

# How to improve the current situation of CS involvement in Emergency plans?

Table Ronde ACN2 France

Information et participation du public dans la préparation des  
crises nucléaires- aspects transfrontaliers

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# Emergency Preparedness and Response (EP&R) Working Group (EP&R WG)

- EP&R working group was established **with the creation of NTW in November 2013**
- **The aim of EP&R WG is:**
  - to carry out an evaluation of the existing European and national EP&R provisions from the civil society point of view, identifying key challenges,
  - to inform public on the findings and
  - to provide guidance for further activities of the interested public.
- **10 European countries:** Belgium, Bulgaria, Czech Republic, France, Germany, Ireland, Luxembourg, Ukraine, Sweden and Slovenia involving 21 participants from 15 organisations.
- **The results:**
  - Report of NTW on Emergency Preparedness & Response work (200 pages),
  - Position paper of NTW on Emergency Preparedness & Response situation in Europe (15 pages).

# Information collection and analyses of EP&R

- **International seminars**  
with expert institutions and international associations,
- **Desk work**  
to review the national provisions and international requirements,
- **Interviews and questionnaires**  
with representatives of responsible institutions and local populations,
- **The investigations performed by the EU institutions**  
(i.e. the “Review of current off-site nuclear emergency preparedness and response arrangements in EU member states and neighbouring countries“ - ENCO study),
- **The organisation of transboundary roundtables**  
involving the participation of responsible institutions and civil society.



# The findings on EP&R arrangements

The EP&R report included many deficiencies pointed out by CSOs:

- EP&R provisions remains **out-dated, inadequate and not realistic**. Evacuation (large scale) is not possible in many cases,
- **New situations are not addressed**, even the environment (social and spatial) around NPPs has changed drastically,
- **Citizens and CSOs are not involved** in emergency and post-accident strategies,
- Local authorities and specially local population are **little aware** about trainings.
- **Lessons from emergency exercises & drills** are limitedly taken into account.
- **Communication and notification lines are not entirely working**, sometimes total lack of communication between different concerned administrations.
- It is **not foreseen to use and to take advantages of new media tools** for information dissemination, nor for citizens contribution to monitor (crowdsourcing).
- EP&R is dealt at national level, with **little transboundary cooperation**, heterogeneity of existing EP&R provisions among member states is a real threat.
- Need for **clarification of food standards** and their harmonisation.
- **Issues with nuclear liability** – who will pay the consequences?

# Main recommendations from EP&R report

- **Need for detailed CSO evaluation** of EP&R provisions in each country.
- **Need for CSO and public engagement** in planning and management at local, national and trans-boundary levels.
- **Harmonise emergency provisions** (emergency zoning on evacuation, sheltering, iodine distribution) –transboundary.
- Need for developing **a legal framework involving CSOs at each level** of preparation and decision in the spirit of the Aarhus Convention.
- **Develop a EU wide policy on EP&R** – EC should take the lead (like for updating of nuclear safety after Stress Tests).
- **Need for appropriate resources** for CSO and local communities to be involved.
- **Need for quality control procedures** (QA/QC) including feed-back of new events, exercises & drills (learning process).
- **Reconsider evacuation process** in the case of large urban area.
- **Integrate rescue and radiation experts** in civil protection staff and **train medical staff.**
- **Develop Medium - Long Term post-accident policies.**
- **Create a CS-EP cooperation** to investigate liabilities for NPPs accident.

# Applying the lessons of Fukushima in the context of the implementation of the BSS Directive - 1

- NTW position paper on EP&R in relation to BSS Directive issued in December 2015 (webpages)
- 3 areas for further action to be taken:
  1. The need for multi-stakeholder assessment of the existing situation:
    - „ENCO“ study very optimistic
    - The assessment should be done by many players to draw realistic picture
    - NTW with members did the first investigation across EU and nationally
    - Need to have country by country analyses and lessons to be taken with BSS requirements implementation

# Applying the lessons of Fukushima in the context of the implementation of the BSS Directive - 2

- Cont.:
  2. Formal or effective and qualitative transposition:
    - The intension is to have effective transposition of requirements,
    - The need for clarification and for drawing the criteria to qualify transposition,
    - Engaging multi-stakeholder debates on those criteria is essential in order to agree
    - CS could serve as catalyst
  3. Further investigation with regard to civil society:
    - Current survey showed that authorities see the necessity to initiate new EP&R plans with involvement of stakeholders.
    - How to engage stakeholders in the preparedness (nationally, trans-boundary, internationally).
    - Clear guidelines should be established and tested at EU, national and trans-boundary levels..

