



Canadian Nuclear  
Safety Commission

Commission canadienne  
de sûreté nucléaire

Canada



# Experience Feedback from Previous Review Meetings: President of Seventh Review Meeting

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Convention on Nuclear Safety Eighth Review Meeting Officers' Turnover Meeting

IAEA, Vienna, March 19, 2019



- History of the Convention on Nuclear Safety (CNS)
- Activities prior to Seventh Review Meeting
- Activities during/after Seventh Review Meeting
- Experience summary
  - successes
  - challenges
- Observations
- Conclusions/recommendations



# HISTORY of CNS



- CNS took effect as a result of the Chernobyl accident
  - intent of the Contracting Parties (CPs) was to avoid another serious accident
  - objective is “to prevent accidents with radiological consequences and to mitigate such consequences should they occur”
- Fukushima Daiichi showed the need to improve CNS effectiveness
- Fifth Review Meeting (RM) 2011, formed Second Extraordinary Meeting 2012
  - Working Group on Effectiveness and Transparency
- Sixth Review Meeting 2014, formed Diplomatic Conference 2015
  - Vienna Declaration on Nuclear Safety (VDNS)
- Lead up to Seventh Review Meeting 2017



- Held shortly after the Fukushima Daiichi accident
- 61 of 72 Contracting Parties attended
- CPs decided to hold an Extraordinary Meeting in 2012 dedicated to
  - lessons already learned at that time
  - process to develop further lessons-learned
  - actions already taken or planned based on the lessons
  - review the effectiveness and...continued suitability of the provisions of the CNS
- Extraordinary Meeting was to discuss National Reports focused on seven articles of CNS

## **CPs decided national reports for future Review Meetings would include**

- Response of CPs to lessons emerging from the Fukushima Daiichi accident
- Potential additional measures to help prevent a recurrence of such an accident
- Necessary changes to severe accident management or mitigation arrangements

## **President's Report requested that Sixth RM Country Groups address nine topics**

- Design against external events
- Offsite response to emergencies
- Worst case emergency preparedness
- Safety of multi-units at the same site
- Cooling of spent fuel in severe accidents
- Operator training for severe accidents
- Radiological monitoring following accidents
- Public protection emergency actions
- Communications in emergencies

## 64 CPs attended and observed that

- “Nuclear power plants should be designed, constructed and operated with the objectives of preventing accidents and, should an accident occur, mitigating its effects and avoiding off-site contamination”
- and that “...regulatory authorities should ensure that these objectives are applied in order to identify and implement appropriate safety improvements at existing plants”

## CPs decided to

- “...establish an ‘*effectiveness and transparency*’ working group...with the task of reporting to the next review meeting on a list of actions to strengthen the CNS and on proposals to amend...the Convention”
  - Included discussion of proposals to amend from Switzerland and Russian Federation

## **Working Group on Effectiveness and Transparency “concrete actions”**

- 31 revisions to guidance documents agreed by consensus
- 14 recommendations for actions by other bodies

## **April 2013 – Officers’ Turnover Meeting - President Lacoste announced**

- Sixth RM to take into account outcomes of Fifth RM and Second EM

## **December 2013 – Switzerland proposed new CNS Article 18 iv**

- “Nuclear power plants shall be designed and constructed with the objectives of preventing accidents and, should an accident occur, mitigating its effects and avoiding releases of radionuclides causing long-term off-site contamination. In order to identify and implement appropriate safety improvements, these objectives shall also be applied at existing plants”





- CPs agreed by consensus proposals to revise guidance documents
  - as proposed by Report of the Working Group on Effectiveness and Transparency
- CPs agreed by consensus nine proposals for actions by other bodies
- CPs decided by 2/3 majority vote to submit Swiss proposal to amend the Convention to a Diplomatic Conference
- 69 of 76 CPs participated at RM
- 11 CPs did not submit a National Report
- 22 CPs submitted their National Report after the deadline
- 34 CPs did not pose any questions or comments



- Convened to consider Swiss amendment
- Informal working group established to prepare
  - several major players had voted “no” or “abstain” at Sixth RM
  - discussions led to development of Vienna Declaration on Nuclear Safety
- VDNS agreed by consensus at Diplomatic Conference 9 January 2015
- Canada’s statement at the Diplomatic Conference set the scene for my becoming President of the CNS:
  - need to focus on improving implementation of existing commitments under the CNS
  - some CPs do not respond to recommendations from peer reviews of National Reports
  - would make concrete proposals at Seventh RM to address challenges to CNS effectiveness



- Sixth RM set the schedule leading to the Seventh RM
- “Charter” of obligations, duties and responsibilities for CPs
  - attached to letter from President Lacoste to all CPs  
1 September 2014
- Vienna Declaration on Nuclear Safety (VDNS) published as InfCirc/872
- Ramzi Jammal nominated for President, with goals to
  - strengthen effectiveness
  - increase transparency
  - improve accountability in responding to peer review results



