EN

ANNEX 3

of the Commission Implementing Decision on the Annual Action Programme 2019 for Nuclear Safety Cooperation

*Action Document for Global allocation including support measures 2019 for the INSC management.*

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**ANNUAL PROGRAMME 2019**

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation and action programme/measure in the sense of Articles 2 and 3 of Regulation N° 236/2014.

| 1. Title/basic act/CRIS number | Support measures 2019 for the Instrument for Nuclear Safety Cooperation (INSC)  
CRIS number: INSC/2019/041-952  
financed under the Instrument for Nuclear Safety Cooperation |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Zone benefiting from the action/location</td>
<td>World-wide, Neighbourhood East (Ukraine)</td>
</tr>
<tr>
<td>4. SDGs</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
| 5. Sector of intervention/thematic area | Nuclear safety  
DEV. Assistance: NO |
| 6. Amounts concerned | Total estimated cost: EUR 4.654.049  
Total amount of EU budget contribution EUR 4.654.049 |
| 7. Aid modality(ies) and implementation | **Direct management** through:  
- Procurement of services and supply |

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[1]
### modality(ies)

| 8 a) DAC code(s) | 23510 |

### b) Main Delivery Channel

1000 - Public Sector Institutions

### 9. Markers (from CRIS DAC form)

<table>
<thead>
<tr>
<th>General policy objective</th>
<th>Not targeted</th>
<th>Significant objective</th>
<th>Principal objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation development/good governance</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>Aid to environment</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>Gender equality and Women’s and Girl’s Empowerment</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>Trade Development</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Reproductive, Maternal, New born and child health</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RIO Convention markers</th>
<th>Not targeted</th>
<th>Significant objective</th>
<th>Principal objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biological diversity</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Combat desertification</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>Climate change mitigation</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Climate change adaptation</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>

### 10. Global Public Goods and Challenges (GPGC) thematic flagship

N/A

### SUMMARY

This Action provides support to the sound management of the Instrument for Nuclear Safety Cooperation (INSC) in Ukraine and worldwide, the achievement of its expected results and objectives and the measurement, analysis and reporting on its impact.

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### 1 CONTEXT ANALYSIS

#### 1.1 Context Description

The Regulation EURATOM 237/2014 of 13 December 2013 defines the strategic framework for the implementation of the Instrument for Nuclear Safety Cooperation (INSC) 2014 – 2020. Deriving from the legal basis, the Strategy for a Community Cooperation Programme in the field of Nuclear Safety 2014-2020 (C/2014/3763) has been adopted on 13 June 2014 and the Multi-annual Indicative Programme 2018-2020 has been adopted on 6 November 2017. The Regulation is subject to the Common Implementing Rules (CIR) that provides for support

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\(^1\) (C/2017/7254)
measures in its Article 3. It stipulates that the "Union financing may cover expenditure for the implementation of the Instruments and for the achievement of their objectives, including administrative support associated with the preparation, follow up, monitoring, audit and evaluation activities directly necessary for such implementation, as well as expenditure at Union delegations on the administrative support needed to manage operations financed under the Instruments”.

1.2 Policy Framework (Global, EU)

The Instrument for Nuclear Safety Cooperation (INSC) participates to the objective of safety, which is anchored in the EU’s development and aid effectiveness commitments, and the 2030 Agenda. It also contributes to President Juncker's priority 9 (EU as a stronger global actor), responding to fast evolving challenges, although in a much specialised policy area. It is also aligned with the Sustainable Development Goals 16 (Strong Institutions) and to a lesser extent 5 (Gender equality).

It exports the "acquis communautaire" worldwide thus participating to the implementation of the EU policy promoting nuclear safety, transparency and public information worldwide.

Support to Ukraine is embedded in the Association Agreement signed in 2014 and fully in force since September 2017 that includes a dedicated chapter related to nuclear safety cooperation.

1.3 Public Policy Analysis of the partner country/region

The Energy Strategy of Ukraine, which was approved by Resolution of the Cabinet of Ministers of Ukraine No 605-p, on the 18th August 2017, foresees the current share of supply from nuclear generation being maintained through to 2035. This can only be achieved through construction of new generation NPPs or through service time extension of the existing units. The action continues the existing assistance to the governmental organisations and local stakeholders involved in the project cycle management of the INSC nuclear safety programme in Ukraine.

1.4 Stakeholder analysis

Effective management of nuclear safety projects requires the use of general support services on a case to case basis.

