

6th ENSREG Conference 2022

Speech of Mr Elsner

Extraordinary Session on Ukraine

(check against delivery)

You are making the 5th and last intervention in the extraordinary session on Ukraine, preceded by:

M. Garribba, Commission DG ENER,
SNRIU Acting Chair O. Korikov,
IAEA DDG L. Evrard,
WENRA Chair O. Gupta.

Introduction

Dear colleagues, I am also representing ENSREG Chair Žiaková in this session. Before continuing, permit me to mention ENSREG's admiration for the fortitude displayed by our colleagues from SNRIU in this most difficult time, and for their making the great effort to travel here and tell you first-hand of their experiences. As I mentioned already, in ENSREG we vividly recall the video call interrupted by the air-raid sirens, and colleagues have similar examples from their bilateral calls with SNRIU.

Before proceeding, I would also like to thank the Conference Steering Committee for putting together this important session at very short notice.

We have just heard first-hand from Mr Korikov about the very difficult situation in Ukraine as concerns the continuing fulfilment of the IAEA safety norms in Ukraine. We have also heard from three of the principal international bodies working to ensure the continuing safety of Ukraine's nuclear installations through a variety of means including regulatory support, diplomatic and political support, delivery of material assistance, and the definition of the seven pillars for ensuring nuclear safety and security during military conflict. I would like to complement the previous presentations by talking about ENSREG's own experiences and activities in respect of this war situation.

Recap of ENSREG actions directly after the invasion of Ukraine

ENSREG's Members were profoundly shocked in February 24 when Russia launched its unprovoked invasion of Ukraine, and even more shocked by Russia's completely irresponsible military operations at Chernobyl, when they began their occupation of the site. ENSREG reacted immediately, convoking an emergency plenary meeting for the following Sunday evening. I would like to thank colleagues for their rapid response at that time to the grave situation. ENSREG adopted a public statement that evening, which amongst other things called upon the invader to leave the site in order to ensure its continuing safe operation.

The following Sunday, 6th March 2022, it proved necessary to convoke a further extraordinary plenary meeting of ENSREG in response to Russia's reckless and utterly irresponsible military assault on Zaporizhziya nuclear power plant, which resulted in damage to buildings and infrastructure at the site itself. Again, ENSREG adopted a statement, amongst other things, calling upon the occupier to leave the site to allow the operator to ensure the safety of the plant.

The following Thursday morning, 10th March 2022, ENSREG needed once again to convoke an extraordinary plenary meeting to review the situation at Chernobyl following the loss of electrical power to the site, as a result of Russia's totally irresponsible military actions in the vicinity of the Chernobyl site. During this meeting, ENSREG agreed in close cooperation with WENRA and HERCA to take forward a coordinated nuclear emergency response at the European level.

Discussions during ENSREG's routine spring plenary on March 24 2022, continued to be dominated by the aftermath of the invasion. During this meeting, in the light of Belarus's complicity in Russia's aggression against Ukraine, ENSREG suspended Belarus's participation as observer in ENSREG until further notice.

Ensuring nuclear safety in wartime

The events of the last few months represent a completely unprecedented situation as far as nuclear safety is concerned, posing challenges which have been addressed by the international legal and regulatory framework so far only to a limited extent. *Nuclear safety under wartime conditions*, although it can perhaps be considered as a new subject, is a subject which cannot be ignored. And nor will it be ignored – nuclear safety regulators and the broader nuclear safety community will need to address civil society’s concerns in the coming months and years, and rightly so.

Inevitably, therefore, the international nuclear safety community will need to review the implications for nuclear security of the events of the last few months and draw conclusions as to the necessary revisions of the international legal and regulatory frameworks governing the international law of conflicts, the nuclear conventions under IAEA auspices and the fundamental principles, requirements and recommendations to ensure nuclear safety, agreed at a global level under the auspices of the IAEA.

At this point, I would like to leave you with a non-exhaustive list of questions that will need to be addressed in this reflection.

How can the regulator’s duty of ensuring safe operating conditions be balanced against a State’s need to maintain electricity supply?

How to ensure the operator's compliance with operating licence conditions, if the regulator has limited access to the licensed site?

How best to address the on-site and off-site aspects of nuclear safety?

How can the seven pillars be further developed?

Is there a need for international guidance or regulations addressing how to ensure nuclear safety during a conflict, or how to ensure nuclear safety in the post-conflict period ?

Concluding remarks

To conclude, I would like to return to the practical support which ENSREG is providing at the current time. ENSREG will continue to closely monitor the situation in Ukraine and the work of the groups established in conjunction with HERCA and WENRA

ENSREG is ready, in conjunction with WENRA and HERCA as necessary, to provide further urgent support to SNRIU upon its request.