



European High Level Group  
on Nuclear Safety and Waste Management

Luxembourg, 25.10.2007  
HLG\_M(2007-01)\_Final

## Minutes of the 1<sup>st</sup> meeting of the High Level Group

12 October 2007, 9:00 – 17:00  
Berlaymont building, Brussels

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### **Participants**

Related document!: list of representatives from the Member States (HLG\_p(2007-01)\_3.v1)

**All EU Member States attended the meeting** and were represented by their senior officials from national regulatory, nuclear safety authorities or energy administrations.

From the Commission side, the presence was ensured by **Commissioner Piebalgs (opening of the meeting)**, Deputy Director General and Director for nuclear of DG TREN.

Mr. Schenkel (Director General of the JRC) and Mr Decaestecker (Secretariat General of the Council) also attended the meeting.

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### **1. Introductory address by Commissioner Piebalgs**

Related document: speech of Commissioner Piebalgs (HLG\_p(2007-01)\_4)

Commissioner Piebalgs welcomed all participants and reminded the European energy policy context under which the Commission, with the endorsement of the European Council, created the High Level group (HLG). He pointed out that since a renewed interest in nuclear energy by several EU countries, nuclear safety should not be seen any longer from solely national perspectives. The Commission, but also the European Parliament, consider that there is a need to have binding nuclear safety legislation within EU. The Commissioner reminded former Commission's nuclear safety and waste management initiatives and highlighted sound achievements and the role played by international organisations, namely by the Western European Nuclear Regulator's Association (WENRA) and the International Atomic Energy Agency (IAEA).

The Commissioner underlined that nuclear safety remains the top priority area where community work is needed and expressed his personal commitment to ensure a high level of nuclear safety within EU.

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<sup>1</sup> Legend: Name of Group\_Confidentiality of document (Year-Meeting Number)\_Document number.version number (if any).

Confidentiality of document:

- **c** for Consultation. Document discussed at HLG meetings and accessible for public
- **p** for Public. It is HLG final document for release to the public
- **r** for Restricted. Document accessible only for Members and Deputy Members of the Group
- **M** for minutes

Transparency should be one of main pillars of the work of the Group. Commissioner Piebalgs invited the Group to submit regular reports to the European Parliament.

## **2. Comments from participants**

The Members thanked the Commission for the creation of an HLG open both to nuclear and non-nuclear countries, and asked some clarifications about its mandate and working methods. They were mainly concerned about:

- whether the Group should play an advisory role to the Commission or have a reporting responsibility to the Council and the EP?
- how decisions should be taken: consensus or decisions by majority?
- independence, consensus and transparency being among essential values of the Group participants, how to ensure them?

They also pointed out that the Group should avoid duplications with work already undertaken by other European/international organisations.

The Commissioner replied that the role of the HLG is both to advise the Commission and report to the Council and the EP.

All questions were continued to be discussed and clarified under subsequent points of the agenda.

## **3. Adoption of the agenda**

Related document: adopted agenda by the Members.

At the request of certain Members, designation of the Chairman was postponed to the afternoon session. The morning session was devoted to discussions on the rules of procedure and work priorities.

## **4. HLG purpose, rules of procedure and exchange of views on work priorities**

Related documents:

- Commission's decision establishing HLG<sup>2</sup> (HLG\_p(2007-01)\_1)
- Council conclusions of 8 May 2007 (HLG\_p(2007-01)\_2)
- Draft rules of procedures (HLG\_r(2007-01)\_1.v1)
- DE proposal related to rules of procedure (HLG\_p(2007-01)\_5)

The morning session was chaired by Mr Ristori (European Commission).

In the afternoon session, the Group designated **Mr Stritar** (SI) as intermediate chairperson until next meeting.

The Members discussed the HLG mandate, working rules and possible priorities.

Representatives expressed views as of the mandate of the Group. Certain Members (DE, SE, UK,...) questioned Art. 2 of the Commission's decision establishing the Group, which states that the HLG, "at its own initiative or at the request of the Commission, shall advise and assist the Commission in progressively developing common understanding and eventually additional European rules (...)". In their view, the mandate of the HLG should closely follow the Council Conclusions of May 2007, i.e. to select and address actions, listed in these Conclusions, which would be of added value to identify common approaches, without duplicating the work already being carried out on national and international level. In accordance with these Conclusions the

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<sup>2</sup> C(2007)3393 final of 17.07.2007

representative of the Commission should be seen as one Member of the Group and the outcome of the work undertaken should be communicated to the Council and the European Parliament.

After the discussion it was decided by consensus that members understand as a basic document setting up the content and objectives of the work of the HLG the Council Conclusion of 8 May 2007 (HLG\_p(2007-01)\_2).

Another discussion took place on the concept of consensus. Whereas all Members agreed that the Group's decisions should be taken by consensus, ES, with support of IT, suggested that the Group should foresee also a mechanism that prevents a situation when a single country blocks progress.

