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**NOTE**

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From: Presidency  
To: Delegations

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Subject: Off-Site Nuclear Emergency Preparedness and Response  
= Draft Council conclusions

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Delegations will find in Annex a third revised draft of the Council conclusions on "Off-site nuclear emergency preparedness and response". This revised draft reflects the outcome of the discussions which took place during the 4 November meeting of the Working Party on Atomic Questions (WPAQ). Changes compared to doc. 11653/2/15 REV 2 are marked in **bold** and ~~striketrough~~.

The Presidency intends to finalise these draft Council conclusions during the next meeting of the WPAQ on 27 November 2015. The Presidency would like to recall that on 4 November, the WPAQ already reached agreement on most of the text. The only paragraphs on which some delegations still had reservations are the following:

- the first two bullet points under point 1. on page 5,
- the first and second paragraphs under point 2. on page 6,
- the first and second paragraphs on page 7.

Furthermore, to address concerns raised by some delegations during the 4 November meeting, the Presidency proposes the following two additions:

- the second paragraph on page 6,
- the last part of the first paragraph on page 7.

The Presidency invites delegations to examine the wording proposed in the present document for these paragraphs, as well as the two new additions, and to confirm at the 27 November WPAQ meeting whether they can agree to the text of these paragraphs.

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**Draft Council conclusions on  
Off-site nuclear emergency preparedness and response**

The Council of the European Union:

REAFFIRMING the paramount importance of protecting citizens effectively against the effects of ionising radiation in case of an emergency, including those of nuclear origin,

AWARE of the fact that emergency preparedness and response (EP&R) arrangements have been established for many years in the EU Member States and are tested and exercised regularly,

RECOGNISING that arrangements and measures applicable to nuclear emergencies may also apply to other radiological emergencies,

ACKNOWLEDGING that the provision of EP&R arrangements is a national responsibility, yet bearing in mind that the consequences of a nuclear accident can go beyond national borders,

STRESSING the need for coherent protective measures along adjacent national borders to protect populations against the effects of ionising radiation in case of an emergency, as a necessary condition for the effectiveness of emergency management,

STRESSING the benefits of involving civil society in preparedness activities, in particular ~~during~~ **when organising nuclear and radiological** emergency exercises, to increase transparency and public participation, and to improve public confidence in the arrangements,

BELIEVING that actions to improve off-site nuclear EP&R issues require bringing together the key competent authorities in the Member States, drawn from nuclear safety regulators, radiation protection experts and regulators, technical support organisations and mainly civil protection authorities,

STRESSING the importance of mutual assistance systems at EU level, to make the best use of specialised resources and capabilities in case of an nuclear emergency and to bring them into action quickly, taking account of existing mechanisms such as RANET and national systems,

REAFFIRMING the commitment of Member States, the European Union and Euratom to improve response, including cross-border coordination, to nuclear emergencies,

RECALLING Council Directive 2013/59/Euratom containing several provisions applicable to emergency preparedness and response, Council Directive 2014/87/Euratom requiring Member States to ensure that an organisational structure for on-site emergency preparedness and response is established, supplementing in this way the requirements of Council Directive 2013/59/Euratom, Council Decision 87/600/Euratom on Community arrangements for the early exchange of information in the event of a radiological emergency and Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism,

RECALLING the Convention on Nuclear Safety<sup>1</sup>, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management<sup>2</sup>, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency<sup>3</sup> and the Convention on Early Notification of a Nuclear Accident<sup>4</sup>,

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<sup>1</sup> IAEA INFCIRC/449  
<sup>2</sup> IAEA INFCIRC/546  
<sup>3</sup> IAEA INFCIRC/336  
<sup>4</sup> IAEA INFCIRC/335

RECALLING that according to Article 99 of Council Directive 2013/59/Euratom, Member States shall cooperate with other Member States and with third countries in addressing possible emergencies on their territory which may affect other Member States or third countries, in order to facilitate the organisation of radiological protection in those Member States or third countries,

RECOGNISING the work on improved cross-border approaches to coordinate protective measures in case of a nuclear accident, which has been carried out by national experts, competent authorities and regulators in the framework of HERCA and WENRA,

STRESSING Member States' effort to implement Council Directive 2013/59/Euratom and therefore to enhance international cooperation concerning the management of an emergency with cross-border consequences,

RECOGNISING that the transposition and implementation of Council Directive 2013/59/Euratom gives an opportunity to improve mutual understanding and to revisit existing arrangements, achieving thus greater coherence of EP&R in the EU,

1. INVITES the Commission to:

- organise workshops to facilitate the consistent transposition and implementation of Council Directive 2013/59/Euratom, aiming at developing a coherent approach to EP&R provisions of the directive, particularly between neighbouring Member States as well as with neighbouring third countries, ~~focusing~~ **including** notably on the following radiation protection subjects:
  - Protection strategies and optimisation approaches, including the use of reference levels,
  - Generic criteria, operational criteria, default triggers,
  - Arrangements for the transition from emergency to existing exposure situation,
  - Emergency response arrangements and information to the public,

- report to the Council on the progress with the implementation of those provisions of Council Directive 2013/59/Euratom applicable to EP&R, following its transposition,
- **use existing mechanisms to inform neighbouring third countries about implementation of enhanced EP&R provisions in Member States under Directive 2013/59/Euratom,**

2. INVITES Member States to:

- take account of the work carried out by national experts, **competent authorities** and regulators on improved cross-border approaches to protective measures in case of a nuclear accident, as appropriate and according to the national circumstances, when transposing and implementing the provisions of Council Directive 2013/59/Euratom,
- **coordinate cooperate** closely when establishing or reviewing existing emergency planning zones around nuclear power plants where such zones extend up to or beyond the borders of a Member State,
- exchange information about planned or implemented measures for precautionary purposes to minimise long-term consequences at distances beyond the emergency planning zones, **where such distances extend up to or beyond the borders of a Member State**, taking into consideration local specificities, technical parameters of the installation and existing cross-border cooperation arrangements,

- intensify their efforts to regularly organise together with the concerned neighbouring Member States, joint training sessions and ~~realistic~~ nuclear emergency exercises **representative of real emergency situations and assuring the commitment of all relevant stakeholders**, with the objective of testing cross-border arrangements. Such training and exercises should aim to mutually share experience, promote good practice, exchange the findings and continuously improve the effectiveness of EP&R arrangements, whilst making use of existing international mechanisms such as ConvEX and/or INEX if appropriate, and as well as the European Community Urgent Radiological Information Exchange (ECURIE) system and the European Radioactivity Data Exchange Platform (EURDEP), **and to offer to the Commission to observe such training and exercises**,
- exchange country-specific ~~information~~ factsheets, ~~to increase knowledge of each other's EP&R arrangements and to contribute to~~ **taking into account, as appropriate**, the IAEA Emergency Preparedness and Response Information Management System (EPRIMS), **to increase knowledge of each other's EP&R arrangements**,
- maintain and develop, where necessary, bilateral arrangements for better cross-border coordination of protective measures during the response to a nuclear accident ~~with a focus on nuclear power plants sited close to national borders~~,
- include the alignment of protective measures along borders as a factor in emergency decision-making in accordance with the optimised protection strategy,
- consider the principle that in the first hours of an accident, applied protective measures take into account those applied in the Member State where the accident has occurred, based on the information received from that Member State, taking into account Article 99 (2) of Council Directive 2013/59/Euratom.