# The legal frame for the CS in EP&R-1

## ■ Aarhus Convention:

- Art 5.1.c: ‘In the event of any imminent threat to human health or the environment, whether caused by human activities or due to natural causes, **all information** which could enable the public to take measures to prevent or mitigate harm arising from the threat...’**is disseminated immediately** and without delay to members of the public who may be affected’.
- Stakeholder -“The public concerned” means the public affected or likely to be affected by, or having an interest in, the environmental decision-making; for the purposes of this definition, non-governmental organizations promoting environmental protection and meeting any requirements under national law shall be deemed to have an interest. – Civil society and organisation – CSO.

## ■ BSS Directive:

- Art 97 with ann. XI: emergency management system shall **include public information arrangements and involvement of stakeholders**,
- Art 70 and 71 with ann. XII: information to the members of the public likely to be affected or actually affected in the event of an emergency: basic facts about impacts of radioactivity, the emergency consequences, EP&R measures and actions,
- Art. 98 with ann. XII: **EP&R plans established in advance, tested, revised and improved.**

# The legal frame for the CS in EP&R - 2

- BSS Directive (cont):
  - Art 102: information on implementation of strategy on existing exposure situation shall be given to population with guidance for management of exposure.
- Draft EU Council conclusions on EP&R:
  - STRESSING the benefits of involving civil society in preparedness activities, in particular during nuclear emergency exercises to increase transparency and public participation, and to improve public confidence in the arrangements,
  - INVITES the Commission **to organise workshops** to facilitate the consistent transposition and implementation of BSS directive aiming at developing a coherent approach to EP&R provisions .....focusing ..... **on emergency response arrangements and information to the public ..... and report to the Council on the progress** with the implementation of those provisions.
- The information arrangements, public participation and multi-stakeholder involvement in developing of EP&R is now a legal requirement and a obligation of the MS.

**The big question is HOW TO DO IT?**

# Expectations of civil society for BSS directive on EP&R arrangements

- BSS directive should be implemented effectively and not just “formally”,
- CSOs should be actively involved – by giving them the role in the EP&R in planning, testing and in improving the provisions,
- CSOs should be involved already now with the process on how to effectively realise and transpose the requirements of the BSS directive in national systems,
- Multi-stakeholders discussion need to be held with the support of the EC in parallel to other activities,
- Sufficient level of devolution for all emergency management system phases (planning, testing, revision, improvement) shall be promoted - including the creation of capacities for protection and monitoring,
- Civil society must be supported by adequate resources to fulfil its missions.

## Possible follow-up: 2016-2018

- **Systematic investigation of EP&R provisions** at different national and transboundary levels based on modified approach used for the EP&R report (on the way in some countries).
- **Influence on improvements made in new legal EU framework** (BSS, Safety directive, food standards) - requirements should be analysed and proposals developed.
- **Round tables:**
  - Aarhus Convention & Nuclear round tables linking EU associations (HERCA, WENRA, ENSREG), EUP, EC and NTW
  - Cross border RT on trans-boundary cooperation/harmonisation,
  - Nationally with all relevant stakeholders - Interactions between regulators, civil protection authorities, local municipalities, operators, NGOs, civil society and other interested organisations and citizens.
- **Possible cooperation of CSO in EU research projects** (H2020/ Euratom)

# Conclusions

- New BBS directive is a good opportunity to improve the EP&R arrangements if not taken only formally.
- NTW organised the Civil Society and NGOs to take part in the improvements;
  - 1) further refining the picture of the current challenges for EP&R country by country in Europe,
  - 2) establishing the criteria for an effective and qualitative transposition of BSS in a participatory way, and
  - 3) defining, testing and implementing plans with stakeholder engagement to address the real challenges.

Thank you for your  
attention !



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