

**Project Fiche – IPA centralised programmes**  
**Part II of the Horizontal Programme on Nuclear Safety and Radiation Protection**

**1. Basic information**

- 1.1 CRIS Number:** 2007/019-301
- 1.2 Title:** Assessment of the regulatory infrastructure in the field of nuclear safety and radiation protection in Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, and Serbia including Kosovo (as defined by UNSCR 1244)<sup>1</sup>
- 1.3 ELARG Statistical code:** 06.64 - Nuclear Safety
- 1.4 Location:** Tirana (Albania), Sarajevo (Bosnia & Herzegovina), Zagreb (Croatia), Skopje (the former Yugoslav Republic of Macedonia), Podgorica (Montenegro), Belgrade (Serbia), and Prishtina (Kosovo)

**Implementing arrangements:****1.5 Contracting Authority:**

The European Community represented by the Commission of the European Communities for and on behalf of Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, and Serbia including Kosovo.

**1.6 Implementing Agency:**

N.A.

**1.7 Beneficiaries:**

Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, and Serbia including Kosovo.

**Financing**

- 1.8 Overall cost (VAT excluded):** €500,000
- 1.9 EU contribution:** €500,000
- 1.10 Final date for contracting:** 30/11/2008
- 1.11 Final date for execution of contracts:** 30/11/2010
- 1.12 Final date for disbursements:** 30/11/2011

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<sup>1</sup> Hereafter referred to as Kosovo

## **2. Overall Objective and Project Purpose**

### **2.1 Overall Objective:**

To contribute to the transposition of the acquis in the field of nuclear safety and radiation protection, into the legislation and regulations of the IPA eligible countries.

### **2.2 Project purpose:**

To assess the regulatory infrastructure in the field of nuclear safety and radiation protection of the six candidate and potential candidate countries with the view to transposing eventually the Euratom Council Directives as well as the international conventions to which the European Community is a signatory into national legislation and regulations. Based on this assessment an action plan should be proposed for each country in order to align the functioning of the national nuclear safety and radiation protection authorities on their sister organisations in EU Member States.

### **2.3 Link with AP/NPAA/EP/SAA:**

- The sectoral policies of the European/Accession Partnerships with Albania (2006/54/EC), Bosnia & Herzegovina (2006/55/EC), Croatia (2006/145/EC), the former Yugoslav Republic of Macedonia (2006/57/EC), the Montenegro (2007/29/EC), and the Serbia (2006/56/EC) in the field of environment mention the strengthening of the administrative capacity, and alignment of the legislation to the acquis.
- In addition the AP with Croatia and the former Yugoslav Republic of Macedonia, and the EP with the Montenegro specifically refer to nuclear safety and radiation protection issues.
- Finally article 103 of the Stabilisation and Association Agreement with the former Yugoslav Republic of Macedonia mentions nuclear safety and radiation protection as one of the issues for cooperation.

### **2.4 Link with MIPD**

The MIPD action entitled "Nuclear Safety and Radiation Protection" mentions that "the national safety authorities in place that ought to be regulating nuclear safety and radiation protection are in most cases rather weak in terms of both personnel and level of expertise. Alignment of the national legislations and regulations of the Western Balkans on the EURATOM Directives would require significant EU support". In this context, the MIPD intends to:

- facilitate networking, the sharing of best practices and lessons learned across the beneficiary authorities;
- provide technical assistance to facilitate the preparation and implementation of national legislation and regulations in line with the relevant EU acquis, and best EU practices.

This regional study will aim at assessing the regulatory infrastructure of the six IPA eligible countries in the field of nuclear safety and radiation protection. It will also compare their status, organisation, capacities, staffing and funding mechanisms, suggest the establishment of relationships with neighbouring authorities wherever relevant and propose individual plans of actions for the preparation and implementation of national legislation and regulations in line with the EURATOM Directives, international conventions to which the European Community is a signatory, and best EU practices.

