: EU at UNEP (**Seminar No. 1**)
- web-sources and materials on EU energy policy (**Seminar No. 2**)

LECTURE N. 2

THE ROLE AND FUNCTION OF THE EUROPEAN ATOMIC ENERGY COMMUNITY (EAEC OR EURATOM)



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IAEA - INFCIRC/449
5 July 1994

International Atomic Energy Agency
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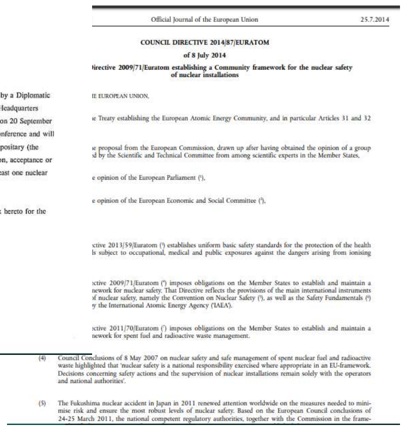
Original: ARABIC, CHINESE, ENGLISH, FRENCH, RUSSIAN, SPANISH

CONVENTION ON NUCLEAR SAFETY

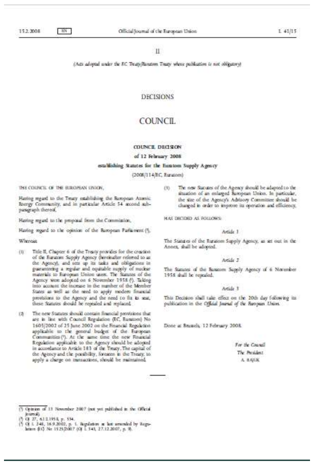
1. The Convention on Nuclear Safety was adopted on 17 June 1994 by a Diplomatic Conference convened by the International Atomic Energy Agency at its Headquarters from 14 to 17 June 1994. The Convention will be opened for signature on 20 September 1994 during the thirty-eighth regular session of the Agency's General Conference and will enter into force on the ninetieth day after the date of deposit with the Depositary (the Agency's Director General) of the twenty-second instrument of ratification, acceptance or approval, including the instruments of seventeen States, having each at least one nuclear installation which has achieved criticality in a reactor core.

2. The text of the Convention as adopted is reproduced in the Annex hereto for the information of all Member States.



Official Journal of the European Union 25.7.2014

COUNCIL DIRECTIVE 2014/87/EURATOM
of 8 July 2014
amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations



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COUNCIL DECISION
of 12 February 2008
establishing Statutes for the Euratom Supply Agency
(2008/114/EC, Euratom)

Federica Cristani, Phd

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LECTURE No. 2

NUCLEAR MARKET OBSERVATORY

L 219/42 EN Official Journal of the European Union

COUNCIL DIRECTIVE 2014/87/EURATOM

of 8 July 2014

amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safet of nuclear installations

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Articles 31 and thereof,

Having regard to the proposal from the European Commission, drawn up after having obtained the opinion of a gr of persons appointed by the Scientific and Technical Committee from among scientific experts in the Member States,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the European Economic and Social Committee (2),

Whereas:

nuclear safeguards

supply contracts

International Atomic Energy Agency

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II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

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COUNCIL DECISION

of 12 February 2008

establishing Statutes for the Euratom Supply Agency

(2008/114/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

(3) The new Statutes of the Agency should be adapted to the

Radioactive waste

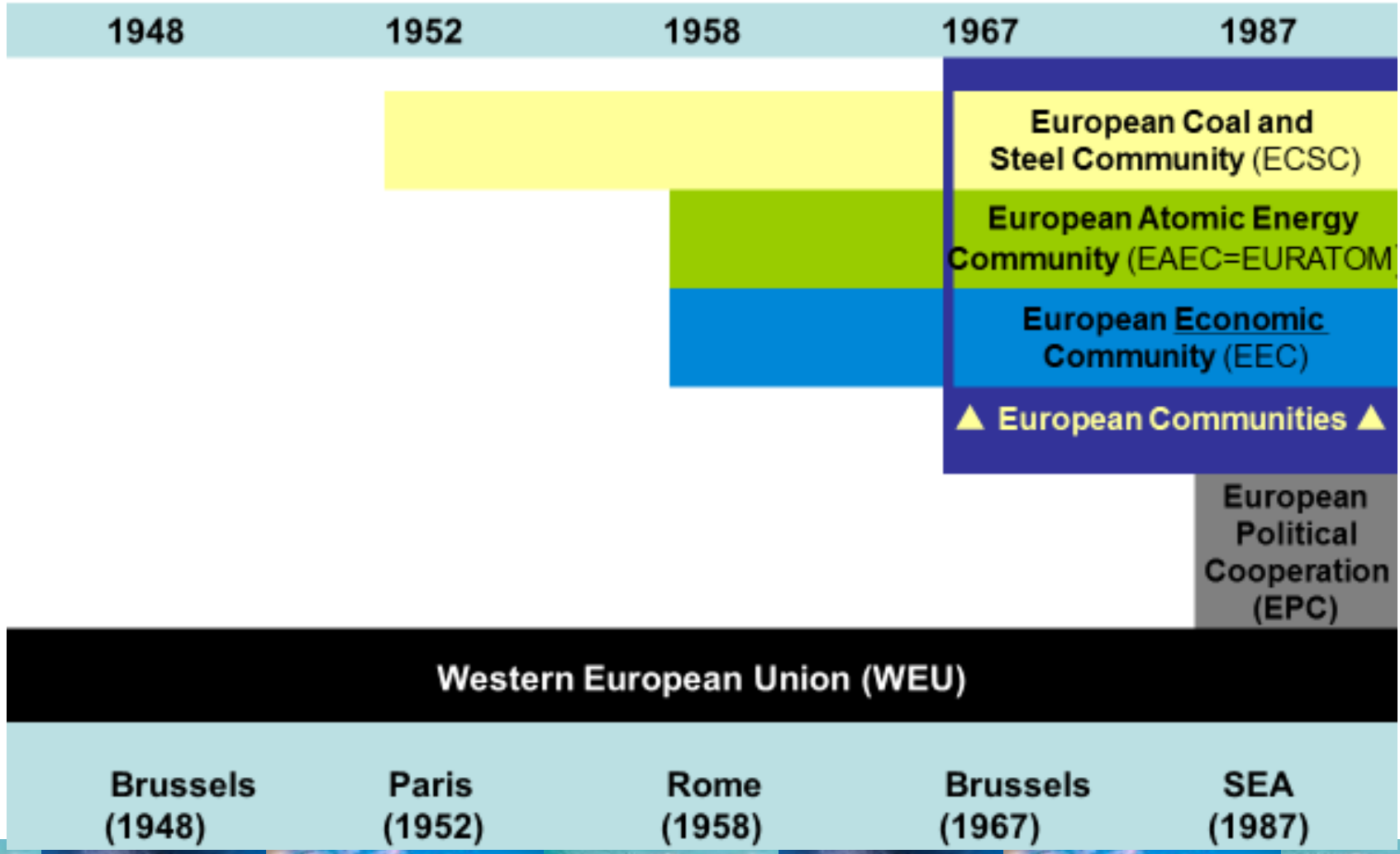
CONVENTION ON NUCLEAR SAFETY

24-25 March 2011, the national competent regulatory authorities, together with the Commission in the frame-

EU TREATIES

1952	The European Coal and Steel Community
1958	The treaties of Rome: • The European Economic Community • The European Atomic Energy Community (EURATOM)
1987	The European Single Act: the Single Market
1993	Treaty on European Union - Maastricht
1999	Treaty of Amsterdam
2003	Treaty of Nice
2009	Treaty of Lisbon

Treaties and history of the EU



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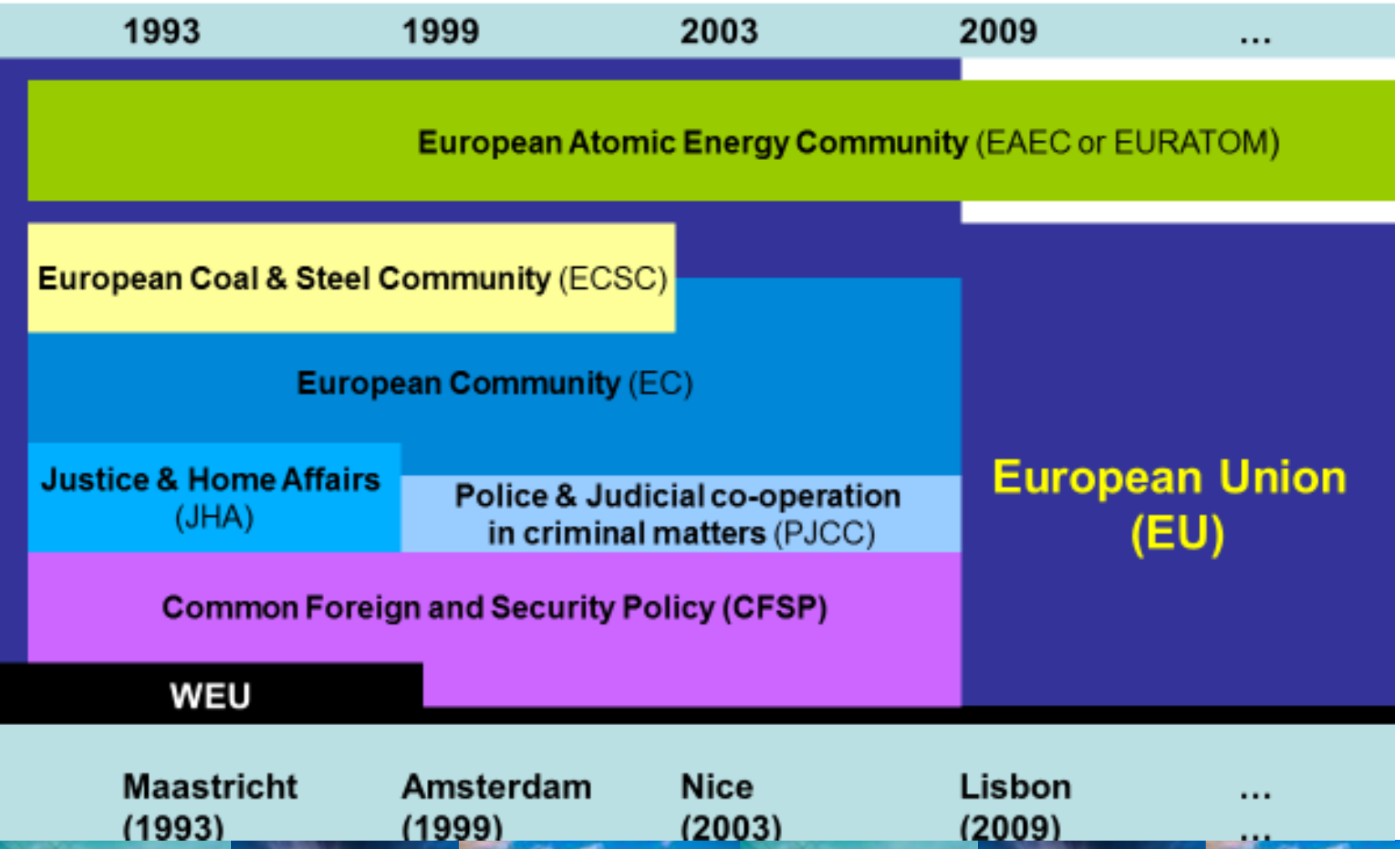


