

FOSTERING NUCLEAR SAFETY IN EUROPE THROUGH PUBLIC INFORMATION AND PARTICIPATION

The Aarhus Convention and Nuclear (ACN) European Process (2008-2013)

Preliminary Results & Perspectives

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ACN Ukrainian Rountable - Kyiv, Feb. 21st, 2013

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Summary

1. What is at stake with Public access to Information & Participation in the nuclear sector ?
2. Preliminary results of the European process "Aarhus Convention & Nuclear"
3. How shall we further develop Public Participation in Europe ?
4. Looking Forward, the next steps

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Diverse nuclear power situations in Europe with a common issue, safety vigilance

- Nuclear accidents do not respect borders.
- The possibility of a nuclear accident in the EU or in neighbouring countries cannot be excluded and consequences will not be limited to the State in which an accident takes place.
- This trans-national dimension has led to enhanced European cooperation on both institutional and non governmental basis.
- Whatever the future of nuclear power in the Countries of Europe and the energy supply choices that will be made, vigilance on nuclear safety remains a strong issue for the future of Europe.

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Nuclear safety requires demanding & constant vigilance

- Nuclear electric generation is a technological activity with a high catastrophic potential
- It requires a very high level of Safety
- Nuclear Safety assurance involves **extremely demanding and constant conditions** (financial, technical, social, political and legal).
- As the national contexts evolve, the underlying conditions of nuclear safety may be relaxed or altered...

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FUKUSHIMA

A “man-made disaster” :

- The National Diet of Japan,
- The official report of The **Fukushima** Nuclear Accident Independent Investigation Commission
- July 2012

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Societal vigilance is a necessity

- Although necessary, the existence of an institutional and regulatory framework for nuclear safety is necessary but insufficient.
- Disasters often result from non-transparent and collusive situations where mechanisms of control of safety are neutralized.
- In this way, nuclear safety relies upon not only the high commitment of operators and regulators, but also an effective commitment by the surrounding civil society.

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The European Process Aarhus Convention & Nuclear (ACN)

Initiated in 2007 by ANCCLI and the EC-DG ENER to assess the concrete implementation of the Aarhus Convention in the nuclear domain in Europe

Partnership with a broad range of stakeholders: institutional actors (regulators, operators, and experts), elected officials, and civil society organisations involved in the daily monitoring of civil nuclear activities.

Looking for challenges and obstacles, but also innovative ways to develop public information and participation

Possible ACN continuation considered in March 2013, will be discussed in Luxembourg.

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ACN European Roundables

Addressing

the practical implementation of the Aarhus Convention :

- **1st ERT “Radioactive Waste Management”, April 2010**
- **2nd ERT “Access to expertise and competence building, Jan. 2011**
- **3rd ERT “Emergency and post-emergency after Fukushima, Feb. 2012**
- **4th ERT “Nuclear safety management” 4-5 December 2012, Brussels EESC**

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ACN National Initiatives

Gathering concerned stakeholders (Government, Parliament, Ombudsman, Regulators, Experts, Operators, Legal Experts, and the Civil Society)

Various initiatives : National Roundtables, meetings, discussion assessing the practical implementation of Aarhus Convention in the nuclear sector

Bulgaria Belgium Baltic countries
France Ukraine Romania
Slovenia Hungary

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Main lessons of ACN (1)

- A specific and unique expectation of Aarhus Convention regarding the contribution of the public to the quality of decision-making and to the protection of environment
 - “Recognizing that, in the field of the environment, improved access to information and public participation in decision-making **enhance the quality and the implementation of decisions**”,
 - “Recognizing further the importance of the respective roles that **individual citizens, non-governmental organizations and the private sector** can play in environmental protection”,

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Main lessons of ACN (2)

- Practically in the nuclear context : the public is to contribute to nuclear safety and environmental protection.
- The AC is focussing on creating background conditions for enabling the public to play its role.
- Opportunities for public contribution on a continuous basis : not a limited window of opportunity
- AC provides a safe framework for various actors in order to cooperate on improving and sustaining nuclear safety without prejudice to their own position vis-à-vis Nuclear Energy

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Main lessons of ACN (3)

- Implementing AC in the nuclear sector requires :
 - taking into account the specificity of each nuclear context : RWM, safety, environmental monitoring, emergency, post-accident management, siting, decommissioning, etc
 - addressing each national context (historical, political, social, economical, scientific and technical)

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Main lessons of ACN (4)

- As soon as basic needs are met, civil society organizations quickly develop competence and independent follow-up, complementary to institutional expertise.
- Civil society contribute to improving the decision-making process
- Public access to reliable expertise on nuclear safety is a condition of this contribution

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Main lessons of ACN (5)

- Contribution of Civil Society must be recognized, encouraged and supported by public authorities. As an example, Local Information Commissions (CLIs) in France
- The involvement of the different categories of stakeholders is required : public authorities, experts, operators, regional and national governments, together with NGOs and the public

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Main lessons of ACN (6)

- A stream of research and experimentation developed in the last decades regarding the development of in the various fields of nuclear activity,
 - The PIPNA European survey is encapsulating a range of good-practices
- But, AC implementation requires subsidiarity and is to be experimented and developed in the appropriate local, regional, national or international contexts.

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Looking forward, further implementing the AC

- As ACN showed, the common will to improve and maintain safety in Europe is a powerful motive that brings together actors.
- BUT, there is still a long way to go to develop the systematic contribution of civil society to the safety of European nuclear facilities
- Implementation of Legal provisions of PIP must be supported by national and European dialogue of the various players (Regulator, Experts, Operators) with the Civil Society
- In this perspective, the *continuation of the ACN process is considered for a period of 5 years* in the frame of a renewed partnership,

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The next step...

Joint Event

*ACN and the Aarhus Convention Public Participation
Task Force*

**PUBLIC PARTICIPATION IN DECISION
MAKING IN THE NUCLEAR DOMAIN,**

Luxembourg, 12-13 March 2013