# ACTIVITIES

## **15 October 2015 – Organizational Meeting**

- Elected Ramzi Jammal as President

## **11 February 2016 – First letter to CPs asked that National Reports address:**

- Actions taken to address principles of VDNS (in the summary section; details in articles)
- Lessons learned from Fukushima Daiichi accident
  - Including Observations and Lessons in DG's Report on the accident
- Findings from peer review missions and progress in responding
- Five challenges from Special Rapporteur for Fukushima
- Management of spent fuel and radioactive waste onsite (especially those which were not CPs to the Joint Convention)
- Also urged use of the template for Articles 17 and 18

## 1 March 2016 – Officers' Turnover Meeting

- Formed an Officers' Preparation Working Group, open to all CPs, to
  - draft template for Country Review Reports
  - define the process to draft the Country Review Report
  - draft template for national presentations
  - define the process for peer review provided for in VDNS
  - draft template for Coordinator's Report
  - draft templates for presentations by Rapporteurs, Coordinators, CG Chairs

## 6 April 2016 – Second letter to CPs reminded Contact Points of the

- Obligation to submit informative National Report and to review other National Reports
- Points in the Charter produced by President Lacoste

**27 April 2016 – Third letter to CPs** encouraged responding to survey to evaluate effectiveness of peer review process

**28 April 2016 – letters to specific CPs** asking them to fully meet obligations

**Spring/Summer 2016 – Lobbied signatories to ratify**

- Ten member States had not done so, despite having signed in 1994 or 1996
- Lobbied Embassies in Vienna and Ottawa, plus regulatory bodies
- Also lobbied only IAEA MS with a nuclear power program which was not a CP

**25 August 2016 – Fourth letter to CPs**

- Noted 66 National Reports submitted by deadline  
12 delinquent CPs reminded
- Reminded CPs to review National Reports of other CPs and pose questions and comments
  - determine whether the National Reports adequately describe how the CP meets the Articles and whether they have responded to the points in February 11 letter
- Asked reviewers to identify possible challenges, suggestions, good practices

## **17 October 2016 – Fifth letter to CPs**

- Officers' Meeting retained definition of “Good Practice”, but will apply it rigorously
  - expectation is that few proposals will meet the test of “a significant contribution to nuclear safety”
- Concept of “Area of Good Performance” was approved; added to templates
  - gives positive feedback to CPs which have made improvements since previous RM

## **2 December 2016 – Sixth letter to CPs**

- Full set of national Contact Points now exist
- Reminded CPs to send a delegation to the RM

## **7 December 2016 – Seventh letter to CPs**

- Reminded CPs to prepare for discussions on peer review provided for in the VDNS



## **December 19, 2016 – Eighth letter to CPs**

- Request agreement to invite signatory states to opening and closing plenaries
  - goal to encourage their ratification of the Convention

## **February 14, 2017 – Ninth letter to CPs**

- Provided guidance on how to review Rev 1 of Country Review Report
- Asked CPs to review Country Review Reports of other CPs in their CG

## **March 1, 2017 – 10th letter to CPs**

- Requested agreement to webcast opening and closing plenaries and press conference

## **March 13, 2017 – 11th letter to CPs**

- Asked Heads of Delegation to review Rev 2 of their Country Review Report

## Chaired the Officers' Meeting 26 March 2017 (day before RM)

- Objective for RM is to highlight deficiencies and strengths in national programs
- Role of CG Chairs is to encourage effective review and ask difficult questions
- Presentations are to keep to time and remain within scope
- Country Review Reports are to report on certain special topics
  - how the observations and lessons from the DG's Report on the Fukushima Accident are addressed
  - findings from peer review missions and progress made in implementing the action plans in response
  - management of spent fuel and radioactive waste onsite
  - extent to which the template for Articles 17 and 18 was used
  - whether the CP made its National Report public prior to the Review Meeting
  - whether the CP made its questions and responses public prior to the Review Meeting

## **Opened the Seventh Review Meeting**

## **Chaired the daily General Committee meeting**

- Round table discussion of challenges or issues to be addressed
- Collective review of “Good Practices” awarded the previous day
  - encouraged strict application of the definition

## **Proposed that Country Groups start 15 minutes before schedule**

- CG Chair introduced the session and briefed attendees on expectations
  - presentation template provided as guidance
- No interpretation time lost

## **Mediated discussions in plenary**

## **April 25, 2017 – letter to some CPs**

- Follow-up to April 28, 2016 letter
- Thanked and congratulated CPs for having met obligations of CNS

