



Press Release

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Commission met its nuclear safety responsibilities under Euratom Treaty, but some improvements possible, say Auditors

Nuclear safety is generally the responsibility of EU Member States using nuclear energy, but the European Commission also has specific responsibilities in the field, mainly for legislation and oversight. According to a new report from the European Court of Auditors, the Commission has met these responsibilities but still has scope to update the legal framework and its internal guidelines.

The 1957 Euratom Treaty governs the peaceful use of nuclear energy in the EU. Responsibility for the safety of nuclear installations lies primarily with their licence holders (operators), under the supervision of national regulatory authorities. Euratom has laid down, in directives, basic standards to protect the health of workers and the general public against the dangers arising from ionising radiation. The Council adopts and regularly updates directives in the areas of nuclear safety, basic safety standards and radioactive waste management and spent fuel, after consultation with the European Parliament and based on a proposal from the Commission.

The Commission also oversees Member States' transposition of these directives into national legislation, launching infringement procedures if needed. It also examines Member States' planned nuclear investment projects for compatibility with the Euratom Treaty. The Commission has the power to verify the operation and efficiency of Member States' facilities for monitoring the level of radioactivity in the air, water and soil. Moreover, it operates, manages and develops the European Community Urgent Radiological Information Exchange (ECURIE) system, created in the wake of the 1986 Chernobyl accident, to exchange information in the event of a nuclear emergency. Our audit focused on the Commission's activities based on its powers and responsibilities under the Treaty.

"The Commission has generally met its responsibilities on nuclear safety", said João Figueiredo, the Member of the European Court of Auditors responsible for the report. "However, we recommend updating the legal framework, approaches and procedures currently used to assess the transposition of Euratom directives, to issue the opinions on nuclear investments and to check radioactivity monitoring facilities".

The purpose of this press release is to convey the main messages of the European Court of Auditors' special report. The full report is on eca.europa.eu.

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The auditors examined the Commission's checks on Member States' implementation of three recent Euratom directives: the Radioactive Waste Directive (RWD), the amended Nuclear Safety Directive (NSD), and the Basic Safety Standards Directive (BSSD). A high number of Member States had notified the Commission, by the deadline, of their measures to implement the BSSD and the amended NSD. However, not all Member States had correctly implemented the RWD. The Commission had opened 15 corresponding infringement proceedings, most of which were still ongoing at the time of our audit.

At the end of 2019, there were 124 nuclear reactors operating in 14 EU Member States (including the UK). Four of these Member States had new reactors under construction. In the event of a radiological emergency, the Commission's role is limited to managing the ECURIE system, since emergency preparedness and response arrangements are a national responsibility. The Commission has complemented ECURIE with the European Radiological Data Exchange Platform (EURDEP), a web-based platform that makes radiological monitoring data available to authorities almost in real-time. The auditors considered that the system generally functioned well, even if some improvements could be made.

Finally, the auditors noted that the current framework for issuing opinions on nuclear investment projects' compatibility with the Euratom Treaty was not up to date with the latest policy, legislative and technological developments. Similarly, they recommend revising and strengthening the procedures used to verify the efficiency of national radioactivity monitoring facilities.

Notes to Editors

International nuclear safety legislation is based on the fundamental principle of national responsibility for the safety of nuclear installations. Governments are responsible for regulating nuclear safety, and nuclear facility operators are ultimately responsible for the safety of their facilities. Finally, the International Atomic Energy Agency (IAEA) is the global intergovernmental forum for scientific and technical cooperation in the nuclear field.

In the EU, the 1957 Euratom Treaty established the Euratom Community (Euratom) – a separate legal entity, albeit with the same members as the EU and governed by the EU institutions. Euratom has laid down, in directives, basic standards to protect the health of workers and the general public against the dangers arising from ionising radiation.

Our audit focused on the Commission's activities under the Euratom Treaty. It did not examine the international nuclear safety framework or its application in Member States; nor did it look at the technical aspects of nuclear safety.

The ECA previously looked at EU nuclear decommissioning assistance programmes in [special report 22/2016](#).

Special report 03/2020 *"The Commission contributes to nuclear safety in the EU, but updates required"* is available on the ECA website (eca.europa.eu) in 23 EU languages.

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