## **3. Description of project**

### **3.1 Background and justification:**

Eligible IPA countries are obliged to transpose eventually into their national legislation and regulations the EURATOM Directives which in particular comprise requirements concerning the

use of radionuclides for a number of applications in the medical sector and the industry. They must also be in line with the provisions of international conventions in the nuclear field to which the European Community is a signatory. These requirements presuppose that a national infrastructure dealing with nuclear safety and radiation protection issues is in place. This national infrastructure is expected to regulate the use of radionuclides and to proceed with inspections in order to check compliance with the legislation and regulations. The national infrastructure can operate under the supervision of a specific ministry or directly depend on the government. It must be fully independent from the user of radionuclides.

Not all IPA eligible countries have established effective and independent regulatory bodies in the field of nuclear safety and radiation protection. In several cases (Montenegro and Serbia) the establishment of a regulatory body is subordinated to the next promulgation of a new Law on radiation safety. In the former Yugoslav Republic of Macedonia, an infrastructure (the Radiation Safety Department) is in place but not yet fully operational.. In Albania the National Radiation Protection Commission (NRPC) that is headed by the Ministry of Health is the regulator for all radiological issues in Albania. However, a number of radiation protection measures - including inspections - are led by the Radiation Protection Office which has limited resources to perform its activities. In Bosnia and Herzegovina, a Law on nuclear safety has just been promulgated. This Law will establish a new regulatory authority that will need some time to become operational. Nuclear safety regulatory body in the Kosovo is very likely to be still inexistent.

Therefore, there is an obvious need for technical assistance in order to establish or to enhance the capacity and functioning of effective national regulatory bodies in the field of nuclear safety and radiation protection, that would be in line with their sister organisations in the EU Member States. However taking into account the variety of development of regulatory bodies, it is important that this technical assistance be tailored to the specific needs of each country. Taking stock of the situation existing in each IPA eligible country in this particular domain and defining an action plan and/or a list of topics worth being supported in the future, constitute the main aim of this project.

### **3.2 Assessment of project impact, catalytic effect, sustainability, and cross border impact:**

This project will enable beneficiary countries to better control radiological issues on their territories, i.e. management of institutional radioactive waste, prevention and combat of illicit trafficking of nuclear materials and radiation sources, management of naturally occurring radionuclides in materials (NORM) and technologically enhanced naturally occurring radionuclides in materials (TENORM), possible radioactive contamination of the environment, installation of early warning systems and emergency preparedness. It may also impact on the content of the technical assistance projects that should be implemented within the framework of the nuclear safety and radiation protection action of the IPA regional programme from 2009 onwards. Operation of efficient regulatory bodies in each of the beneficiary countries may significantly reduce the risk of cross-border radioactive contamination of the environment.

### **3.3 Results and measurable indicators:**

- Assessment of the legislation that has enabled the establishment of regulatory bodies in Albania, Bosnia and Herzegovina, Croatia, and the former Yugoslav Republic of Macedonia, Montenegro and Serbia including Kosovo.
- An action plan (including adequate mandate, structure, quality management system and staffing) for operating a national regulatory body in Montenegro and Serbia including Kosovo, over the years 2008-2013 is established;
- Improvements of the technical capacity and functioning of the regulatory bodies in Albania, Bosnia and Herzegovina, Croatia, and the former Yugoslav Republic of Macedonia notably in line with the transposition of the EURATOM Directives into the national legislation and

regulations are proposed;

- List of topics to be possibly supported by the IPA regional programme from 2009 onwards on further strengthening of the technical capacity of the nuclear safety regulatory bodies are established.

### 3.4 Activities:

- Description and analysis of the current legislative background that is underpinning the establishment of regulatory bodies in each of the six beneficiary countries;
- Description and analysis of the current mandate, organisation, structure, quality management system, staffing, technical capacity, inspection procedures, and funding mechanism of the regulatory bodies in place in each of the beneficiary countries;
- Analysis of the adequation of the current structure, organisation and technical capacity of the regulatory bodies against the radiological issues posed in the country and the transposition of the EURATOM Directives;
- Identification of the areas where enhancement of the capacity of the regulatory bodies would be desirable.

### 3.5 Conditionality:

The beneficiary countries must have a regulatory body in the nuclear area already established by Law at the time of the launching of the tendering procedure for contracting.