EUROPEAN ATOMIC ENERGY COMMUNITY (EURATOM)

international organization established to form a common market for the development of the peaceful uses of atomic energy and facilitate the establishment of a nuclear-energy industry at the regional level

Other aims of the community :

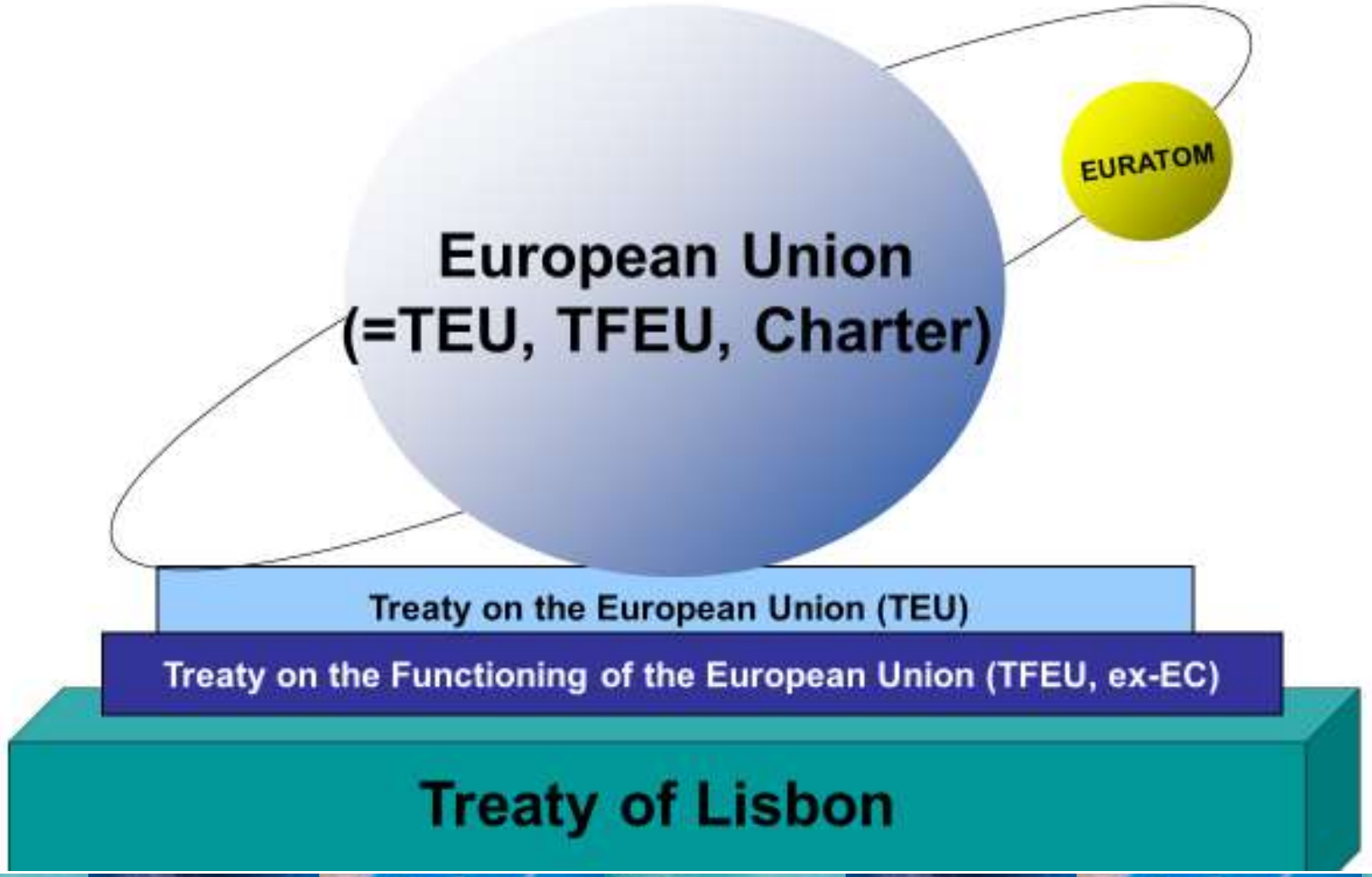
- coordinate research in atomic energy
- encourage the construction of nuclear-power installations
- establish safety and health regulations
- encourage the free flow of information
- establish a common market for trade in nuclear equipment and materials

Euratom's control was not extended to nuclear materials intended for military use.

The **Common Market for Trade in Nuclear Material**, which eliminated import and export duties within the community, came into existence in January 1959

Euratom shared a Court of Justice and a parliament with the European Economic Community and the European Coal and Steel Community; in July 1967, also the executive bodies (the Commission and the Council of Ministers) of all three communities were merged.

Structure of the EU



INSTITUTIONS OF THE EUROPEAN UNION (1)

European Council (summit)

European Parliament | **Council of Ministers (The Council)** | **European Commission**

Court of Justice | Court of Auditors | Economic and Social Committee | Committee of the Regions

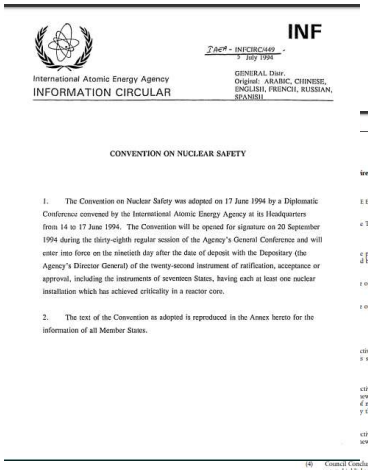
European Investment Bank | Agencies | European Central Bank

INSTITUTIONS OF THE EUROPEAN UNION (2)

Institution	Number of Members	Who are they?	Role
European Commission	28 (one per Member State, but act under the authority of the President)	Most are former national ministers	Mostly executive duties, but also including drafting legislation and overseeing policy implementation
European Council	30	Heads of state or government + European Commission and European Council Presidents	Sets agenda/priorities
Council of the EU (Council of Ministers)	28 (representing their Member state, with different voting rights). Most decisions are taken at qualified-majority	National ministers (with the support of the Member states Permanent Representatives to the EU)	Co-legislator, branch of the budgetary authority. Final decision-maker, in most cases with the EP, except for some areas like foreign and security
European Parliament	751	Direct election (MEPs elected by country allotment)	Co-legislator (in most cases), branch of the budgetary authority or consultative role.
European Court of Justice	28 (one appointee per member state)	One appointee per member state	Judicial court of the EU, interpreting EU legislation/case law and sanctioning infringements.

LECTURE N. 2

THE ROLE AND FUNCTION OF THE EUROPEAN ATOMIC ENERGY COMMUNITY (EAEC OR EURATOM)



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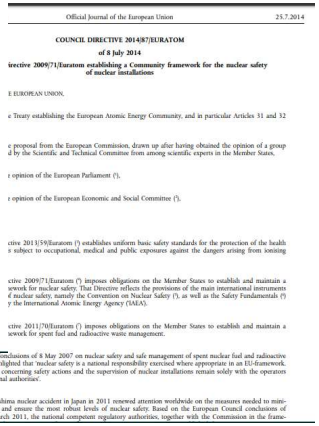
CONVENTION ON NUCLEAR SAFETY



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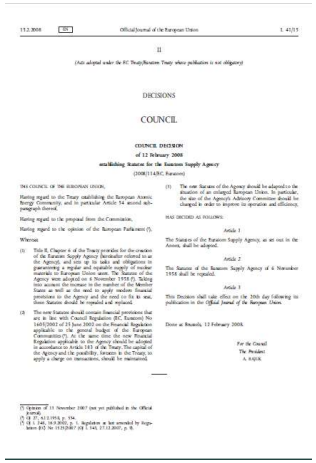

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Federica Cristani, Phd

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EUROPEAN COMMISSION (EC)

Executive branch of the EU;

Its main initiatives are adopted in a collegial manner.

Article 17 TEU: the European Commission has several responsibilities:

- proposing draft legislation (it is the only EU institution that can table legislative proposals);
- developing medium-term strategies;
- drafting legislation and arbitrating in the legislative process between the Council of the EU and the European Parliament;
- representing the EU in trade negotiations;
- promulgating rules and regulations (e.g., with regards to competition policy within the EU);
- drawing up the budget of the European Union; and
- overseeing the implementation of the EU treaties and all EU legislation

The European Commission reports back on trade negotiations regularly to the Council of the EU and the European Parliament. Draft trade agreements negotiated by the European Commission with third parties must be agreed upon by all Member states (unanimity), with the consent of the European Parliament. Member states can no longer conclude trade agreements on their own, since this is an exclusive competence of the EU.

