

Commission decision on the adoption for 2021 of Actions financed under the prerogatives of the Commission and its specific powers: Support activities for the European energy policy and internal energy market, Nuclear safeguards and Nuclear safety and protection against radiation

1. Introduction

On the basis of the objectives given in the budget remarks, this annex contains the actions to be financed and the budget breakdown for year 2021 as follows:

- *Procurement*
- *Other actions or expenditure*

Legal basis

Articles 58(2)(d) of the Financial Regulation (FR)

Budget line(s)

**02 20 04 02 - Support activities for the European energy policy and internal energy market
EUR 6 543 000**

Objectives pursued

The principal endorsed objectives are to implement a progressive common European policy in line with the Energy Union strategy (COM(2015) 80 final) ensuring continuous energy supply security, good functioning of the internal energy market and access to transport networks of energy, observation of energy market, integrated governance and monitoring, analysis of modelling including scenarios on the impact of considered policies and the strengthening of the rights and protection of energy users, based on general and particular knowledge of global and European energy markets for all energy types.

Expected results

The results stem from the Commission's prerogatives at institutional level, as provided for in Article 58(2)(d) of 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.

This appropriation is intended to cover expenditure incurred by the Commission to support the energy policy for collecting and processing information of all kinds needed for the analysis, definition, promotion, monitoring, financing, evaluation and implementation of a competitive, safe and sustainable European energy policy, of the internal energy market and its extension to third countries, of all aspects of energy supply security in a European and global perspective as well as the strengthening of the rights and protection of energy users by supplying quality services at transparent and comparable prices.

It is also intended to cover expert' expenditure directly linked to the collection, validation and analysis of necessary information on energy market observation, as well as expenditure on information and communication, digital processing and visualisation of data, conferences and events promoting activities in the energy sector, electronic and paper publications, audio-visual products as well as the development of different web-based and social media activities directly linked to the achievement of the objective of the energy policy. This appropriation will also support an enhanced energy dialogue with the Union's key energy partners and international agencies in the field of energy.

2. Procurement

The global budgetary envelope reserved in 2021 for *Procurement* under line 02 20 04 02 is EUR 6 263 000.

2.1 Support activities for the European energy policy and internal energy market

General description of the actions envisaged

- Conferences and communication activities
- Consultancy and studies, including evaluations and impact assessments
- Development and maintenance of IT systems, including EMOS (Energy Market Observatory)
- Purchase of data and information knowledge
- Translation of energy-related documents

Implementation

Directorate-General Energy

Some conferences may be implemented by DG Interpretation via cross sub-delegation; communication activities are co-delegated to DG Communication; some consultancy will be delegated to the Joint Research Centre through a specific administrative arrangement; publications are co-delegated to the Publications Office; translations are co-delegated to DG Translation; some IT development and maintenance are co-delegated to DG Informatics through dedicated memoranda of understanding.

3. Other actions or expenditure

The global budgetary envelope reserved in 2021 for *Other actions or expenditure* under line 02 20 04 02 is EUR 280 000.

3.1. Contribution to the Energy Charter Secretariat

Amount

EUR 150 000

Description

Annual membership fee to the Energy Charter Treaty, of which the European Union and EURATOM are contracting parties.

According to Article 37 of the Energy Charter Treaty, "the cost of meetings of the Charter

Conference and any subsidiary bodies shall be regarded as a cost of the Secretariat. The costs of the Secretariat shall be met by the Contracting Parties assessed according to their capacity to pay, determined as specified in Annex B, the provisions of which may be modified in accordance with Article 36(1)(d).”

The 2021 annual contribution, calculated as per Article 37 of the Energy Charter Treaty, will amount to EUR 150 000.

The purpose of the Energy Charter Treaty is to establish a legal framework in order to promote long-term co-operation in the energy field in accordance with the objectives and principles of the Energy Charter. By creating a stable, comprehensive and non-discriminatory legal foundation for cross-border energy relations, the Treaty reduces political risks associated with economic activities in transition economies. It creates an economic alliance between countries which are united in their commitment to provide open energy markets, and to secure and diversify energy supply; to stimulate cross-border investment and trade in the energy sector; and to assist countries in economic transition in the development of their energy strategies and of an appropriate institutional and legal framework for energy.

Legal basis

Article 37(3) of the Energy Charter Treaty, approved by Council and Commission Decision of 23 September 1997 on the conclusion, by the European Communities, of the Energy Charter Treaty and the Energy Charter protocol on energy efficiency and related environmental aspects (98/181/EC, ECSC, Euratom).

Article 239 FR.

