



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 26 July 2012  
(OR. en)**

**12897/12**

**ATO 118**

**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

---

Subject: COUNCIL DECISION issuing directives to the Commission for the  
negotiation of the review of the Convention on Nuclear Safety

---

**COUNCIL DECISION**

**of**

**issuing directives to the Commission  
for the negotiation of the review of the Convention on Nuclear Safety**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) Article 2(h) of the Treaty provides for the establishment, with other countries and international organisations, of such relations as will foster progress in the peaceful uses of nuclear energy.
- (2) The Community is a Contracting Party to the Convention on Nuclear Safety ("the Convention") which was adopted on 17 June 1994 by a diplomatic conference convened by the International Atomic Energy Agency ("IAEA") at its headquarters from 14 to 17 June 1994, and which entered into force on 24 October 1996. The Community acceded to the Convention by means of Commission Decision 1999/819/Euratom of 16 November 1999<sup>1</sup>. The instrument of accession was deposited with the Director General of the IAEA on 31 January 2000 and the Convention entered into force for the Community on 30 April 2000, in accordance with Article 31(2) thereof.
- (3) All Member States of the Community are also Contracting Parties to the Convention.
- (4) The Convention has not been amended since its entry into force in 1996 and should be reviewed to ensure that it remains effective in providing the basis for high levels of nuclear safety in line with the latest safety standards.

---

<sup>1</sup> OJ L 318, 11.12.1999, p. 20.

- (5) The Contracting Parties to the Convention have agreed to hold a second extraordinary meeting in August 2012, whose main purpose is to enhance safety through reviewing and sharing lessons learned and actions taken in response to the March 2011 events at Fukushima, Japan, and to review the effectiveness and, if necessary, the continued suitability, of the provisions of the Convention.
- (6) In this context, the Contracting Parties have been invited to submit to the IAEA, which acts as the Secretariat of meetings of the Contracting Parties, proposals to amend the text of the Convention or to improve the Convention procedures and practices, by 13 April 2012.
- (7) The Community should therefore be fully represented in the negotiating process for the review of the Convention, particularly with a view to ensuring that it remains effective in providing the basis for high levels of nuclear safety and ensuring that any amendments to the Convention are evidence based and compatible with the objectives and the provisions of the Treaty and secondary legislation,

HAS ADOPTED THIS DECISION:

*Article 1*

1. The Commission is hereby authorised to participate, on behalf of the Community, during the second extraordinary meeting of the Contracting Parties to the Convention on Nuclear Safety, with regard to matters falling within the Community's competence and in respect of which the Community has adopted rules, in the negotiations on the proposed amendments to the text of the Convention, in accordance with the directives set out in the Addendum.
2. To the extent that the subject matter of the negotiations falls within the shared competence of the Community and of its Member States, the Commission shall cooperate closely with the Member States during the negotiating process, with a view to achieving unity in their international representation.
3. The Council may review the content of the negotiating directives at any time. To this end, the Commission shall report to the Council on the outcome of the negotiations, at regular intervals.

*Article 2*

This Decision is addressed to the Commission.

Done at ...,

*For the Council*

*The President*

\_\_\_\_\_