First Vice-President
Frans Timmermans
Better Regulation, Interinstitutional Relations, Rule of Law & Charter of Fundamental Rights

PRESIDENT
JEAN-CLAUDE JUNCKER

High Representative
Federica Mogherini
High Representative of the Union for Foreign Policy & Security Policy/Vice-President

Vice-President
Maroš Šefčovič
Energy Union

Vice-President
Jyrki Katainen
Jobs, Growth, Investment & Competitiveness

Vice-President
Valdis Dombrovskis
The Euro & Social Dialogue, also in charge of Financial Stability, Financial Services and Capital Markets Union

Vice-President
Andrus Ansip
Digital Single Market

Commissioner
Věra Jourová
Justice, Consumers & Gender Equality

Commissioner
Günther Oettinger
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Pierre Moscovici
Economic & Financial Affairs, Taxation & Customs

Commissioner
Marianne Thyssen
Employment, Social Affairs, Skills & Labour Mobility

Commissioner
Corina Crețu
Regional Policy

Commissioner
Johannes Hahn
*European Neighbourhood Policy & Enlargement Negotiations**

Commissioner
Dimitris Avramopoulos
Migration, Home Affairs & Citizenship

Commissioner
Vytenis Andriukaitis
Health & Food Safety

Commissioner
Elżbieta Bieńkowska
Internal Market, Industry, Entrepreneurship & SMEs

Commissioner
Miguel Arias Cañete
Climate Action & Energy

Commissioner
Neven Mimica
International Cooperation & Development

Commissioner
Margrethe Vestager
Competition

Commissioner
Julian King
Security Union

Commissioner
Violeta Bulc
Transport

Commissioner
Cecilia Malmström
Trade

Commissioner
Karmenu Vella
Environment, Maritime Affairs & Fisheries

Commissioner
Tibor Navracsics
Education, Culture, Youth & Sport

Commissioner
Carlos Moedas
Research, Science & Innovation

Commissioner
Phil Hogan
Agriculture & Rural Development

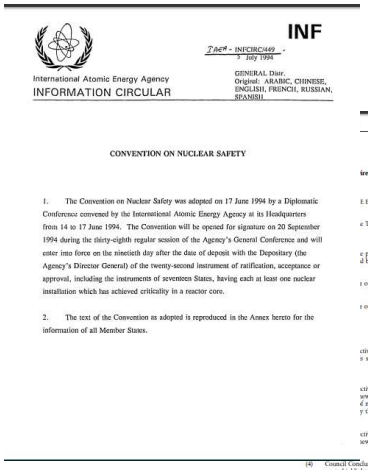
Commissioner
Christos Stylianides
Humanitarian Aid & Crisis Management

Commissioner
Mariya Gabriel
Digital Economy & Society

**The HRVP may ask this Commissioner (and other Commissioners) to deputise for her in areas related to Commission competence.*

LECTURE N. 2

THE ROLE AND FUNCTION OF THE EUROPEAN ATOMIC ENERGY COMMUNITY (EAEC OR EURATOM)



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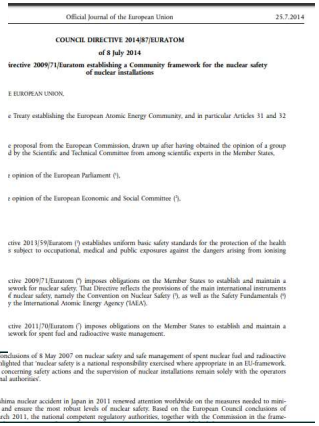
CONVENTION ON NUCLEAR SAFETY



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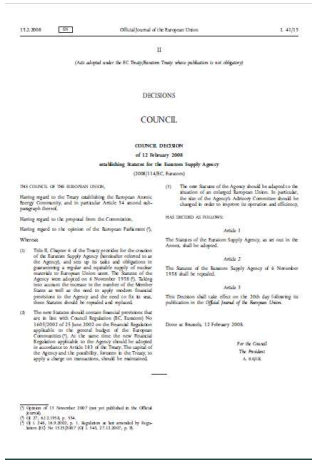

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of 12 February 2008

Federica Cristani, Phd

Jean Monnet Module on EU Foreign Policy: EU Energy policy

EUROPEAN COUNCIL (EUCO)

The European Council defines the general political directions and priorities of the European Union.

It comprises the 28 **heads of state or government of the EU Member states**, as well as the President of the European Council and the President of the European Commission.

The EUCO sets policy directions across a wide range of topics, including economic growth, competitiveness, poverty and social exclusion, energy and climate policies, migration, organized crime, security and terrorism, and the EU's role on the global stage.

For the most part, **EUCO decisions are reached through consensus**.

The president of the EUCO is elected for 2 ½ years, renewable once.

THE COUNCIL OF THE EUROPEAN UNION (1)

The Council of the EU is the institution representing the Member states at ministerial level.

Also known informally as the EU Council, it is where **national ministers from each EU country** meet to adopt laws and coordinate policies.

The Council of the EU is an inter-governmental institution. The Council of the EU, together with the European Parliament (below), form the legislative branch of the European Union and its budgetary authority.

Not to be confused with:

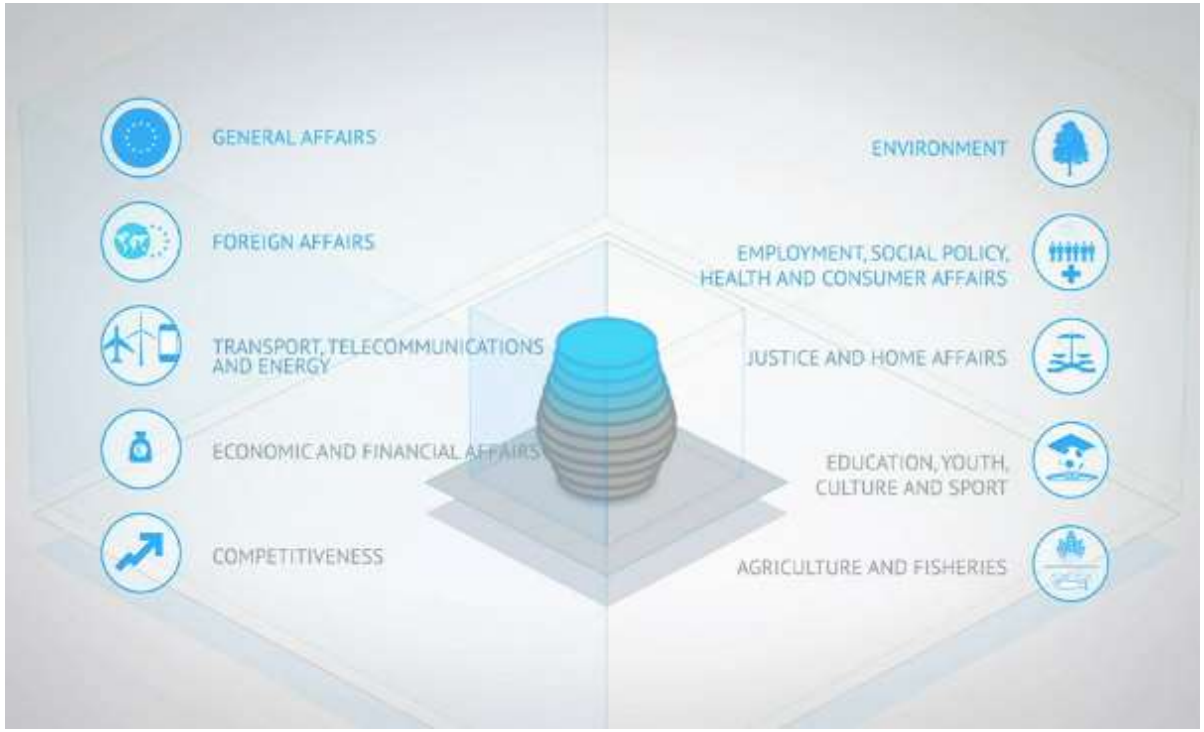
European Council - quarterly summits, where EU leaders meet to set the broad direction of EU policy making

Council of Europe - not an EU body at all.

THE COUNCIL OF THE EUROPEAN UNION (2)

The Council meets in **ten configurations**, with ministers from each of the 28 Member states represented on each of the councils

The Council of the EU gives the negotiating directive (mandate) to the European Commission for negotiating free trade agreements (FTA) with 3rd parties.



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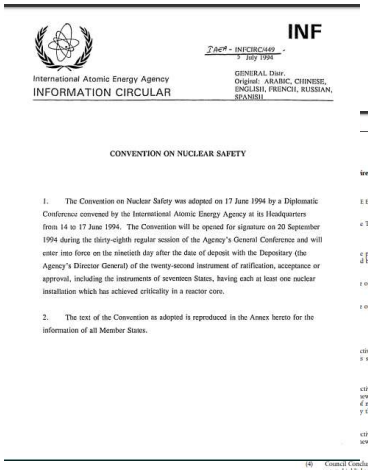

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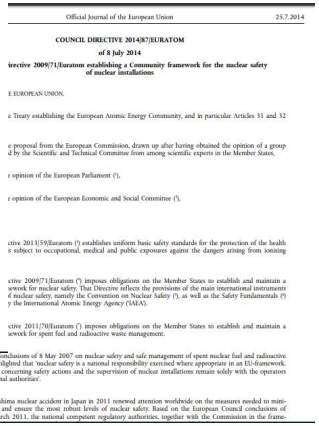

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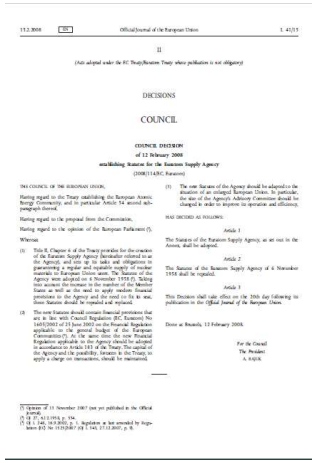

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EUROPEAN PARLIAMENT

Directly elected parliamentary institution

Together with the Council of the EU, it forms the legislative branch of the European Union and the budgetary authority. I

t comprises 751 Members of the European Parliament (MEPs), who are elected every five years.

It also supervises the work of the European Commission and other EU bodies, and cooperates with national parliaments of EU countries to get their input on the issues under its purview.