3.2. Contribution to the Latin American Organization for Energy OLADE

Amount

EUR 50 000

Description

The objective of this action is the EU to become a Permanent Observer of the Latin-American Energy Organisation (OLADE). The contribution would be the membership fee for the EU.

OLADE integrates 28 Member states in the Sub-continent. They develop a high number of energy actions on their countries, produce intelligence on energy developments and are the relay among energy authorities in all countries in the region, OLADE organises at least one meeting a year of Ministers of Energy. Because of that, this international organisation is deemed an ideal partner with which to develop our relations with the countries in the subcontinent in an efficient and cost-effective way, considering our limited resources. This should allow the Commission to be in a position in which we keep relations with all those countries while not allocating unaffordable resources. It would also give us a good justification to limit the number of bilateral energy dialogues, while keeping open gates in the relations and building mutual trust within the area.

The final fee and benefits for EU need to be negotiated.

Legal basis: Ongoing negotiation process in the framework of article 239 FR.

3.3. Specific contribution to the Euratom Supply Agency

Amount

EUR 80 000

Description

Contribution to the 2021 budget of the Euratom Supply Agency as per Article 54 of the Treaty establishing the European Atomic Energy Community and Article 7 of the Statutes of the Euratom Supply Agency.

Budget line(s)

12 20 04 01 - Nuclear safeguards EUR 18 539 000

Objectives pursued

This appropriation is intended to cover, in particular:

- expenses for missions by inspectors carried out in accordance with pre-established six-monthly programmes, short-notice inspections (daily subsistence allowances and travel expenses),
- training of inspectors and meetings with Member States, international organisations, nuclear operators and other stakeholders,
- purchases of equipment for use in inspections, particularly purchases of monitoring equipment such as digital video systems, gamma, neutron and infrared measurement devices, electronic seals and seal-reader systems,
- procurement and renewal of information technology hardware for inspections,
- specific information technology projects for inspections (development and maintenance),
- replacement of monitoring and measurement devices which have reached the end of their service life,
- maintenance of equipment for Non Destructive Analysis and other specialised equipment, including insurance costs, where applicable,
- technical infrastructure measures, including waste management and sample transport,
- on-site analyses (labour costs and mission expenses for analysts),
- agreements on working premises on site(laboratories, offices, etc.),
- day-to-day management of on-site installations and central laboratories (repairs, maintenance, information technology hardware, purchases of supplies and consumables, etc.),
- information technology support and tests for applications for inspections.

The following will also give rise to the provision of additional appropriations in accordance with Article 21(3) of the Financial Regulation:

- paid insurance claims,
- repayment of sums unduly paid by the Commission for goods, work or services.

This appropriation may also cover expenditure on studies, meetings of experts, information and publications directly linked to the achievement of the objectives coming under this article, and any other expenditure on technical and administrative assistance not involving public authority tasks outsourced by the Commission under ad hoc service contracts.

Expected results

The results stem from the Commission's prerogatives at institutional level, as provided for in Article 58(2)(d) of 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.

Task resulting from specific powers directly conferred on the Commission by the Treaty establishing the European Atomic Energy Community, Title II, Chapter 7, Article 174.

Commission Regulation (Euratom) No 302/2005 of 8 February 2005 on the application of Euratom safeguards (OJL54,28.2.2005,p. 1).

Reference acts

Agreement between the non-nuclear-weapon Member States, the European Atomic Energy Community, and the International Atomic Energy Agency (INFCIRC/193) and its Additional Protocol.

Tripartite Agreement between the Community, the United Kingdom and the International Atomic Energy Agency (INFCIRC/263) and its Additional Protocol (1).

Agreement between France, the European Atomic Energy Community, and the International Atomic Energy Agency for the application of safeguards in France (INFCIRC/290) and its Additional Protocol.

Bilateral Nuclear Cooperation Agreements between the European Atomic Energy Community and third countries, such as the United States of America, Canada, Japan and Australia.

Commission communication of 24 March 1992 to the European Parliament and to the Council concerning a Commission decision on the implementation of on-site laboratories for verification analysis of safeguards samples (SEC(1992)515).

4. Procurement

The global budgetary envelope reserved in 2021 for *Procurement* under line 12 20 04 01 is EUR 10 721 000.

4.1 Nuclear safeguards

General description of the actions envisaged

Service Level and Administrative Agreements with different DGs.

Development, consultancy and maintenance of IT systems and IT equipments

Training for nuclear safeguard inspectors and technicians

Purchase of inspection equipment, maintenance, transport, etc.

Implementation

DGs Energy, Informatics, Joint Research Centre.

5. *Other actions or expenditure*

The global budgetary envelope reserved in 2021 for *Other actions or expenditure* under line 12 20 04 01 is EUR 7 818 000.

