



Luxembourg, 28.01.2008
HLG_M(2008-02)_FINAL

Minutes of the 2nd meeting of the High Level Group (HLG)

11 January 2008, 9:00 – 17:00
Albert Borschette, Brussels

Participants

Related document¹: list of representatives from the Member States (HLG_p(2008-02)_6)

The presence was ensured by Members of all EU Member States and the Commission.

Mr Decaestecker (Head of Unit, Secretariat General of the Council) and **Mr Schmocker (Director of Swiss Federal Nuclear Safety Inspectorate)** attended the meeting as observers.

Mr Ruete, Director General of DG Energy and Transports, participated to the afternoon session on the side of the Commission.

1. Introductory address by Intermediate Chairperson

Related document: letter from chairperson of WENRA to the HLG (HLG_p(2008-02)_7).

Mr Stritar, head of the Slovenian Regulatory Authority, having been nominated as interim chairperson during the first HLG meeting in October 2007, reported on the work undertaken by volunteering Members on draft rules of procedure and work priorities. He also underlined willingness of WENRA to assist HLG.

2. Adoption of the agenda

Related document: adopted agenda by the Members (HLG_A(2008-02)_Final).

The agenda was adopted without changes.

3. Adoption of the draft minutes of the previous meeting (12.10.2007)

Related document: adopted minutes (HLG_M(2007-01)_Final).

The comments proposed to the minutes by the DE delegation were included in the final version.

¹ Legend: Name of Group_Confidentiality or type 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
- **A** for Agenda
- **M** for minutes

4. Adoption of the rules of procedure of the group

Related documents:

- Rules of procedures (HLG_p(2008-02)_8.Final)
- ES comments (HLG_r(2008-02)_4)

Draft rules of procedure were prepared by the interim chairperson and some volunteering Members (AT, DE, SE and UK). They were distributed to all Members few weeks before the January meeting. The following questions and suggestions were raised mainly for the issues below:

- Representation: two Members or one Member and one Deputy Member per EU Member State?
- Consensus: ES suggested that decision-making should be agreed with two thirds of voices out of twenty-seven Member States, in order to avoid minority blockage for any progress. However, most of Members were more in favour to take all decisions by consensus, so that it could have an impact at a later stage, when presenting HLG report to the Council and European Parliament. Consensus had also been agreed at the previous meeting as the basic principle for HLG decision making; the draft of Rules of Procedures were based on it.
- Opening of the meeting: when chairperson can start it?
- Number of vice-chairpersons and their role.
- Work language: to be limited to EN?

Main agreements:

A final draft was distributed before the lunch break incorporating all changes below. Rules of procedure were adopted.

An agreement was found for the issues named above:

- Membership: it is extended to two Members per Member State, with an equal status.
- All decisions should be taken by consensus.
- Meeting can start when Members representing a simple majority of EU Member States are present.
- The number of vice-chairpersons has to be agreed by consensus. The chairperson may ask the vice-chairperson(s) to assist in any matter, as appropriate.
- Work language (not in rules of procedure): whereas it was agreed that the Secretariat will try to ensure interpretation whenever it's possible, all Members were asked to submit their papers translated into EN in order to allow for quicker exchanges and as a matter of courtesy.

5. Designation of the chairperson and vice-chairpersons

Mr Stritar informed the Members that he had received seven written proposals to confirm him in the role of chairperson and seven other proposals to nominate **Ms Ann McGarry (Chief executive from Radiological Protection Institute of Ireland)** as a vice-chairperson.

CZ suggested to have two vice-chairpersons and to nominate them in a way that each key-position of the Group (chairperson and vice-chairpersons) should be occupied by Members representing three groups of Member States: 1) substantial nuclear programme; 2) small nuclear programme; 3) non-nuclear countries. This proposal got an overall support.

Mr Mike Weightman (Director of Nuclear Safety and HM Chief Inspector of Nuclear Installations) was suggested for the second vice-chairperson's position.

Main agreements:

All Members agreed to nominate Mr Stritar (SI) as a chairperson as well as Ms McGarry (IE) and Mr Weightman (UK) as vice-chairpersons.

6. Exchange of views on the Group's work priorities

Related documents:

- Draft work programme (HLG_r(2008-02)_3.v1)
- IE comments (HLG_r(2008-02)_5)

Fifteen Members contributed to the drafting of HLG work priorities. Mr Stritar, helped by some other Members (CZ, FR, HU, IR, IT, LT, and UK) summarized these proposals. A draft work programme of HLG was sent to everybody at the end of December 2007.