Decides EU laws and budget together with the Council of Ministers

Number of members elected in each country

Austria - **18**
Belgium - **21**
Bulgaria - **17**
Croatia - **11**
Cyprus - **6**
Czechia - **21**
Denmark - **13**
Estonia - **6**
Finland - **13**
France - **74**
Germany - **96**
Greece - **21**
Hungary - **21**
Ireland - **11**
Italy - **73**
Latvia - **8**
Lithuania - **11**
Luxembourg - **6**
Malta - **6**
Netherlands - **26**
Poland - **51**
Portugal - **21**
Romania - **32**
Slovakia - **13**
Slovenia - **8**
Spain - **54**
Sweden - **20**
United Kingdom - **73**

Total - **751**

TITLE XXI TFEU: ENERGY

Article 194

1. In the context of the establishment and functioning of the internal market and with regard for the need to preserve and improve the environment, Union policy on energy shall aim, in a spirit of solidarity between Member States, to:

(a) ensure the functioning of the energy market;

(b) ensure security of energy supply in the Union;

(c) promote energy efficiency and energy saving and the development of new and renewable forms of energy; and

(d) promote the interconnection of energy networks. […]

LECTURE N. 2

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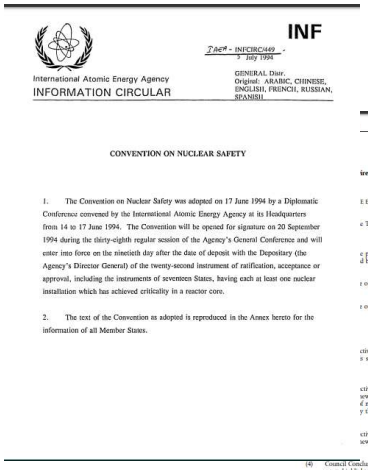

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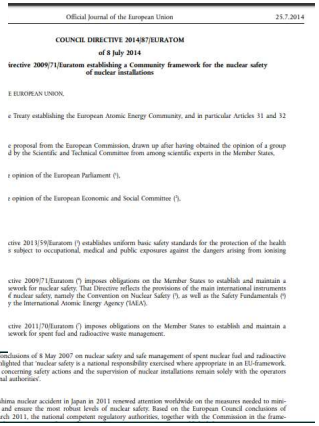

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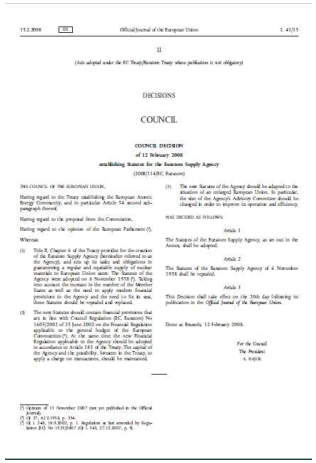

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EURATOM TREATY (1)

Article 1

By this Treaty the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN ATOMIC ENERGY COMMUNITY (EURATOM).

It shall be the task of the Community to contribute to the raising of the standard of living in the Member States and to the development of relations with the other countries by creating the conditions necessary for the speedy establishment and growth of nuclear industries.


CONSOLIDATED VERSION
OF THE TREATY ESTABLISHING THE
EUROPEAN ATOMIC ENERGY COMMUNITY

EURATOM TREATY (2)

Article 52

1. The supply of [...] source materials and special fissile materials shall be ensured [...] by means of a common supply policy on the principle of equal access to sources of supply.

2. For this purpose and under the conditions laid down in this Chapter:

[...] (b) an Agency is hereby established; it shall have a right of option on [...] source materials and special fissile materials produced in the territories of Member States and an exclusive right to conclude contracts relating to the supply of [...] source materials and special fissile materials coming from inside the Community or from outside.

[...]


CONSOLIDATED VERSION
OF THE TREATY ESTABLISHING THE
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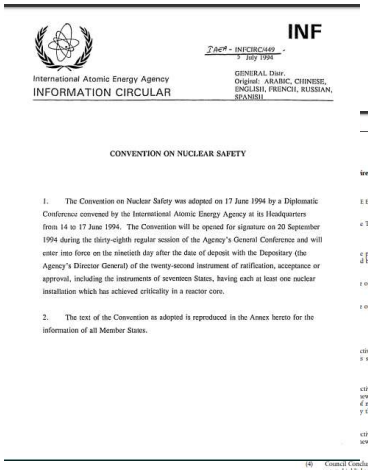

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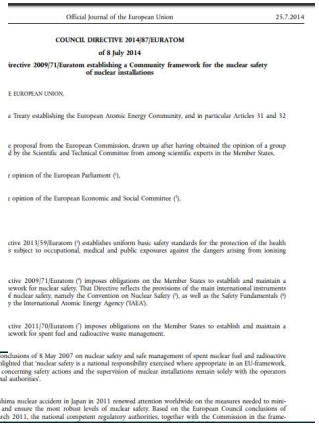

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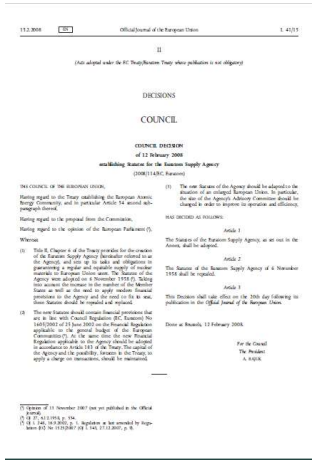

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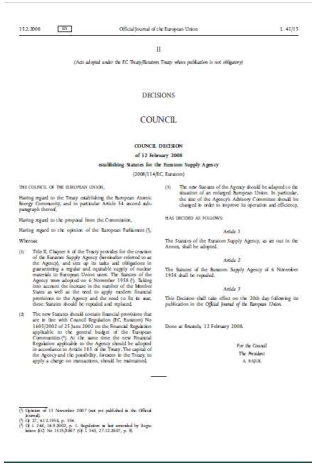
EURATOM SUPPLY AGENCY (ESA): MISSION STATEMENT (1)

ESA focuses on enhancing the security of supply of users located in the European Union and shares responsibility for the viability of the EU nuclear industry

ESA's mandate is to exercise its powers and, as required by its Statutes, to monitor the market



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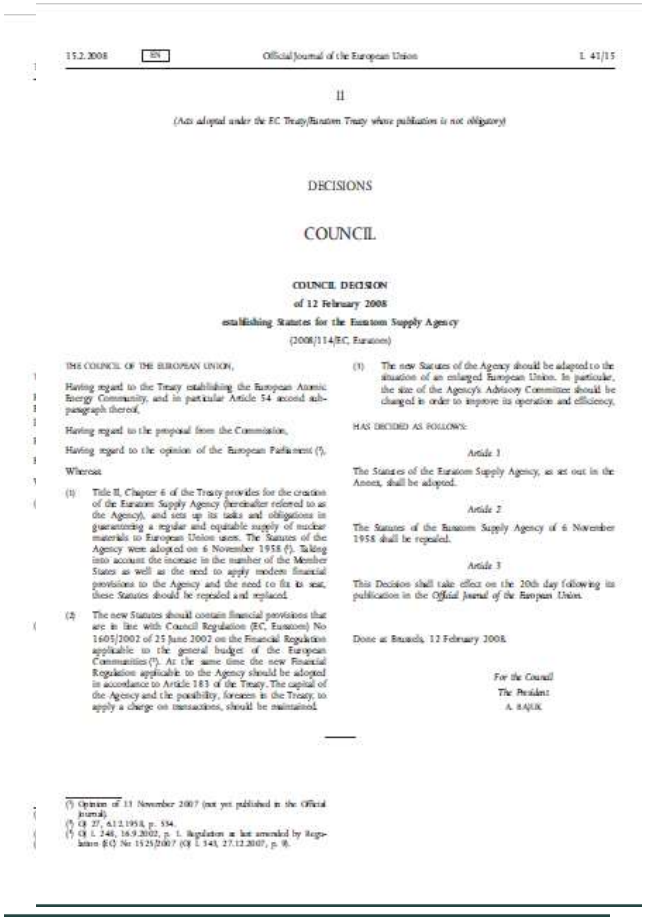
ESA: MISSION STATEMENT (2)

On the basis of the Euratom Treaty, ESA also monitors **transactions involving services** in the nuclear fuel cycle

the remit of the Agency was strengthened by the **Council Decision of 12 February 2008** establishing **ESA's Statutes** which entrusted the Agency with the **CREATION OF A NUCLEAR MARKET OBSERVATORY** in order to



15.2.2008 EN Official Journal of the European Union L 41/15

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 54 second sub-paragraph thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Whereas:

(1) Title II, Chapter 6 of the Treaty provides for the creation of the Euratom Supply Agency (hereinafter referred to as the Agency), and sets up its tasks and obligations in guaranteeing a regular and equitable supply of nuclear materials to European Union users. The Statutes of the Agency were adopted on 6 November 1958 (2). Taking into account the increase in the number of the Member States as well as the need to apply modern financial provisions to the Agency and the need to fix its seat, these Statutes should be repealed and replaced.

(2) The new Statutes should contain financial provisions that are in line with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (3). At the same time the new Financial Regulation applicable to the Agency should be adopted in accordance to Article 183 of the Treaty. The capital of the Agency and the possibility, foreseen in the Treaty, to apply a charge on transactions, should be maintained.

(3) The new Statutes of the Agency should be adapted to the situation of an enlarged European Union. In particular, the size of the Agency's Advisory Committee should be changed in order to improve its operation and efficiency.

HAS DECIDED AS FOLLOWS:

Article 1

The Statutes of the Euratom Supply Agency, as set out in the Annex, shall be adopted.

Article 2

The Statutes of the Euratom Supply Agency of 6 November 1958 shall be repealed.

Article 3

This Decision shall take effect on the 20th day following its publication in the *Official Journal of the European Union*.

Done at Brussels, 12 February 2008.

For the Council
The President
A. RAJOY

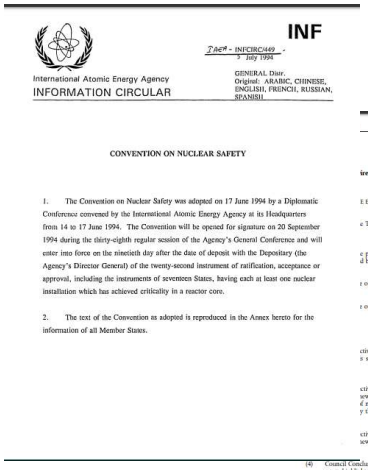
(1) Opinion of 13 November 2007 (not yet published in the Official Journal).
(2) OJ 27, 6.12.1958, p. 534.
(3) OJ L 248, 16.9.2002, p. 1. Regulation as last amended by Regulation (EC) No 1525/2007 (OJ L 343, 27.12.2007, p. 9).

- Provide the Community with expertise, information and advice on any subjects connected with the operation of the market in nuclear materials and services,

- Monitor the market and identify market trends that could affect security of the European Union's supply of nuclear materials and services.