5.1. **Inspection – Mission costs**

Amount

EUR 2 277 000

Description

Safeguards-related missions including inspections, associated technical missions and meetings held in connection with safeguards activities for DG ENER, Directorate E Euratom Safeguards.

Legal basis: Treaty establishing the European Atomic Energy Community, Title II, Chapter 7.

5.2. **Reimbursement to nuclear operators and other nuclear related services**

Amount

EUR 5 541 000

Description

Operation and maintenance of on-site nuclear laboratory and other tasks resulting from specific powers directly conferred on the European Commission by the Treaty establishing the European Atomic Energy Community, Title II, Chapter 7, Article 174.

Legal basis: Commission Regulation (Euratom) No 302/2005 of 8 February 2005 article 6 on the application of Euratom safeguards (OJ L 54, 28.2.2005, p. 1).

Budget line(s)

12 20 04 02 - Nuclear safety and protection against radiation EUR 3 000 000

Objectives pursued

This appropriation is intended to cover:

-expenditure incurred by the Commission for collecting and processing information of all kinds needed for the analysis, definition, promotion, monitoring, evaluation and implementation of the common policy on nuclear safety and security and of the rules and measures in the field of radiation protection,

-expenditure on measures and actions relating to monitoring and protection against the effects of ionising radiation and aimed at ensuring the health protection of the population and the protection of the environment against the dangers of radiation and radioactive substances. These

actions relate to specific tasks provided for under the Treaty establishing the European Atomic Energy Community,

-expenditure related to verifying the operation and efficiency of systems to monitor the level of radioactivity in the air, water and soil and to ensure compliance with the basic standards in the Member States (Article 35 of the Euratom Treaty). This expenditure includes, in addition to subsistence allowances and travel (mission) expenses, costs for training, for preparatory meetings and for purchases of equipment to be used for inspections,

-expenditure linked to the implementation of the Commission's tasks referred to in point 31 of the European Council conclusions of 24 and 25 March 2011.

This appropriation may also cover expenditure on information and publications directly linked to the achievement of the objectives coming under this article.

Expected results

The results stem from the Commission's prerogatives at institutional level, as provided for in Article 58(2)(d) of 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.

Task resulting from specific powers directly conferred on the Commission by the Treaty establishing the European Atomic Energy Community, Title II, Chapter 3, Article 174.

Treaty establishing the European Atomic Energy Community, in particular Article 31 (collection of information and preparation of new legislation complementing the basic safety standards), Article 33 (implementation of directives, including in particular in the medical field (field C)) and Article 35(2) (verification of monitoring of environmental radioactivity), thereof.

Reference acts

Council Decision 87/600/Euratom of 14 December 1987 on Community arrangements for the early exchange of information in the event of a radiological emergency(OJ L371,30.12.1987, p.76).

Council Regulation (EC) No 733/2008 of 15 July 2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station (OJ L 201, 30.7.2008, p.1).

Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations (OJ L172,2.7.2009,p. 18).

Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste(OJ L199,2.8.2011,p.48).

Council Directive 2013/51/Euratom of 22 October 2013 laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption (OJ L 296, 7.11.2013,p.12).

Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122 Euratom (OJ L13,17.1.2014, p.1).

Council Directive 2014/87/Euratom of 8 July 2014 amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations

(OJL219,25.7.2014, p.42).

Council Regulation (Euratom) 2016/52 of 15 January 2016 laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency, and repealing Regulation (Euratom) No. 3954/87 and Commission Regulations (Euratom) No 944/89 and (Euratom) No770/90 (OJL 13,20.01.2016, p.2).

6. Procurement

The global budgetary envelope reserved in 2021 for *Procurement* under line 12 20 04 02 is EUR 2 970 000.

6.1 Nuclear safety and protection against radiation

General description of the actions envisaged

Service Level and Administrative Agreements with different DGs.

Conferences

Communication activities

Studies

Development and maintenance of IT systems & IT Equipments

Implementation

DGs Energy, Informatics, Communication, Joint Research Centre.

7. Other actions or expenditure

The global budgetary envelope reserved in 2021 for *Other actions or expenditure* under line 12 20 04 02 is EUR 30 000.

7.1. Verifications as per Article 35 of the Euratom Treaty

Amount

EUR 30 000

Description

Expenditure related to verifying the operation and efficiency of systems to monitor the level of radioactivity in the air, water and soil and to ensure compliance with the basic standards in the Member States. This expenditure includes, in addition to subsistence allowances and travel (mission) expenses, costs for training, for preparatory meetings and for purchases of equipment to be used for inspections.