Component A: Management of Nuclear Safety Instrument (INSC) in Ukraine

The implementation of the INSC projects cannot be carried out without the establishment and development of good working relations between the EC and Ukraine stakeholders:

- Ministry of Energy and Coal Industry of Ukraine
- Ministry of Ecology and Natural Resources of Ukraine
- Ministry of Economy and Trade of Ukraine
- State Agency of Ukraine for Exclusion Zone Management
- SNRIU, responsible for all regulatory and inspection functions regarding nuclear and radiation safety in Ukraine.

1.5 Problem analysis/priority areas for support

Ukraine
Nuclear safety support to Ukraine is the biggest portfolio of the EU cooperation in this area that justifies the permanent presence of an EU office in the country for a daily management of the project including follow-up, control, support to the European Commission and established channel of communication with the local and national authorities. The current contract will expire in 2020 and according to the EU financial regulation must be renewed through a centralised management procedure for procurement of services.

2 RISKS AND ASSUMPTIONS

<table>
<thead>
<tr>
<th>Risks</th>
<th>Risk level (H/M/L)</th>
<th>Mitigating measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of cooperation from the different project (implementing) partners such as state authorities and implementing agencies, resulting in delays</td>
<td>L</td>
<td>Close monitoring of the relevant projects and remedial taken steps as early as possible in the project preparation or project implementation process</td>
</tr>
<tr>
<td>Unforeseen and unexpected (external) developments or unforeseen delays that would result in late delivery of results or even make the results of some of the projects eventually irrelevant</td>
<td>L</td>
<td>Close monitoring of the relevant projects and remedial steps taken as early as possible in the project preparation or project implementation process</td>
</tr>
</tbody>
</table>

Assumptions

Good communication and support from the beneficiary and end-users

3 LESSONS LEARNT AND COMPLEMENTARITY

3.1 Lessons learnt

The main purpose of the support measures is to allow programme and project preparation to proceed in a quick and effective manner. Furthermore the support measures to existing EU programmes will ensure efficiency, performance and impact of all activities related to Instrument for Nuclear Safety Cooperation (INSC) implementation.

Funding for small-scale support measures with flexible and swift decision-making will make a vital contribution to the partnership.

3.2 Complementarity, synergy and donor coordination

The activities under this Action are complementary with the one of the budget line 21 04 05. While budget line 21 01 04 05 aims to fulfil the administrative needs of the instrument and
ensures the functioning of the Commission (IT systems, staff costs, etc.), the support measures envelope will provide complementary support to specific projects (audits, meetings, publications).

**Component A: Management of Nuclear Safety Instrument (INSC) in Ukraine**
The present action is self-standing and is not directly linked to any potential actions of other donors or the IAEA. The project does not foresee the participation of other international donors and does not knowingly overlap with any other existing bi-lateral or multi-donor initiatives. The European Union will remain the only fund provider.

**4 DESCRIPTION OF THE ACTION**

**4.1 Overall objective, specific objective(s), expected outputs and indicative activities**
The overall objective is to 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 its impact.

**Component A: Support measures**
The support measures will be used as a framework for funding activities under the Instrument for Nuclear Safety Cooperation (INSC) in fields including:
- administrative support associated with the preparation, follow-up, monitoring, audit and evaluation activities directly necessary for implementation of the Instrument;
- technical assistance and top-up for projects funded by the Instrument for Nuclear Safety Cooperation;
- studies, meetings, information, awareness-raising, training, preparation, and exchange of lessons learnt and best practices, publication activities and any other administrative or technical assistance expenditure necessary for the management of Actions;
- expenditure related to the provision of information and communication Actions, including the development of communication strategies and corporate communication materials;
- preparation of projects and general studies, which may result in EU assistance (e.g. studies in specialist areas, preparatory activities/studies and assessments);
- Support to programme implementation (committees, expert group, etc.);
- Missions to be conducted in the field of nuclear safety contracting operations (experts for evaluations, etc.);
- Missions to be conducted for the management of contracted projects;
- Workshops and seminars;
- Direct fees, costs and reimbursable expenses, incurred by experts contracted by the Commission to undertake audits on Instrument for Nuclear Safety Cooperation (INSC) projects;
- Reporting, evaluation and assessment of the impact of the projects/programme using the defined Key Performance Indicators.
Component B: Management of Nuclear Safety Instrument (INSC) in Ukraine

The proposal concerns the continuation of assistance to the governmental organisations and local stakeholders involved in the implementation of INSC nuclear safety projects in Ukraine (Ministry for Fuel and Energy, Ministry for Emergencies and Exclusion Zone) in the project cycle management of the INSC nuclear safety programme and the Chernobyl decommissioning activities.