LECTURE N. 2

THE ROLE AND FUNCTION OF THE EUROPEAN ATOMIC ENERGY COMMUNITY (EAEC OR EURATOM)



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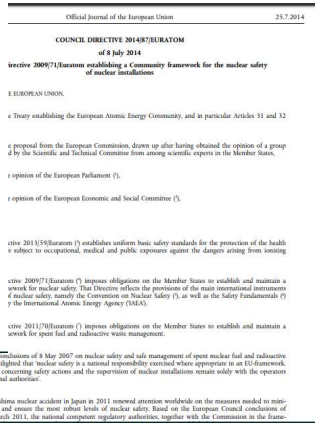
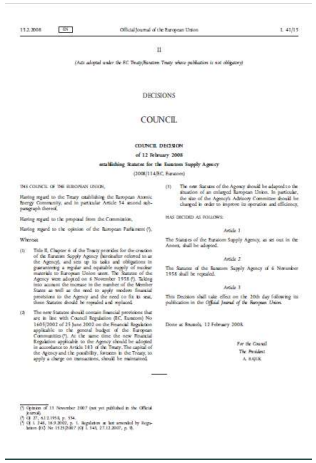
International Atomic Energy Agency
INFORMATION CIRCULAR

CONVENTION ON NUCLEAR SAFETY



Official Journal of the European Union 25.7.2014

COUNCIL DIRECTIVE 2014/87/EURATOM
of 8 July 2014



DECISIONS

COUNCIL

COUNCIL DECISION
of 12 February 2008

Federica Cristani, Phd

Jean Monnet Module on EU Foreign Policy: EU Energy policy

EU NUCLEAR ENERGY POLICY (1)

Nuclear power plants generate almost 30% of the electricity produced in the EU. There are 130 nuclear reactors in operation in 14 EU countries.

Each EU country decides alone whether to include nuclear power in its energy mix or not.

15.2.2008 EN Official Journal of the European Union L 41/15

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION
of 12 February 2008
establishing Statutes for the Euratom Supply Agency
(2008/114/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 54 second sub-paragraph thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Whereas:

(1) Title II, Chapter 6 of the Treaty provides for the creation of the Euratom Supply Agency (hereinafter referred to as the Agency), and sets up its tasks and obligations in guaranteeing a regular and equitable supply of nuclear materials to European Union users. The Statutes of the Agency were adopted on 6 November 1958 (2). Taking into account the increase in the number of the Member States as well as the need to apply modern financial provisions to the Agency and the need to fit in text, these Statutes should be repealed and replaced.

(2) The new Statutes should contain financial provisions that are in line with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (3). At the same time the new Financial Regulation applicable to the Agency should be adopted in accordance to Article 183 of the Treaty. The capital of the Agency and the possibility, foreseen in the Treaty, to apply a charge on transactions, should be maintained.

(3) The new Statutes of the Agency should be adapted to the situation of an enlarged European Union. In particular, the size of the Agency's Advisory Committee should be changed in order to improve its operation and efficiency,

HAS DECIDED AS FOLLOWS:

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Done at Brussels, 12 February 2008.

For the Council
The President
A. RAUX

(1) Opinion of 13 November 2007 (not yet published in the Official Journal).
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(3) OJ L 248, 16.9.2002, p. 1. Regulation as last amended by Regulation (EC) No 1525/2007 (OJ L 343, 27.12.2007, p. 9).

The **European Commission** deals with nuclear activities from three angles:

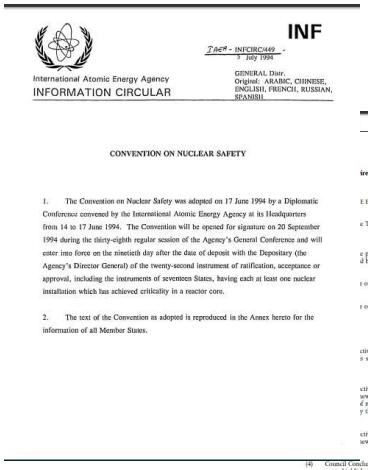
- **nuclear safety** is about the safe operation of nuclear installations. It is complemented by radiation protection and radioactive waste management

- **nuclear safeguards** are measures to ensure that nuclear materials are used only for the purposes declared by the users

- nuclear security relates to the **physical protection** of nuclear material and installations against intentional malicious acts.

LECTURE N. 2

THE ROLE AND FUNCTION OF THE EUROPEAN ATOMIC ENERGY COMMUNITY (EAEC OR EURATOM)



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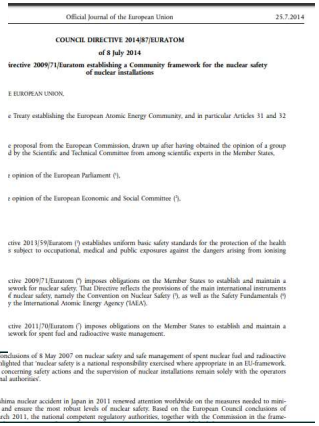
International Atomic Energy Agency
INFORMATION CIRCULAR

CONVENTION ON NUCLEAR SAFETY



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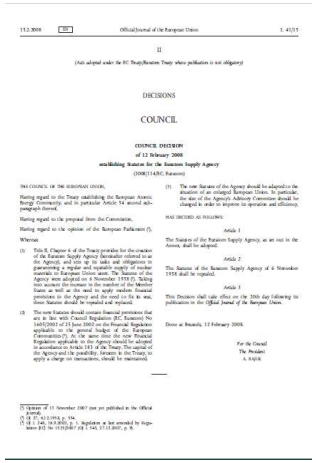
of 8 July 2014



DECISIONS

COUNCIL

COUNCIL DECISION
of 12 February 2008

Federica Cristani, Phd

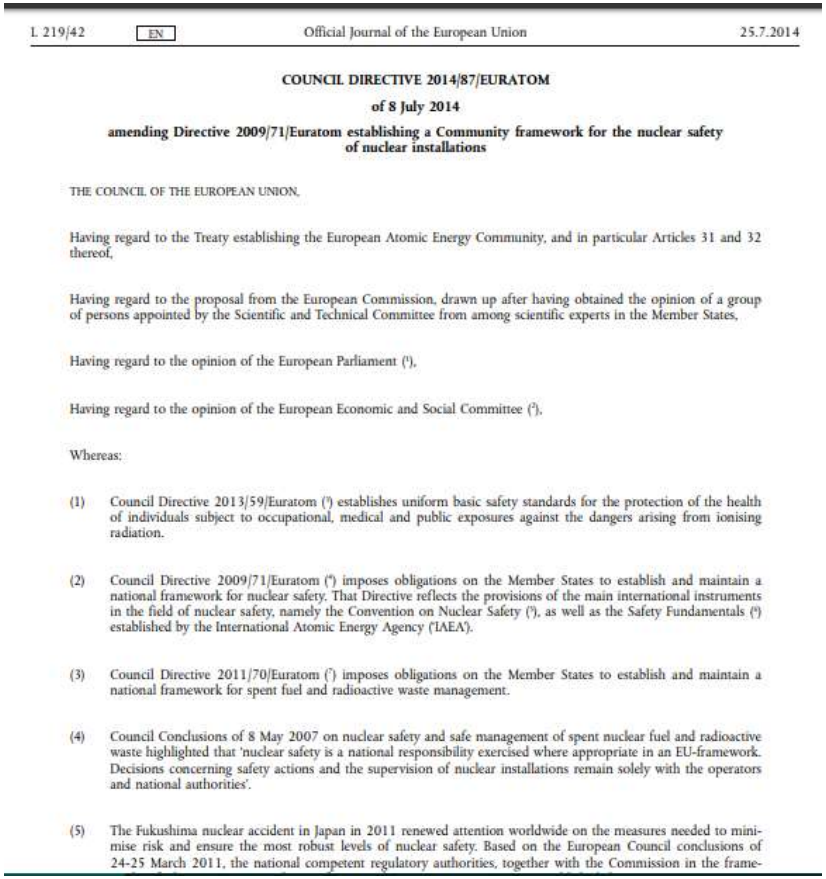
Jean Monnet Module on EU Foreign Policy: EU Energy policy

EU NUCLEAR ENERGY POLICY(2)

Nuclear safety

The EU promotes the highest safety standards for all types of civilian nuclear activity, including power generation, research, and medical use. I

In July 2014, the EU amended its **Nuclear Safety Directive** from 2009, which establishes common safety rules for nuclear installations.



L 219/42 EN Official Journal of the European Union 25.7.2014

COUNCIL DIRECTIVE 2014/87/EURATOM

of 8 July 2014

amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Articles 31 and 32 thereof,

Having regard to the proposal from the European Commission, drawn up after having obtained the opinion of a group of persons appointed by the Scientific and Technical Committee from among scientific experts in the Member States,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the European Economic and Social Committee (2),

Whereas:

(1) Council Directive 2013/59/Euratom (3) establishes uniform basic safety standards for the protection of the health of individuals subject to occupational, medical and public exposures against the dangers arising from ionising radiation.

(2) Council Directive 2009/71/Euratom (4) imposes obligations on the Member States to establish and maintain a national framework for nuclear safety. That Directive reflects the provisions of the main international instruments in the field of nuclear safety, namely the Convention on Nuclear Safety (5), as well as the Safety Fundamentals (6) established by the International Atomic Energy Agency ('IAEA').

(3) Council Directive 2011/70/Euratom (7) imposes obligations on the Member States to establish and maintain a national framework for spent fuel and radioactive waste management.

(4) Council Conclusions of 8 May 2007 on nuclear safety and safe management of spent nuclear fuel and radioactive waste highlighted that 'nuclear safety is a national responsibility exercised where appropriate in an EU-framework. Decisions concerning safety actions and the supervision of nuclear installations remain solely with the operators and national authorities'.

(5) The Fukushima nuclear accident in Japan in 2011 renewed attention worldwide on the measures needed to minimise risk and ensure the most robust levels of nuclear safety. Based on the European Council conclusions of 24-25 March 2011, the national competent regulatory authorities, together with the Commission in the frame-

EU NUCLEAR ENERGY POLICY(3)

Radioactive waste and decommissioning

Radioactive waste results from nuclear activities such as electricity generation, medicine, and research.