### 3.6 Linked activities:

In 2005 and 2006 the Phare nuclear safety programme launched several projects dealing with the enhancement of the technical expertise as well as supply of equipment to regulatory bodies in Croatia. Already for several years, the International Atomic Energy Agency (IAEA) is supporting the establishment and development of nuclear regulatory bodies in the Western Balkan countries. Of particular interest are the IAEA reports on radiation safety and the security of radioactive sources (RaSSIA reports) prepared in late 2005. The IPA horizontal programme on nuclear safety and radiation protection plans a series of regulatory assistance projects over the period 2007-2009. These projects will be closely coordinated.

### 3.7 Lessons learned

The 2005 and 2006 Phare nuclear safety programmes in Croatia did not yet concretise into projects. As far as the IAEA activities are concerned, the RaSSIA reports outlined the situation regarding regulatory issues in each Western Balkan country on management of sealed radioactive sources. These reports constitute a useful source of information notably on the legislation and regulations in force in each of the Western Balkan countries. The RaSSIA reports must be made available since they were funded by the EU. However they are mainly limited to the implementation of the IAEA Code of Conduct on radiation sources. There is no relevant information on the transposition of the EURATOM Directives.

## 4. Indicative Budget (amounts in €)

Activities	TOTAL COST	SOURCES OF FUNDING										
		EU CONTRIBUTION				NATIONAL PUBLIC CONTRIBUTION					PRIVATE	
		Total	% *	IB	INV	Total	% *	Central	Regional	IFIs	Total	% *
Activity 1												
Contract 1	500,000	500,000	100	500,000								
<b>TOTAL</b>	<b>500,000</b>	<b>500,000</b>	<b>100</b>	<b>500,000</b>								

\* expressed in % of the Total Cost

**5. Indicative Implementation Schedule (periods broken down per quarter)**

Contracts	Start of tendering	Signature of contract	Project Completion
Contract 1	1Q 2008	2Q 2008	2Q 2009

**6. Cross cutting issues****6.1 Equal Opportunity**

N.A.

**6.2 Environment:**

There are substantial environmental gains to the beneficiary countries by accomplishment of this project since a better control of the use of radionuclides may have a favourable impact on the protection of the environment.

**6.3 Minorities**

N.A.

**ANNEXES**

- 1- Log frame in Standard Format
- 2- Amounts Contracted and Disbursed per Quarter over the full duration of Programme
- 3 - Reference to laws, regulations and strategic documents
- 4- Details per EU funded contract

## ANNEXES

### ANNEX 1: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche	Programme name and number 2007/019-301	Part II of the Horizontal Programme on Nuclear Safety and Radiation Protection
Assessment of the regulatory infrastructure in the field of nuclear safety and radiation protection in Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, and Serbia including Kosovo	Contracting period expires: 30/11/2008	Disbursement period expires: 30/11/2011
	Total budget: <b>€0.5 million</b>	IPA budget: <b>€0.5 million</b>

Overall objective	Objectively verifiable indicators	Sources of Verification	
To contribute to the transposition of the acquis in the field of nuclear safety and radiation protection, into the legislation and regulations of the IPA eligible countries.			
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
To assess the regulatory infrastructure in the field of nuclear safety and radiation protection of the six candidate and potential candidate countries with the view to transposing eventually the Euratom Council Directives as well as the international conventions to which the European Community is a signatory into national legislation and regulations. Based on this assessment an action plan should be proposed for each country in order to align the functioning of the national nuclear safety and radiation protection	Recommendations listed in the final report	Production of progress and final reports resulting from the project implementation. Mission reports produced by the Contractor in the seven selected countries.	The relevant safety authorities and/or supervising Ministries of the beneficiary countries are supposed to fully collaborate to the project, providing all necessary information. It is important that the RaSSIA reports are made available to the contractor.