The support will be provided on the basis of the current set-up which provides technical, management and administrative support to the European Commission for the implementation of the INSC programme in Ukraine. It includes the necessary offices located in Kiev with the technical means for the management of EU projects (including but not limited to video conference facility, IT, meeting rooms, etc.), the necessary administrative and technical staff (currently one director of the office, two part-time international experts, four local experts and 3 administrative support staff).

The main activities to be carried out within this structure are:

**HORIZONTAL ISSUES**

Administrative, logistical and technical services to Beneficiaries both at headquarters and site levels, including services to the End-users of projects throughout:

- **Information collection, analysis and distribution**

  The information collection, analysis and distribution concern every aspect of relevance to the proper implementation of the objectives of the DEVCO Nuclear Safety Unit in the Beneficiary country (e.g. information on procedures, on organisational matters, on licensing aspects, on political evolutions, database and website management, etc.)

  Information of relevance to the partners (Beneficiary, End-User, etc.) will be distributed accordingly. More generally, the new structure will provide the Commission with appropriate material to participate in the dissemination of results to stakeholders and the general public in the Beneficiary country and the EU and will keep the EC and the Beneficiary side up-to-date on progress of on-going nuclear safety projects in close relation with the European Union Delegation to Ukraine.

- **Secretarial management of meetings and missions including logistics**

  Three types of meetings are to be organised: (i) DEVCO related (e.g. relations with various Ministries and administrations such as SNRIU), (ii) thematic related (e.g. the Task Force for Radioactive Waste Management) and (iii) project related meetings.

  For those meetings, the new structure will be, if requested, responsible for every aspect of the organisation (invitations, agenda, document management (i.e. presentations, minutes, agenda, participant list, including distribution), translations and interpretation services, endorsements, venue, date-setting, logistical arrangements, catering, documents, videoconferencing, etc.)
The new structure will be also, if requested, in charge of some aspects of EC missions logistics, such as hotel booking and travel arrangements inside Ukraine, etc., but depending on EC regulations.

THEMATIC ISSUES

Identification

Support to Action Programme (AP) preparation

The support is to EC DG DEVCO, the Beneficiary, End-Users or other stakeholders of the projects. It will be of technical – including management advice - and administrative nature. It will cover at least:

- identification of new projects, evaluate how the projects contribute to the EC objectives;
- structuring of individual topics in large scale integrated projects;
- support to the project selection procedure;
- support to the development of the project Action Document
- support to the endorsement of the Action Fiche if requested;
- integration of the projects in a Project Roadmap (that covers both EC funded projects and Beneficiary projects);
- development of a wider reaching Project Roadmap, that if adopted accordingly, will support improved donor coordination;
- evaluation of the required budgets;
- estimate and development of the co-financing availabilities and the activity budgets for the coming years of programming within the INSC;
- providing of a strategic analysis of the programme;
- support to the development of the ToR by the Beneficiary (including estimates of manpower, budget, expert profiles, etc.).

Implementation

Support to Project Implementation and Evaluation

The support is to EC DG DEVCO, the Beneficiary, End-User or other stakeholders of the projects. It is of both technical and administrative nature. It will cover at least:

- project oversight and coordination;
- projects know how exchange;
- inter-project benchmarking;
- dissemination of "lessons learnt and impact';
- definition of Key Performance Indicators (KPI);
- evaluation of indicators on a regular basis;
- management of an early warning system for failing project achievements;
- organisation of communication channels between contractors, Task Force, and other stakeholders in the programme;
- conflict resolution, periodical risk assessment for the projects;
periodical cost analysis for the projects.

Feedback

Analysis of future programme directions using:

- actualised project roadmap (including both EC funded projects as well as Ukrainian projects);
- impact evaluation of the projects (evaluated through the KPI's) and eventually new strategic objective.
- Setting of priority options for future Annual Action Programmes based on preceding analysis;
- Development of a work programme for the next year based on the selected option.

4.2 Intervention Logic

The Commission will be provided with technical and administrative support to facilitate the effective and efficient implementation of the programmes and projects of the Instrument for Nuclear Safety Cooperation (INSC).