The EU's **Directive for the Management of Radioactive Waste and Spent Fuel** sets out rules for safely disposing of used radioactive materials.

The shutting down and decommissioning of a nuclear power plant at the end of its lifecycle is a long and expensive process. The 'Waste Directive' also requires the creation of EU country plans for financing the safe disposal of radioactive waste during decommissioning.

Radiation protection

The EU has radiation protection legislation in place to protect human health.

In addition, the EU requires EU countries to monitor radioactivity in the air, water, soil and foodstuffs. It also plays an important role in the international exchange of radiological information, in particular in the event of a nuclear emergency.

EU NUCLEAR ENERGY POLICY(4)

Fusion Energy

Nuclear fusion is currently in an experimental phase. It produces energy by fusing light atoms such as hydrogen at extremely elevated pressures and high temperatures.

The **International Thermonuclear Experimental Reactor (ITER)** is an experimental fusion reactor in the south of France aiming to demonstrate the feasibility of fusion as a viable source of energy.

Proper use of nuclear materials – safeguards

The EU wants to ensure that nuclear materials are not diverted from their original intended use.

Under the Euratom Treaty, nuclear safeguards were established to guarantee this. They oblige users to keep accurate records and make declarations to the European Commission. The Commission verifies these declarations and performs inspections.

EU NUCLEAR ENERGY POLICY(5)

Nuclear fuel supply security

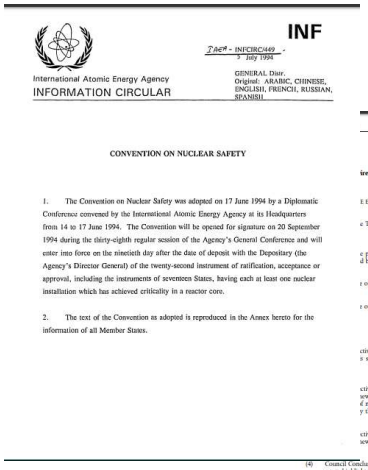
The **Euratom Supply Agency (ESA)** ensures a regular and diversified supply of nuclear fuels to EU users. In particular, the ESA recommends that EU facilities operating nuclear power plants maintain stocks of nuclear materials and cover their needs by entering into long-term contracts with a diverse range of suppliers. It also monitors the EU nuclear fuel market.

European Nuclear Energy Forum

In collaboration with the Czechia or Slovak Republic (in alternate years), the Commission co-organises the annual **European Nuclear Energy Forum** **(ENEF)**, a platform for broad discussion of the opportunities and risks of nuclear energy.

LECTURE N. 2

THE ROLE AND FUNCTION OF THE EUROPEAN ATOMIC ENERGY COMMUNITY (EAEC OR EURATOM)



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International Atomic Energy Agency
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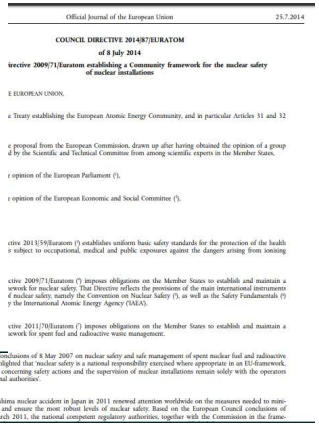
CONVENTION ON NUCLEAR SAFETY



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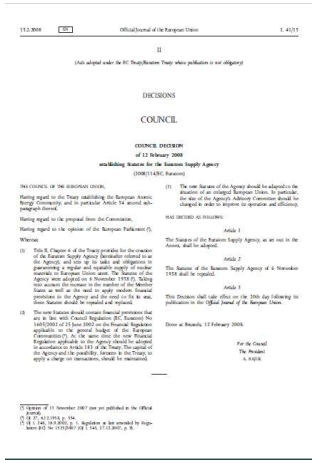
of 8 July 2014



DECISIONS

COUNCIL

COUNCIL DECISION
of 12 February 2008

Federica Cristani, Phd

Jean Monnet Module on EU Foreign Policy: EU Energy policy

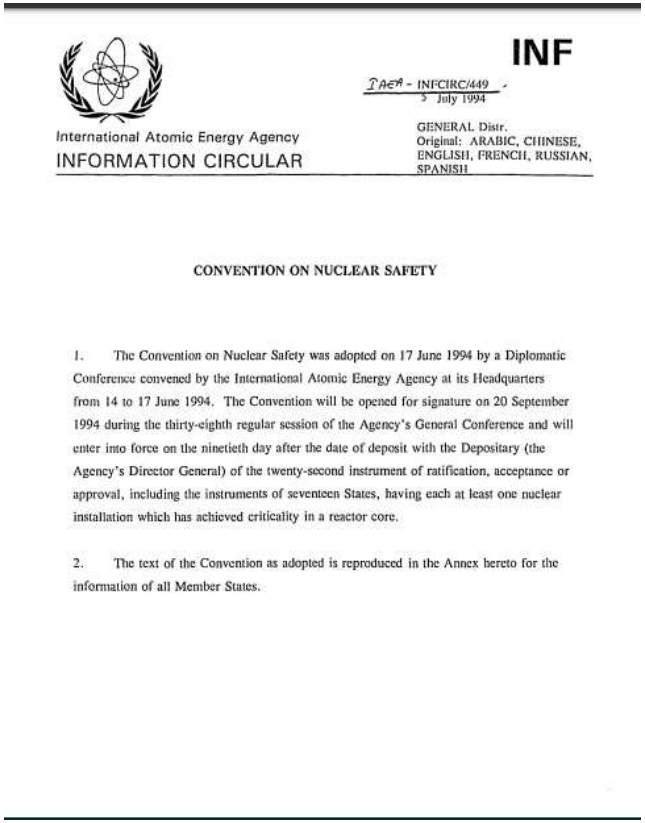
INTERNATIONAL COOPERATION

The EU cooperates with non-EU countries and international organisations on nuclear safety.

In 2013, the European Commission signed a **Memorandum of Understanding with the International Atomic Energy Agency (IAEA)** to further strengthen the cooperation, including on expert peer reviews, emergency preparedness and response.

On behalf of the European Atomic Energy Community, the Commission takes part in triennial review meetings (RM) and extraordinary meetings (EM) on the **Convention on Nuclear Safety** and produces corresponding reports:

The IAEA and the Commission meet annually to review progress achieved from working together on a range of nuclear activities.



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IAEA - INFCIRC/449
5 July 1994

International Atomic Energy Agency
INFORMATION CIRCULAR

GENERAL Distr.
Original: ARABIC, CHINESE, ENGLISH, FRENCH, RUSSIAN, SPANISH

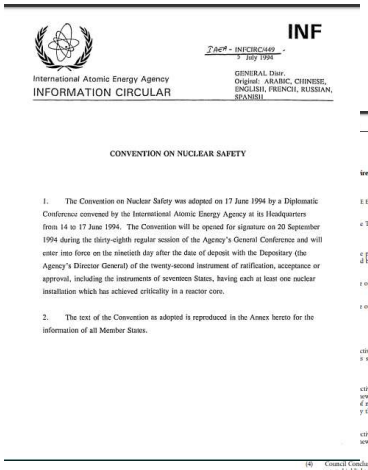
CONVENTION ON NUCLEAR SAFETY

1. The Convention on Nuclear Safety was adopted on 17 June 1994 by a Diplomatic Conference convened by the International Atomic Energy Agency at its Headquarters from 14 to 17 June 1994. The Convention will be opened for signature on 20 September 1994 during the thirty-eighth regular session of the Agency's General Conference and will enter into force on the ninetieth day after the date of deposit with the Depositary (the Agency's Director General) of the twenty-second instrument of ratification, acceptance or approval, including the instruments of seventeen States, having each at least one nuclear installation which has achieved criticality in a reactor core.

2. The text of the Convention as adopted is reproduced in the Annex hereto for the information of all Member States.

LECTURE N. 2

THE ROLE AND FUNCTION OF THE EUROPEAN ATOMIC ENERGY COMMUNITY (EAEC OR EURATOM)



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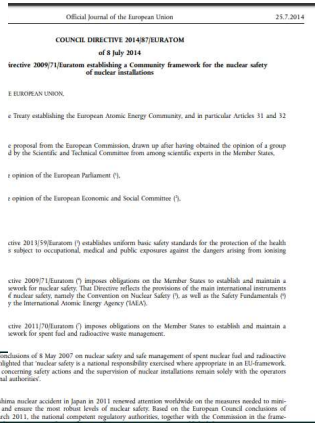

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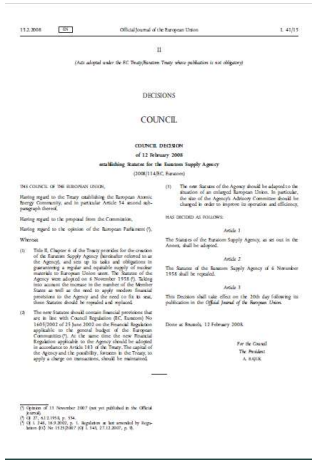


DECISIONS

COUNCIL

COUNCIL DECISION
of 12 February 2008

Federica Cristani, Phd

Jean Monnet Module on EU Foreign Policy: EU Energy policy

INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

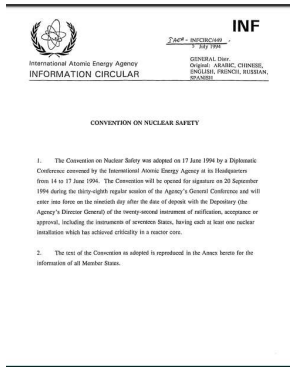
the world's central intergovernmental forum for scientific and technical co-operation in the nuclear field.

It works for the safe, secure and peaceful uses of nuclear science and technology, contributing to international peace and security and the United Nations' Sustainable Development Goals.

The IAEA was created in 1957 in response to the deep fears and expectations generated by the discoveries and diverse uses of nuclear technology. The Agency's genesis was U.S. President Eisenhower's "Atoms for Peace" address to the General Assembly of the United Nations on 8 December 1953.

The Statute of the IAEA was approved on 23 October 1956 by the **Conference on the Statute of the International Atomic Energy Agency**, which was held at the Headquarters of the United Nations. It came into force on 29 July 1957.

In October 1957, the delegates to the First General Conference decided to establish the IAEA's headquarters in Vienna, Austria.