## **May 1, 2017 – 12th letter to CPs**

- Thanked all CPs for their active participation at the RM
- Reminded that National Reports would be posted on CNS public website
- Encouraged CPs to post their questions and answers
- Encouraged CPs to publicly share their Country Review Report
  - “Country Review Report is the result of the CNS Review Process”
  - does not contravene Article 27.3 on Confidentiality of the “content of debates”

## Jan. 31 to Feb. 1, 2018 – Officers Experience Feedback on Peer Review of VDNS

- 19 of the 32 Officers attended (4 per CG + Special Advisor + 2VPs/President)
- Six recommendations made
  - submit guidance on harmonisation of reporting by means of a President’s letter to the Contracting Parties of the Eighth Review Meeting. The letter has to be sent out in a timely manner (by end of 2018).
  - contracting Parties should be encouraged to provide practical examples of safety improvements related to the VDNS implementation by means of the President’s letter.
  - the President of the Eighth Review Meeting should encourage Contracting Parties without NPPs to delegate technical experts to the Review Meeting.
  - the President of the Eighth Review Meeting should encourage Contracting Parties to provide proposals for challenges, suggestions and good practices during the question phase on other CPs’ National Reports
  - the President of the Eighth Review Meeting should consider organizing an additional Officers’ Meeting in September/October 2019 to agree on the templates for the Eighth Review Meeting and to plan the review.
  - Officers of the Eighth Review Meeting are encouraged to retain the definition of “Area of Good Performance” in the CRR template.



# EXPERIENCE SUMMARY



- All 80 CPs have now named a national Contact Point
  - first time this has happened
- Only one CP did not submit a National Report
- Strong participation at the Review Meeting
  - 77 of the 80 CPs registered to attend
- Improved engagement in the Country Groups
  - frank and constructive discussions
- Guidelines for awarding good practices were respected
- Transparency of webcasting opening and closing plenaries plus press conference
- Number of non-ratifiers reduced by two
  - eight remain



	Sixth RM	Seventh RM
<b>Good practices</b>	<b>73</b>	<b>4</b>
<b>Challenges</b>	<b>254</b>	<b>228</b>
<b>Suggestions</b>	<b>76</b>	<b>55</b>
<b>Other</b>	<b>345</b> Commendable aspects + safety achievements + recommendable practice + noteworthy items	<b>188</b> Areas of good performance





# Ongoing Challenges



- One NPP CP was represented at the RM by Permanent Mission
  - made presentation but was unable to answer questions
- Ten National Reports were submitted after the deadline
- Seventeen CPs did not raise questions or comments
- Four CPs did not respond to their questions or comments
- Seven CPs did not participate in their Country Group session
- Eight signatories have still not ratified
  - despite having signed in 1994/1996
  - one of which is embarking on a nuclear power program
- Keeping non-NPP CPs engaged in the reviews



# OBSERVATIONS



# Consensus and How To Achieve It



- CNS President must adhere to the CNS rules and formality
- Consensus by the CPs is required for anything that is not provided for
  - in the CNS itself, the VDNS, or the Guidelines documents.
- In order for the RM to not be derailed by objections about such matters, it is important that what is planned and done is with the understanding that
  - matters unfold as decided by consensus
  - matters which achieve consensus will succeed

## **Good Practice – InfCirc/571:**

A Good Practice is “a new or revised practice, policy or program that makes a significant contribution to nuclear safety. A Good Practice is one that has been tried and proven by at least one Contracting Party but has not been widely implemented by other Contracting Parties; and is applicable to other Contracting Parties with similar programs.”

## **Area of Good Performance – CRR Template:**

An Area of Good Performance is “a practice, policy or programme that is worthwhile to commend and has been undertaken and implemented effectively. An Area of Good Performance is a significant accomplishment for the particular CP although it may have been implemented by other CPs.”



# Joint Convention Officers Adopt Concept of Area of Good Performance



“An Area of Good Performance is a new or enhanced practice, policy or program for a Contracting Party that is commendable and is being implemented. An Area of Good Performance<sup>1</sup> is a significant accomplishment for that Contracting Party, although it may have been undertaken by other Contracting Parties.

- <sup>1</sup> An Area of Good Performance could be demonstrated, for example, through achievement of milestones or improvements from the previous review.”
- adopted at a Workshop for Incoming and Outgoing Officers, July 18–20, 2017
- introduced on a trial basis for the Seventh RM



# CONCLUSIONS/RECOMMENDATIONS

- A lot of effort has gone into strengthening implementation of CNS
  - but the work continues
- Continuity of initiatives between RMs remains a challenge
  - corporate memory can be lost
  - following RM should close the loop on actions/recommendations/etc
- Important to control number of special topics in National Reports
- Keep pressing CPs to report on progress against challenges/suggestions
- Continue to evolve the templates for reports/presentations
  - aids understanding across CGs and among CPs



Thank You!  
Questions / Comments





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