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**COMMISSION IMPLEMENTING DECISION**

**of 15.12.2021**

**on the financing of the annual action plan for the European Instrument for  
International Nuclear Safety Cooperation for 2021**

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### on the financing of the annual action plan for the European Instrument for International Nuclear Safety Cooperation for 2021

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012<sup>1</sup>, and in particular Article 110 thereof,

Having regard to Council Regulation (Euratom) 2021/948 of 27 May 2021 establishing a European Instrument for International Nuclear Safety Cooperation complementing the Neighbourhood, Development and International Cooperation Instrument – Global Europe on the basis of the Treaty establishing the European Atomic Energy Community, and repealing Regulation (Euratom) No 237/2014<sup>2</sup>, and in particular Article 7.

Whereas:

- (1) In order to ensure the implementation of the European Instrument for International Nuclear Safety Cooperation (INSC), it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2021. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures<sup>3</sup> adopted pursuant to Article 215 of the Treaty on the Functioning of the European Union.
- (3) The Commission has adopted the Multiannual Indicative Programme for the period 2021-2027<sup>4</sup>, which builds on the three specific objectives as set out in Article 2 of Council Regulation (Euratom) 2021/948.
- (4) The objectives pursued by the Annual Action Plan to be financed under the European Instrument for International Nuclear Safety Cooperation are 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; 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; and the establishment of

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<sup>1</sup> OJ L 193, 30.7.2018, p. 1.

<sup>2</sup> OJ L 209, 14.6.2021, p. 79.

<sup>3</sup> [www.sanctionsmap.eu](http://www.sanctionsmap.eu). Note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy the OJ prevails.

<sup>4</sup> C(2021)8687

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

- (5) The action entitled "Nuclear safety cooperation" aims to promote an effective nuclear safety culture and implement the highest nuclear safety and radiation protection standards in the Eastern Neighborhood countries (Armenia, Morocco, Ukraine), Iran and South Africa. It also contains a multi-country component dedicated to Training and Tutoring.
- (6) The action entitled "Safe management of spent fuel and radioactive wastes "aims to provide support in the safe management of radioactive waste and spent nuclear fuel in Georgia, Iraq and Central Asia.
- (7) The action entitled "Support measures to implement the European Instrument for International Nuclear Safety Cooperation (INSC)" includes audits, evaluations, identifications, studies, meetings, communication 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.
- (8) Pursuant to Article 9 of Regulation (Euratom) 2021/948, indirect management is to be used for the implementation of the action.
- (9) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046. To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU, Euratom) 2018/1046<sup>5</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.
- (10) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (11) In order to allow for flexibility in the implementation of the annual action plan, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.
- (12) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants, as provided in Art.5.
- (13) The annual action plan provided for in this Decision is in accordance with the opinion of the INSC committee established by Article 15 of Regulation (Euratom) 2021/948,

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The action plan*

The annual financing decision, constituting the annual action plan for the implementation of the European Instrument for International Nuclear Safety Cooperation (INSC), as set out in the Annexes, is adopted.

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<sup>5</sup> Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide, not to require an *ex-ante* assessment.

The action plan shall include the following actions:

- Action document for nuclear safety cooperation set out in Annex I;
- Action document for safe management of spent fuel and radioactive wastes set out in Annex II;
- Action document for support measures to implement the INSC set out in Annex III.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 36 115 200 and shall be financed from the appropriations entered in line 14 06 01 00 of the general budget of the Union. The appropriations provided for in the first paragraph may also cover interest due for late payment.

*Article 3*  
*Methods of implementation and entrusted entities or persons*

The implementation of the actions carried out by way of indirect management, as set out in the Annexes, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in Annexes I and II, point 4.

*Article 4*  
*Flexibility clause*

Increases or decreases of up to EUR 5 000 000 not exceeding 20 % of the contribution set 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, as well as extensions of the implementation period, shall not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046 provided that these changes do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

*Article 5*  
*Grants*

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annexes. Grants may be awarded to the bodies referred to in Annex I, point 4.3.1.

Done at Brussels, 15.12.2021

*For the Commission*  
*Jutta URPILAINEN*  
*Member of the Commission*