Members expressed their satisfaction with this first draft that summarized well their initial ideas. However, certain points needed a deeper discussion and revision:

- **Introduction; Common measures and/or principles.** This part tables main principles that should govern the safety of nuclear installations. Members had shared views about it. From one side, the group lead by FI (supported from AT, UK), wished to drop or at least to revise of this part as most principles are reflected in the Convention on Nuclear Safety. EU Member States, as parties of this Convention, have to comply with them in any case. Another group of Members (SE, ES, BE, FR, IE), on the contrary, found listing those principles useful and relevant.

It was agreed that the text should be improved. ES suggested incorporating communication and transparency principles.

- **Timing for the Group's report.** Certain Members worried that timing for the reporting might be too tight (summer 2009). The chairperson reminded that Council conclusions require the Group to present its first report two years from the establishment of the HLG².
- **Working groups: number and participation principles.** Initially, it was suggested to create four working groups that would deal with:
 - Harmonisation of processes under international Conventions
 - Harmonisation of safety requirements and practices
 - Harmonisation of Radioactive Waste Management practices
 - Suitability of the decommissioning and waste management funds

Besides, IE suggested to establish a working group on **transparency**. This proposal got widespread support (AT, UK, ES, FR, PL).

Most Members were in favour that to have three working groups would be more realistic in terms of managing the process and would result in a better outcome in the two years time frame. Merge of certain groups was proposed. It was also agreed that each created group should include participants representing countries with differing situations in nuclear domain. For efficiency reasons, even though no volunteering party should be excluded from the work of such groups, number of participants should be limited.

One of key-issues related to decommissioning funds, as the Commission has already an expert group established for that purpose. Members do not wish duplication of work. It was suggested that the Commission's group on decommissioning could provide HLG with its regular reports (technical side), with HLG focussing on the strategic side.

² Commission decision of 17 July 2007 (L195/44 of 27.07.2007)

It was also discussed whether the group on nuclear safety should focus on regulatory practices, as suggested by FI (support from UK, SE...) or keep a higher level overview and, when needed, to ask for contribution to WENRA.

- **Chairing principles and designation of chairpersons of these working groups**. Members agreed that a high level of representation should be kept, with chair of groups attributed, preferably, to a Member of HLG. Vice-chairpersons were indicated as natural leaders for the subgroups. A candidature of FR chairmanship for a group on waste management received also a strong support.
- **Proposal of WENRA to contribute to the HLG work** was welcome.

Main agreements:

A new draft workprogramme will be prepared by the chairperson for discussion (and possibly agreement) at the meeting of 21 April (Vienna).

Three subgroups were established:

- (1) **Improvements of nuclear safety arrangement (chair: Mr. Weightman, UK; vice-chairs: Mr Gupta, FR and Mr Tomic, AT)**. Some 15 representatives indicated their willingness to participate.
- (2) **Improvements in the decommissioning, radioactive waste management and spent fuel arrangements (chair: Mr. Vincent, FR; vice-chairs: Mr Szmek, PL and Mr Varjoranta, FI)**. About 15 representatives expressed their willingness to work in the group.
- (3) **Improvements in transparency arrangements (chair: Ms. McGarry, IE; vice-chair: Ms Martínez Ten, ES)**. Some 8 representatives indicated their willingness to participate.

Actions for next meeting:

- All volunteering countries to participate to any of the established working-groups: to communicate to the Secretariat names of their representatives at their earliest convenience.
- Chairpersons of the working-groups: to prepare a draft work programme for each group by the end of February, in order to make possible their finalisation at the Vienna meeting.
- All volunteering Members: the chairperson of HLG will redraft the introductory part of the work programme, taking into account agreed creation of three working groups and comments on the part of Introduction and Common Measures and Principles. A new version will be sent to heads of working groups within two weeks for comments/contributions by the end of February.
- HLG Chairperson: the chairperson will prepare the new draft consolidated work programme, with the redrafted introductory part and programmes of the working groups, after circulation to the Members. Approval of work programme is expected during the next HLG meeting in April 2008.

7. Information about the next meeting (21 April, Vienna)

The meeting will be devoted to the finalisation of the HLG work programme as well as to the working plans of each working groups.

The Secretariat informed that EU delegation kindly accepted to offer a meeting room for the HLG meeting in Vienna. However, the room might prove to be too small if the Members wish to be accompanied by their experts.

The Secretariat was asked to look for a possibility to get a bigger room at the IAEA premises, in the framework of the CNS Review meeting.

For meetings taking place out of Belgium or Luxembourg, interpretation will not be possible.

8. Any other business

The Secretariat made a short presentation of CIRCA website where it created a page for HLG. This website collects all documentation discussed at the HLG meetings and provides the Members with possibility to dialogue and to share news. Documents agreed by the Group can be made available for public consultation.