



Council of the
European Union

Brussels, 26 October 2016
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ATO 53

NOTE

From: General Secretariat of the Council
To: Delegations

Subject: European Court of Auditors' Special Report 22/2016 "EU nuclear decommissioning assistance programmes in Lithuania, Bulgaria and Slovakia: some progress made since 2011, but critical challenges ahead"
= Draft Council conclusions

Delegations will find in Annex the draft Council conclusions on the above-mentioned subject.

The Presidency invites delegations to send any written comments on this draft by **2 November 2016**.

Draft Council conclusions on the European Court of Auditors' Special Report No 22/2016 "EU nuclear decommissioning assistance programmes in Lithuania, Bulgaria and Slovakia: some progress made since 2011, but critical challenges ahead"

THE COUNCIL OF THE EUROPEAN UNION:

1. WELCOMES the European Court of Auditors' Special Report No 22/2016 "EU nuclear decommissioning assistance programmes in Lithuania, Bulgaria and Slovakia: some progress made since 2011, but critical challenges ahead";
2. UNDERLINES the Court's finding that progress has been made in decommissioning the nuclear power plants of Ignalina in Lithuania, Kozloduy in Bulgaria and Bohunice in Slovakia since 2011, when the Court's previous special report on nuclear decommissioning was published¹;
3. RECALLS that the premature closure and subsequent decommissioning of eight Soviet-designed nuclear reactors at three nuclear power plants in Lithuania, Bulgaria and Slovakia was one of the conditions for accession to the EU, and further UNDERLINES the fact that this condition entails a significant financial burden based on which the EU agreed to provide financial assistance;
4. TAKES NOTE of the conclusions and recommendations in the Special Report;

In particular:

5. ACKNOWLEDGES the complex and long-term nature of the decommissioning process, the construction specificities of the nuclear power plants and the different stages reached in the dismantling processes in the three Member States benefitting from the EU nuclear decommissioning assistance programmes²;

¹ Special Report No 16/2011 "EU financial assistance for the decommissioning of nuclear plants in Bulgaria, Lithuania and Slovakia: achievements and future challenges"

² Hereafter: "the three Member States"

6. RECOGNISES that the exchange of best practices and technical knowledge in the area of decommissioning has already begun, however could be still further improved, not only amongst the three Member States but also within the EU and beyond;
7. WELCOMES the Court's recommendation that the Commission and Member States should together explore ways and options for the disposal of spent fuel and high-level waste, including possible regional and/or other EU-based solutions;
8. NOTES the Court's recommendation that the three Member States should increase the level of national co-financing of the decommissioning costs during the 2014 -2020 financing period; and therefore INVITES the Commission to determine individual appropriate rates of national co-financing, in cooperation with the three Member States on equal terms, and to define more clearly the conditions under which projects can be fully financed by the EU;
9. NOTES that any future EU funding proposed by the Commission for nuclear decommissioning in the three Member States should include clear rules and right incentives with regard to both financing and timing; and UNDERSCORES the need for adequate support for the decommissioning in the three Member States to ensure successful completion of the decommissioning processes whilst maintaining a high level of nuclear safety;
10. RECOGNISES the Court's recommendation to the Commission that the assessment as to whether the three Member States' financing and decommissioning plans fulfilled the *ex ante* conditionalities, should be completed and TAKES NOTE of the timeframe committed by the Commission to carry it out;
11. NOTES that the accounting treatment of liabilities relating to nuclear decommissioning and final disposal of spent fuel should be in line with the relevant accounting standards;
12. LOOKS FORWARD to the Commission's report on the implementation of Council Directive 2011/70/Euratom, and ENCOURAGES the Commission to launch a debate on options for disposal including regional and other EU-based solutions.