4.3 Mainstreaming

Not applicable.

4.4 Contribution to SDGs

Not applicable.

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is not foreseen to conclude a financing agreement with the partner country.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4 will be carried out and the corresponding contracts and agreements implemented, is 72 months from the date of adoption by the Commission of this Financing Decision.

Extensions of the implementation period may be agreed by the Commission’s responsible authorising officer by amending this Decision and the relevant contracts and agreements.
5.3 **Implementation modalities**

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures.

5.3.1 **Procurement (direct management)**

<table>
<thead>
<tr>
<th>Subject in generic terms, if possible</th>
<th>Type (works, supplies, services)</th>
<th>Indicative number of contracts</th>
<th>Indicative trimester of launch of the procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Component A: Programme support and studies</td>
<td>Services and supply</td>
<td>7</td>
<td>Q4/2019</td>
</tr>
<tr>
<td>Component B: Management of the Nuclear Safety Instrument (INSC) in Ukraine</td>
<td>Services</td>
<td>1</td>
<td>Q4/2019</td>
</tr>
</tbody>
</table>

5.4 **Scope of geographical eligibility for procurement and grants**

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission’s authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.5 **Indicative budget**

<table>
<thead>
<tr>
<th>Component A – Management of the Nuclear Safety Instrument (INSC) in Ukraine</th>
<th>EU contribution (amount in EUR)</th>
<th>Indicative third party contribution, in currency identified</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3 000 000</td>
<td>0</td>
</tr>
<tr>
<td>Procurement (direct management)</td>
<td>1 284 049</td>
<td>N.A.</td>
</tr>
<tr>
<td>Evaluation and audit (indicative)</td>
<td>70 000</td>
<td>N.A.</td>
</tr>
<tr>
<td>Communication and visibility (indicative)</td>
<td>300 000</td>
<td>N.A.</td>
</tr>
<tr>
<td>Totals</td>
<td>4 654 049</td>
<td>N.A.</td>
</tr>
</tbody>
</table>
5.6 Organisational set-up and responsibilities

The stakeholders are: state institutions; project implementing agencies (public; private) in charge of preparing and implementing the different activities as financed by the EU, under the Instrument for Nuclear Safety Cooperation in the various partner countries.

Stakeholders are also the European Commission as financing authority, the European Union citizens, partner countries’ citizens, and relevant organisations.

Component A will be done through a service contract.

5.7 Performance and Results monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of this Action will be a continuous process and part of the implementing partner’s responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the Action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the Action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the Logical Framework matrix (logframe). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed, and of the budget details for the Action. The final report, narrative and financial, will cover the entire period of implementation of the Action.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

5.8 Evaluation

Having regard to the nature of the action, an ex-post evaluation will not be carried out for this action or its components.

In case an evaluation is not foreseen, the Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.
5.9 **Audit**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

The financing of the audit is included in the indicative budget breakdown reported in chapter 5.5.

5.10 **Communication and visibility**

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Requirements for European Union External Action (or any succeeding document) shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

It is foreseen that a contract for communication and visibility may be contracted under a framework contract.
## APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY)

<table>
<thead>
<tr>
<th>Impact (Overall Objective)</th>
<th>Results chain: Main expected results (maximum 10)</th>
<th>Indicators (at least one indicator per expected result)</th>
<th>Sources of data</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The promotion of an effective nuclear safety culture and implementation of the highest nuclear safety and radiation protection standards, and continuous improvement of nuclear safety</td>
<td>Grade of implementation of project outputs</td>
<td>Project reporting, monitoring and auditing</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Outcome(s) (Specific Objective(s))</td>
<td>Good governance</td>
<td>Budget spent in effective support of Instrument for Nuclear Safety Cooperation (INSC) implementation</td>
<td>Budget control systems</td>
<td>Procurement procedure to be indicatively launched in Q4 2019</td>
</tr>
<tr>
<td></td>
<td>Continued effective nuclear safety projects in Ukraine</td>
<td>Successful project implementation</td>
<td>Monitoring reports, expert review of project results</td>
<td>Continued expert support by JRC will be available</td>
</tr>
<tr>
<td>Outputs</td>
<td>Contracts</td>
<td>Budget consumption</td>
<td>BPC and CRIS</td>
<td>Necessary contracts timely in place</td>
</tr>
</tbody>
</table>