COMMISSION IMPLEMENTING DECISION

of 26.7.2018

on the Annual Action Programme 2018 for Nuclear Safety Cooperation to be financed from the general budget of the Union
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THE EUROPEAN COMMISSION,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EURATOM) No 237/2014 of 13 December 2013 establishing an Instrument for Nuclear Safety Cooperation\(^1\) (hereinafter referred to as "INSC") and in particular Article 7(1) thereof,

Whereas:

(1) The Commission has adopted the Nuclear Safety Strategy Paper\(^2\) 2014-2020 and the Multiannual Indicative Programme for the period 2018-2020\(^3\), points 1 (1), (2) and (3) of which provide for the following priorities:

(a) promotion of an effective nuclear safety culture and implementation of the highest nuclear safety and radiation protection standards, and continuous improvement of nuclear safety;

(b) responsible and safe management of spent fuel and radioactive waste (i.e. transport, pre-treatment, treatment, processing, storage and disposal), decommissioning and remediation of former nuclear sites and installations;

(c) establishment of frameworks and methodologies for the application of efficient and effective safeguards for nuclear material in third countries.

(2) The objectives pursued by the Annual Action Programme 2018 to be financed from the general budget of the Union under the Instrument for Nuclear Safety Cooperation\(^4\) are to enable beneficiary countries to improve the safety of their nuclear installations and their operations.

(3) The Annual Action Programme 2018 is constituted of four actions:

1. "Promotion of nuclear safety culture". The overall objective of the Action is the promotion of an effective nuclear safety culture and implementation of the highest nuclear safety and radiation protection standards in the Eastern Neighborhood countries, Middle East and Gulf countries, Africa and Western Balkans;

2. "Safe management of spent fuel and radioactive wastes". The overall objective of the Action is to provide support in the safe management of radioactive waste and spent nuclear fuel as well as in environmental remediation of former nuclear sites in Ukraine, Central Asia and Mongolia, Serbia, Bosnia and Herzegovina;

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1 OJ L 77, 15.3.2014, p. 109
2 C(2014) 3763 of 13.06.2014
3 C(2017) 7254 of 06.11.2017
4 OJ L 77, 15.3.2014, p. 109
3. "Nuclear materials safeguards". The overall objective of the Action is to support the establishment of effective and efficient nuclear materials safeguards, including for the proper accounting and control of nuclear materials at state and operators' level;
4. "Support measures 2018 for the Instrument for Nuclear Safety Cooperation management". This action includes, amongst others, audits, evaluations, identifications, studies, meetings and any other administrative or technical assistance expenditure that contribute to the sound management of the programme, to the achievement of its expected results and objectives and to the measurement, analysis and reporting on the impact.

(4) It is necessary to adopt a financing decision, the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012.

(5) It is necessary to adopt a work programme for grants in accordance with Article 128(1) of Regulation (EU, Euratom) No 966/2012 and Article 188(1) of Delegated Regulation (EU) No 1268/2012. The work programme is set out in Annex 1.

(6) The Commission should be able to entrust budget-implementation tasks under indirect management to the entities specified in this Decision, subject to the conclusion of a delegation agreement. In accordance with Article 60(1) and (2) of Regulation (EU, Euratom) No 966/2012, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds.

(7) The authorising officer responsible should be able to award grants without a call for proposals only in the exceptional cases set out in Article 190 of Delegated Regulation (EU) No 1268/2012. With reference to Annex 1, under the responsibility of the Commission’s authorising officer responsible, the grant may be awarded without a call for proposals to Université de Nice - Côte D’Azur. The direct award is justified by the specific characteristics of the actions that require a particular type of body on account of its technical competence, its high degree of specialisation or its administrative power as foreseen in the Article 190 1 f of Delegated Regulation (EU) No 1268/2012).

(8) It is necessary to allow the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.

(9) The envisaged assistance to the concerned countries is deemed to strictly follow the conditions and procedures set out by the restrictive measures concerning the said countries.

(10) The measures provided for in this Decision are in accordance with the opinion of the Nuclear Safety Cooperation Committee set up under Article 11 of the Regulation (Euratom) No 237/2014,

HAS DECIDED AS FOLLOWS:

Article 1
Adoption of the measure

The following Annual Action Programme 2018 for Nuclear Safety Cooperation to be financed from the general budget of the Union, as set out in the Annexes, is approved.

The programme shall include the following actions:
– Annex 1: Promotion of nuclear safety culture;
– Annex 2: Safe management of spent fuel and radioactive wastes;
– Annex 3: Nuclear materials safeguards;

**Article 2**

**Financial contribution**

The maximum contribution of the European Union, authorised by this Decision for the implementation of the Annual Action Programme 2018 is set at EUR 31 505 663 to be financed from budget line 21 06 01 of the general budget of the Union for 2018.

The financial contribution provided for in the first paragraph may also cover interest due for late payment.

**Article 3**

**Methods of implementation**

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the Annexes 1, 2 and 3, subject to the conclusion of the relevant agreements.

The elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012 are set out in the Annexes to this Decision.

**Article 4**

**Non-substantial changes**

Increases or decreases of up to EUR 5 000 000 not exceeding 20 % of the contribution referred to in the first paragraph of Article 2, or cumulated changes to the allocations of specific actions not exceeding 20 % of that contribution and not representing more than EUR 5 000 000 shall not be considered substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, provided that they do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 26.7.2018

For the Commissioner
Neven Mimica
Member of the Commission