International Atomic Energy Agency
INFORMATION CIRCULAR

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2. The text of the Convention as adopted is reproduced in the Annex hereto for the information of all Member States.

CONVENTION ON NUCLEAR SAFETY

Convention on Nuclear Safety was adopted by a Diplomatic Conference convened by the International Atomic Energy Agency at its Headquarters from 14 to 17 June 1994.

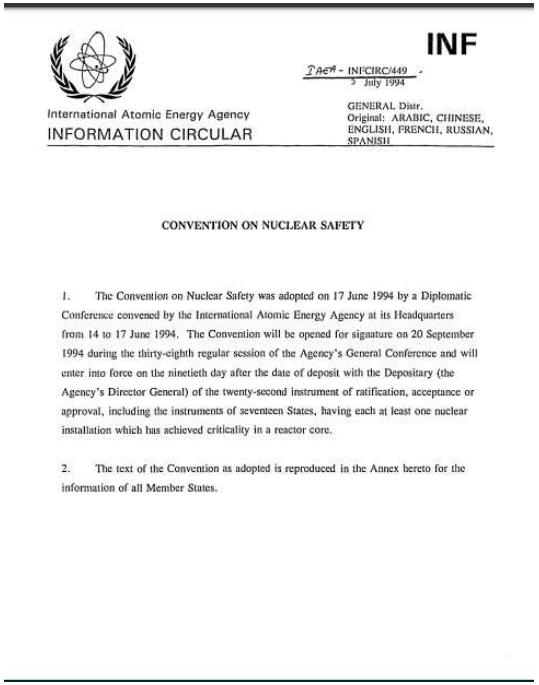
Date of adoption: 17 June 1994
Date of entry into force: 24 October 1996

The Convention on Nuclear Safety aims to commit participating States operating land-based civil nuclear power plants to maintain a high level of safety by establishing fundamental safety principles to which States would subscribe.

The Convention is based on the Parties' common interest to achieve higher levels of safety that will be developed and promoted through regular meetings.

It obliges Parties to submit reports on the implementation of their obligations for "peer review" at meetings that are normally held at IAEA Headquarters.

EURATOM acceded the Convetion in 2000



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SUSTAINABLE DEVELOPMENT GOALS (1)

Sustainable development means meeting the needs of the present whilst ensuring future generations can meet their own needs.

It has **three pillars**: economic, environmental and social.

World leaders agreed on Agenda 2030, a set of 17 Sustainable Development Goals and 169 targets proposed by the United Nations in 2015.

SUSTAINABLE DEVELOPMENT GOALS (2)

ENERGY POLICY AND SDGS (1)

The IAEA supports countries in their efforts to reach the 17 Sustainable Development Goals (SDGs) set out in the United Nations (UN) 2030 Agenda for Sustainable Development.

Many countries use nuclear science and technology to contribute to and meet their development objectives in areas including **energy, human health, food production, water management and environmental protection**.

The use of these techniques contributes directly to nine of the 17 SDGs.

ENERGY POLICY AND SDGS (2)

Sustainable Development Goal 2: Zero hunger

Nuclear science and technology can help fight hunger and malnutrition and improve food security and food safety. Through the IAEA and its partnerships, including with the Food and Agriculture Organization of the United Nations (FAO), many countries use nuclear tools to develop sustainable agricultural practices, establish and improve nutrition programmes and ensure stable supplies of quality food.

ENERGY POLICY AND SDGS (3)

Sustainable Development Goal 3: Good health and well-being

The use of nuclear technology in medicine, particularly to fight cancer and to diagnose diseases, has become one of the most widespread uses of nuclear energy.

Nuclear techniques play an important role in diagnosing and treating various health conditions, in particular non-communicable diseases such as cancer and cardiovascular diseases

ENERGY POLICY AND SDGS (4)

Sustainable Development Goal 6: Clean water and sanitation

Access to clean water is under threat in many parts of the world due to pollution, overuse and climate change. Through IAEA support, more than 90 countries have used nuclear and isotopic techniques to find, study and protect water resources, which helps policymakers develop water protection and management strategies and plans.

ENERGY POLICY AND SDGS (5)

Sustainable Development Goal 7: Affordable and clean energy

More than 1 billion people in the world do not have access to electricity, and countries with sufficient electricity supply face the dual challenge of a rapidly growing energy demand and concerns for the environment. Nuclear power is a reliable, low-carbon energy source many countries are now considering or adopting as part of their energy mix

The IAEA assists countries new to nuclear technology in developing the proper infrastructure to help them build their way to sustainable energy. The IAEA provides technical support in all aspects of the nuclear fuel cycle and the life cycle of nuclear facilities, as well as support related to emerging innovative technologies.

The Agency also promotes international collaboration and facilitates the exchange of scientific and technical information toward advancing energy research and technology, including in nuclear fusion.

ENERGY POLICY AND SDGS (6)

Sustainable Development Goal 9: Industry, innovation and infrastructure

Industry is a driving force behind development, and it requires sturdy infrastructure to be sustainable. With nuclear science and technology and IAEA support, experts are finding cost-effective and innovative ways to help countries achieve United Nations Sustainable Development Goal (SDG) 9 on building resilient infrastructure, promoting inclusive and sustainable industrialization and fostering innovation.

ENERGY POLICY AND SDGS (7)

Sustainable Development Goal 13: Climate action

Climate change has become one of the biggest environmental challenges worldwide. Experts are working with the help of the IAEA and its partners to use nuclear science and technology to monitor, mitigate and adapt to the effects of climate change and respond to the Paris Agreement on Climate Change and the United Nations Sustainable Development Goal (SDG) 13, which calls for urgent action to combat climate change and its impact.

Climate change has made water scarcity, food shortages, biodiversity loss and natural disasters more common worldwide. Researchers use nuclear and isotopic techniques to collect data on and monitor how climate change affects the environment — from the ocean and freshwater to mountains and soil — and identify sources of pollutants and greenhouse gas emissions. This data can help policymakers take science-based decisions for mitigating and adapting to climate change.

ENERGY POLICY AND SDGS (8)

Sustainable Development Goal 14: Life below water

Oceans cover more than 70% of the planet and are a source of food and income for more than 10% of the world's population. Pollution and climate change continue to have a major impact on the ocean. Countries are working together to protect the marine environment from their effects and achieve United Nations Sustainable Development Goal (SDG) 14, which calls for conserving and sustainably using the oceans, seas and marine resources for sustainable development.

ENERGY POLICY AND SDGS (9)

Sustainable Development Goal 15: Life on land

Land degradation affects more than 60% of global soil resources, due mostly to intensive agriculture and deforestation. Degraded land influences the lives of more than 1 billion people who rely on this land for food production. To protect and sustainably use the world's natural resources, countries work with the IAEA and its partners, such as the Food and Agriculture Organization of the United Nations (FAO), toward the United Nations Sustainable Development Goal (SDG) 15 on protecting, restoring and promoting the sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, halt and reverse land degradation and halt biodiversity loss.

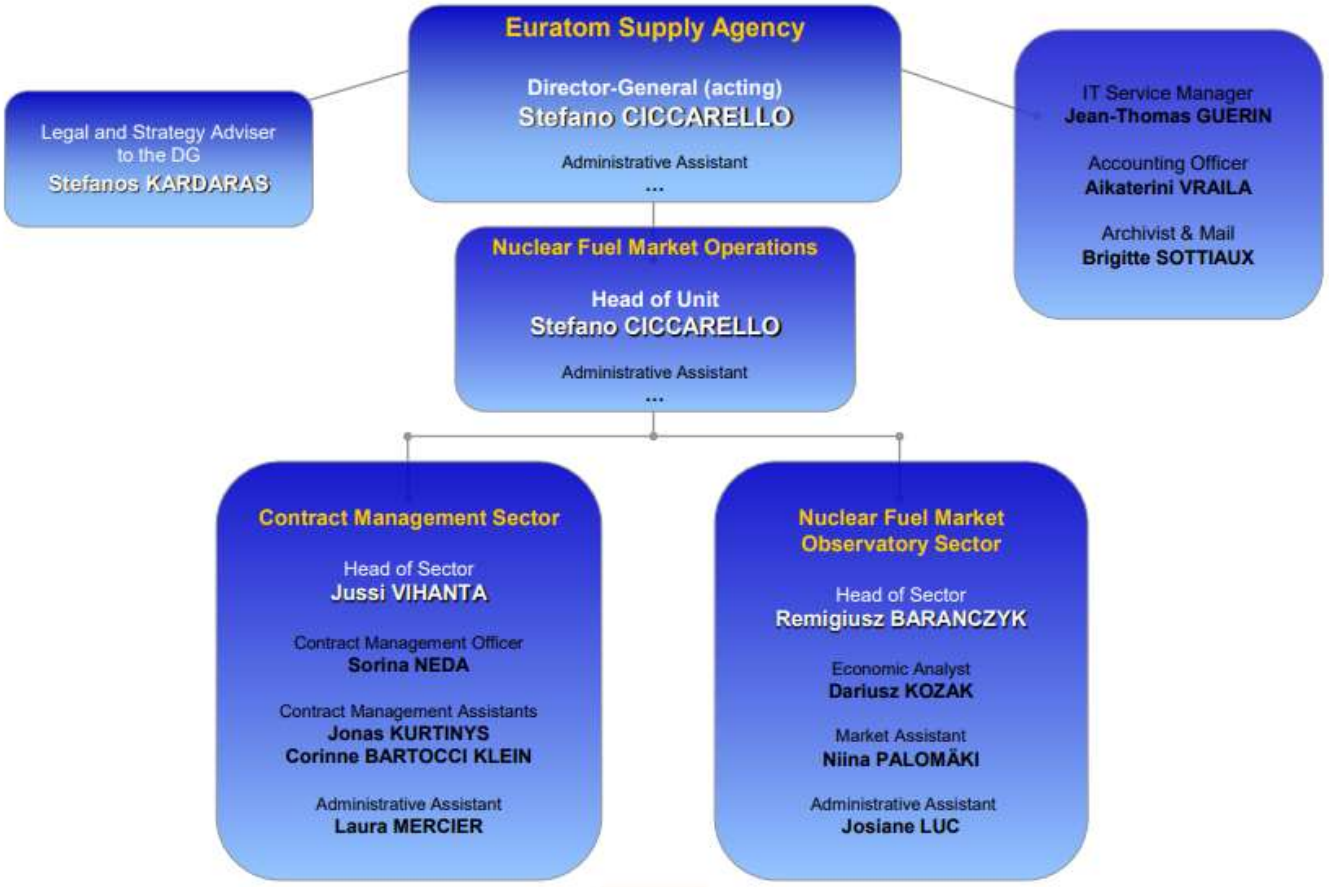
ENERGY POLICY AND SDGS (10)

Sustainable Development Goal 17: Partnerships for the goals

Achieving sustainable development cannot be done by a single organization or government alone. Partnerships are an essential dimension to achieving the United Nations Sustainable Development Goals (SDGs). The IAEA and its partners form important strands of the global sustainable development agenda by helping countries to use nuclear science to meet their development targets and work together toward achieving SDG 17 on strengthening the means of implementation and revitalizing the global partnership for sustainable development.