After the discussion it was agreed that the basic principle of decision making in the HLG should be consensus of all members and that this has to be properly addressed in the Rules of Procedure.

Rules of procedure: the Commission tabled during the meeting a draft proposal for the rules of procedure, prepared on the basis of the standard Commission's rules for expert groups<sup>3</sup> and taking into account both the ECOFIN Council conclusions of 8 May 2007 and the Commission's decision creating HLG. Some HLG members expressed the reluctance to discuss about that draft during the meeting, as it was distributed to participants only in the morning and there was no time to carefully study it.

It was decided by consensus, that the intermediate Chairperson Mr. Stritar will review the draft and send it for further review to the representatives of AT, DE, SE and UK. After that group of members prepares agreed draft (by the mid November), it will be distributed to all other members, including the Commission, for further comments. It is expected that comments will be returned to the intermediate Chairperson before the end of the year 2007 to be ready for adoption at the next meeting of HLG.

Work priorities: whereas everybody agreed that this was too early to discuss work programme, several proposals were received on how the Group could proceed to decide on work priorities. Several Members pointed out that possible topics for HLG work can be found in the WPNS report as well as in Council conclusions.

FR suggested that volunteering Members could send their proposals of priorities for the next HLG meeting. Another suggestion was that, in addition, each Member picks up five subjects from the list of priorities prepared by the WPNS.

IR proposed that an overview of the situation in Europe should be prepared. UK proposed that country reports prepared for the review process of the Convention on Nuclear Safety should be used as inputs for further work of HLG. It was agreed that these two proposals should be included into the list of priorities to be discussed at HLG.

After the discussion it was decided that volunteering members will prepare their list of topics, which should be discussed at HLG, and will assign their priorities to them. Such list will be submitted as "non-paper" to the intermediate chairperson Mr. Stritar who will merge them and make the first draft of common proposals. This he will distribute to the members from FR, HU, UK, CZ, IT, LT and IR and ask them for further review. The agreed proposal will be distributed to all members before the next meeting and hopefully be agreed upon at that meeting.

#### Main agreements:

- Designation of **Mr Stritar as an intermediate chairperson** until next meeting.

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<sup>3</sup> Ref. : SEC (2006) 1004 of 27.07.2005

- The basic mandate of the HLG is given by Council Conclusions of 8 May 2007.
- Group's work and decisions should respect the principle of **consensus, independence and transparency** as this is the most effective way to prepare acceptable solutions on EU level.
- Intermediate Chairperson with the help of members from AT, DE, SE and UK prepares **draft of the rules of procedures** within one month and distributes it to other members.
- Each member submits to the Chairperson a “non-paper” with the prioritized list of topics to be included in the HLG programme. Chairperson will consult CZ, FR, HU, IR, IT, LT, and UK and prepare the draft **Group’s work priorities** for the next meeting.
- HLG Chairperson should be designated during the next HLG meeting.
- Next meetings will take place on 11 January 2008 (Brussels), 21 April 2008 (Vienna) and 30 May 2008 (Brussels).
- The Secretariat will remain responsible to provide support for interpretation according to existing rules and availability of interpreters.
- “HLG” to be put in the subject of all correspondence related to the Group’s activities.

#### **Actions for next meeting:**

- Volunteering Members: to submit non-papers on work priorities, no longer than 1 page, to the temporary chairperson by 10 November 2007.
- Intermediate Chairperson and AT, DE, SE and UK: to prepare draft rules of procedure.
- Intermediate Chairperson and CZ, FR, HU, IR, IT, LT and UK : to prepare a draft proposal on work priorities based on inputs from volunteering Members.
- Intermediate Chairperson: to make proposal for the designation of the Chairperson during next meeting in January.
- Secretariat: to include contact details in the list of Members and Deputy Members and distribute accordingly.
- Secretariat: to compile information – with the support of the Council secretariat as appropriate – on existing European and international initiatives and achievements (work of WPNS, WENRA, IAEA and NEA/OECD) related to nuclear safety and waste management domains.
- Secretariat: to create access to HLG documents for the Members under CIRCA<sup>4</sup> website. CIRCA is an extranet tool that permits to the Members to share meeting's documents and information in a protected way. Secretariat will include documentation from the first HLG meeting.

#### **5. Relations with other Community institutions**

##### Main agreements:

- The Group may decide to invite other institutions (cf. like secretariat of the Council) to attend HLG meetings.

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<sup>4</sup> Communication and Information Resource Centre Administration

## **6. Any other business**

A number of Members (e.g. IT, LT) expressed the wish that HLG website should be put in place as soon as possible. Documents of major interest to the Group, such as nuclear Safety Convention reports, should be included.

### Main agreements:

- Participation of a Switzerland representative as an observer to the HLG meetings.

### Actions:

- Secretariat: to prepare and send draft minutes of the meeting to the two intermediate Chairmen within 10 working days. Secretariat will distribute the draft minutes after agreement of the two chairmen acting on that day.

Minutes will be approved by the Group during the next HLG meeting 11 January 2008.