<p>authorities on their sister organisations in EU Member States.</p>			
<b>Results</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
<ul style="list-style-type: none"> <li>• Assessment of the legislation that has enabled the establishment of regulatory bodies in Albania, Bosnia and Herzegovina, Croatia, and the former Yugoslav Republic of Macedonia, Montenegro and Serbia including Kosovo.</li> <li>• An action plan (including adequate mandate, structure, quality management system and staffing) for operating a national regulatory body in Montenegro and Serbia including Kosovo, over the years 2008-2013 is established;</li> <li>• Improvements of the technical capacity and functioning of the regulatory bodies in Albania, Bosnia and Herzegovina, Croatia, and the former Yugoslav Republic of Macedonia notably in line with the transposition of the EURATOM Directives into the national legislation and regulations are proposed; <ul style="list-style-type: none"> <li>•</li> <li>• List of topics to be possibly supported by the IPA regional programme from 2009 onwards on further strengthening of the technical capacity of the nuclear safety regulatory bodies are</li> </ul> </li> </ul>	<p>Progress and topical reports including Kosovo.</p> <p>Progress and topical reports</p> <p>Final report</p>	<p>Documentation available in the relevant Ministries and State organisations of the seven beneficiary countries and in the archives of DG ELARG/D3</p>	

established			
<b>Activities</b>	<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>
<ul style="list-style-type: none"> <li>• Description and analysis of the current legislative background that is underpinning the establishment of regulatory bodies in each of the six beneficiary countries;</li> <li>• Description and analysis of the current mandate, organisation, structure, quality management system, staffing, technical capacity, inspection procedures, and funding mechanism of the regulatory bodies in place in each of the beneficiary countries;</li> <li>• Analysis of the adequation of the current structure, organisation and technical capacity of the regulatory bodies against the radiological issues posed in the country and the transposition of the EURATOM Directives; <ul style="list-style-type: none"> <li>• Identification of the areas where enhancement of the capacity of the regulatory bodies would be desirable.</li> </ul> </li> </ul>	Service contract	€500,000	

**ANNEX II: Amounts (in €) Contracted and disbursed by quarter for the project**

<b>Contracted</b>	<b>Q3 2007</b>	<b>Q4 2007</b>	<b>Q1 2008</b>	<b>Q2 2008</b>	<b>Q3 2008</b>	<b>Q4 2008</b>	<b>Q1 2009</b>	<b>Q2 2009</b>	<b>Q3 2009</b>	<b>Q4 2009</b>
Contract 1				500,000						
<b>Cumulated</b>				<b>500,000</b>						
<b>Disbursed</b>										
Contract 1				300,000		100,000		100,000		
<b>Cumulated</b>				<b>300,000</b>	<b>300,000</b>	<b>400,000</b>	<b>400,000</b>	<b>500,000</b>	<b>500,000</b>	<b>500,000</b>

<b>Contracted</b>	<b>Q1 2010</b>	<b>Q2 2010</b>	<b>Q3 2010</b>	<b>Q4 2010</b>	<b>Q1 2011</b>	<b>Q2 2011</b>	<b>Q3 2011</b>	<b>Q4 2011</b>
Contract 1.1								
<b>Cumulated</b>								
<b>Disbursed</b>								
Contract 1.1								
<b>Cumulated</b>	<b>500,000</b>							

### **Annex III: Reference to laws, regulations and strategic documents:**

- Nuclear Safety and Radiation Protection action of the multi-country MIPD programme;
- The Joint Convention on the safety of spent fuel management and on the safety of radioactive waste management;
- The 1995 Law on radiation protection in **Albania**;
- The Federal Law of Protection from Ionising Radiation and Radiation Safety (1999) of **Bosnia & Herzegovina**
- The Law on Radiation Protection and Radiation Safety and amendments (2001 and 2003) of the **Republic of Srpska of Bosnia & Herzegovina**;
- The Act on Protection Against Ionising Radiation 1999 and its 2003 amendment in **Croatia**;
- The Law on Protection against Ionizing Radiation and Radiation Safety (2002) in the **former Yugoslav Republic of Macedonia**;
- The draft Law on Radiation Protection and the Security of Radioactive Sources that will repeal Law 46/96 in **Montenegro**;
- The draft of the **Serbian** new Law on ionising radiation protection and on nuclear safety (2006) and existing **Serbian** Law on Protection against Ionising Radiation (1996);

### **Annexe IV: Details per EU funded contract**

The Contractor is expected to fulfill all the activities listed in section 3.4 with the support of local companies established in each of the beneficiary countries. It is thought that the cost of the information to be collected and analysed in each country should range within €40,000 to €120,000 depending on the size of the country. The project will be tendered, awarded and implemented in accordance with the PRAG.