The IAEA, in cooperation with its partners, supports countries in building their capacities, expanding their networks and sharing knowledge through the IAEA's coordinated research and technical cooperation projects and network of Collaborating Centres. This takes the form of training, fellowships, scientific visits, the provision of equipment and expert advice, among others. These efforts also support countries in achieving SDG 17's target on data, monitoring, and accountability. Nuclear techniques are effective tools for collecting precise data, which can be used to strengthen results-oriented development planning and programming.

EURATOM SUPPLY AGENCY



LEGAL BASIS (1)

The Euratom Treaty established the Euratom Supply Agency (ESA) with legal personality and financial autonomy under the supervision of the European Commission.

The **main task** foreseen in the Euratom Treaty is

"to ensure that all users in the Community receive a regular and equitable supply of ores and nuclear fuel"

The ESA has exclusive right to conclude contracts for the supply of source materials and special fissile materials (Article 52) within the EU.

The **ESA Advisory Committee** acts as a link between the ESA and both users and producers in the EU nuclear industry. The Committee assists ESA by giving opinions and providing analysis and information.

Any act performed by the ESA in the exercise of its right of option or of its exclusive right to conclude supply contracts may be challenged before the Commission (Article 53 of the Euratom Treaty).

LEGAL BASIS (2)

Treaty establishing the European Atomic Energy Community (Euratom Treaty), in particular Articles 1, 2, 52-76, 80, 86-91, 171, 195, and 197.

Council Decision of 12 February 2008 establishing Statutes for the Euratom Supply Agency (O.J. L 41, 15/02/2008 p.0015-0020).

Council Regulation (EU) No 517/2013 of 12 May 2013 adapting certain regulations and decisions in the field of, among others, energy and in particular the Euratom Supply Agency's Statutes by reason of the accession of the Republic of Croatia (O.J. L 158, 16.06.2013, in particular Chapter 8, point 2 of its Annex)

Decision of the Commission of 5 May 1960 fixing the date on which the Euratom Supply Agency shall take up its duties and approving the Agency Rules determining the manner in which demand is to be balanced against the supply of source materials and special fissile materials (O.J. P 32, 11/05/1960 p.0776).

Commission regulation (Euratom) of 16 January 2006 exempting the transfer of small quantities of source materials and special fissile materials from the rules of the chapter on supplies (O.J. L 11, 17/01/2006 p.0006-0008).

Rules of the Supply Agency of the European Atomic Energy Community of 5 May 1960 determining the manner in which demand is to be balanced against the supply of ores, source materials and special fissile materials (O.J. P 32, 11/05/1960 p.0777-0779).
modified by:

Regulation of the Supply Agency of the European Atomic Energy Community amending the rules of the Supply Agency of 5 May 1960 determining the manner in which demand is to be balanced against the supply of ores, source materials and special fissile materials (O.J. L 193, 25/07/1975 p.0037-0038).

SUPPLY CONTRACTS


CONSOLIDATED VERSION
OF THE TREATY ESTABLISHING THE
EUROPEAN ATOMIC ENERGY COMMUNITY

Conclusion of supply contracts

Under Article 52 of the Euratom Treaty, the ESA has "an exclusive right to conclude contracts relating to the supply of ores, source materials and special fissile materials coming from inside the Community or from outside".

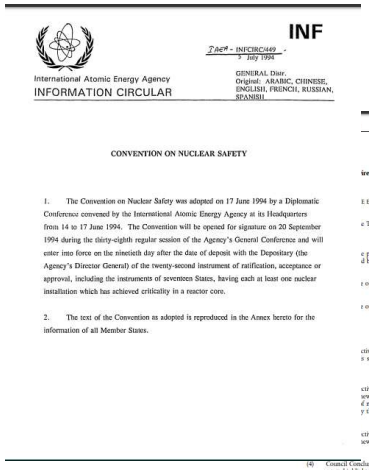
- **Rules of the Supply Agency**

Commission's authorization

In certain cases, the conclusion of a supply contract also requires the Commission's authorization. In particular, the prior Commission's authorization is needed for the **export of nuclear materials produced in the Community** and for the **conclusion of supply contracts with a duration of more than 10 years**

LECTURE N. 2

THE ROLE AND FUNCTION OF THE EUROPEAN ATOMIC ENERGY COMMUNITY (EAEC OR EURATOM)


INF

International Atomic Energy Agency
INFORMATION CIRCULAR

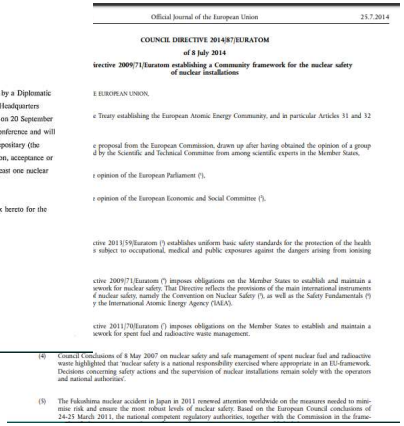
INFCIRC/449
July 1994

GENERAL Distr.
Original: ARABIC, CHINESE, ENGLISH, FRENCH, RUSSIAN, SPANISH

CONVENTION ON NUCLEAR SAFETY

1. The Convention on Nuclear Safety was adopted on 17 June 1994 by a Diplomatic Conference convened by the International Atomic Energy Agency at its Headquarters from 14 to 17 June 1994. The Convention will be opened for signature on 20 September 1994 during the thirty-eighth regular session of the Agency's General Conference and will enter into force on the nineteth day after the date of deposit with the Depositary (the Agency's Director General) of the twenty-second instrument of ratification, acceptance or approval, including the instruments of seventeen States, having each at least one nuclear installation which has achieved criticality in a reactor core.

2. The text of the Convention as adopted is reproduced in the Annex hereto for the information of all Member States.


Official Journal of the European Union 25.7.2014

COUNCIL DIRECTIVE 2014/87/EURATOM
of 8 July 2014
irective 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations

E EUROPEAN UNION,

e Treaty establishing the European Atomic Energy Community, and in particular Articles 31 and 32

e proposal from the European Commission, drawn up after having obtained the opinion of a group d by the Scientific and Technical Committee from among scientific experts in the Member States,

opinion of the European Parliament (1),

opinion of the European Economic and Social Committee (2),

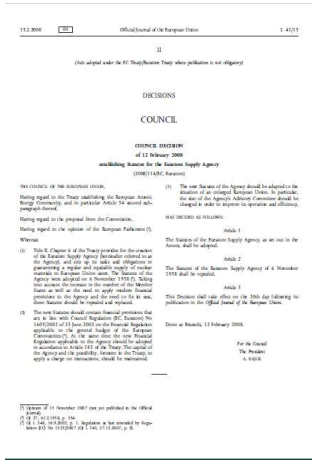
ctive 2013/59/Euratom (3) establishes uniform basic safety standards for the protection of the health s subject to occupational, medical and public exposures against the dangers arising from ionising

ctive 2009/71/Euratom (4) imposes obligations on the Member States to establish and maintain a ework for nuclear safety. That Directive reflects the provisions of the main international instruments e nuclear safety, namely the Convention on Nuclear Safety (5), as well as the Safety Fundamentals (6) y the International Atomic Energy Agency (IAEA).

ctive 2011/70/Euratom (7) imposes obligations on the Member States to establish and maintain a ework for spent fuel and radioactive waste management.

(4) Council Conclusions of 8 May 2007 on nuclear safety and safe management of spent nuclear fuel and radioactive waste highlighted that 'nuclear safety is a national responsibility exercised where appropriate in an EU-framework. Decisions concerning safety actions and the supervision of nuclear installations remain solely with the operators and national authorities'.

(5) The Fukushima nuclear accident in Japan in 2011 renewed attention worldwide on the measures needed to minimise risk and ensure the most robust levels of nuclear safety. Based on the European Council conclusions of 24-25 March 2011, the national competent regulatory authorities, together with the Commission in the frame-


15.2.2008 EN Official Journal of the European Union L 41/1

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION
of 12 February 2008
establishing Statutes for the Euratom Supply Agency
(2008/114/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community and in particular Article 54 second subparagraph thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Whereas

(1) Title II, Chapter 6 of the Treaty provides for the creation of the Euratom Supply Agency (hereinafter referred to as the Agency), and sets up its tasks and obligations in relation to the Member States and to the Commission. The Statutes of the Agency were adopted on 6 November 1958 (2). Taking into account the increase in the number of the Member States as well as the need to apply uniform financial provisions to the Agency and the need to fix its seat, those Statutes should be repealed and replaced.

(2) The new Statutes should contain financial provisions that are in line with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (3). The Financial Regulation of the Agency applicable to the Agency should be adopted in accordance to Article 185 of the Treaty. The capital of the Agency and the possibility, foreseen in the Treaty, to apply a charge on transactions, should be maintained.

(3) Opinion of 15 November 2007 (not yet published in the Official Journal).
(4) OJ 37, 61.1958, p. 534.
(5) OJ L 248, 16.9.2002, p. 1. Regulation as last amended by Regulation (EC) No 1525/2007 (OJ L 343, 27.12.2007, p. 9).

Article 1
The Statutes of the Euratom Supply Agency, as set out in the Annex, shall be adopted.

Article 2
The Statutes of the Euratom Supply Agency of 6 November 1958 shall be repealed.

Article 3
This Decision shall take effect on the 20th day following its publication in the Official Journal of the European Union.

Done at Brussels, 12 February 2008.

For the Council
The President
A. RAPA

Federica Cristani, Phd

Jean Monnet Module on EU Foreign Policy: EU Energy policy