



EURATOM Statement
Joint Eighth and Ninth Review Meeting
Convention on Nuclear Safety
Vienna, 20-31 March 2023

Written Statement on behalf of Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and EURATOM. The following countries align themselves with this statement: North Macedonia*, Montenegro*, Ukraine*, the Republic of Moldova*, Bosnia and Herzegovina*, Iceland* and Norway*.

EURATOM and its Member States condemn, in the strongest possible terms, the Russian Federation's unlawful, unprovoked and unjustified war of aggression against Ukraine that has put nuclear safety at grave risk in Ukraine and beyond.

Russia's ongoing war of aggression against Ukraine poses grave threats to Ukraine's nuclear facilities, as demonstrated by the attempted illegal seizure first of the Chornobyl Nuclear Power Plant (ChNPP) and later of the Zaporizhzhia Nuclear Power Plant (ZNPP), and to the Ukrainian staff working in these facilities and supervising institutions. It constitutes a gross violation of international law and runs contrary to the collective commitment of the Contracting Parties to strengthen the international nuclear safety framework including through adherence to and implementation of the Convention on Nuclear Safety.

EURATOM and its Member States will never recognise Russia's attempted illegal annexation of Ukraine's regions and seizure of the ZNPP from its rightful owner, Ukraine.

We urge the Russian Federation to immediately withdraw from all Ukraine's nuclear installations and hand back their full control to the Ukrainian nuclear safety regulator and other competent and legitimate authorities, in full respect of

* Candidate Countries North Macedonia, Montenegro, as well as potential Candidate Country Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

* Iceland and Norway are members of the EFTA and of the European Economic Area.

Ukraine's sovereignty, independence and territorial integrity within its internationally recognised borders.

We are very concerned by the situation at the ZNPP, in particular, described as increasingly "dangerous, precarious and challenging" by the IAEA Director General. The IAEA experts onsite report that the Ukrainian operating staff is experiencing "worrying levels of fatigue". We are alarmed by the information that Ukrainian operating staff is being coerced to sign contracts with Russian enterprises, facing the constant threat of kidnappings, detentions and blackmail, and many have been obliged to abandon their duties. Under those circumstances, their ability to exercise their responsibilities and to give priority to safety is seriously impaired. This is unacceptable and endangers nuclear safety.

EURATOM and its Member States urge the Russian Federation to stop the intimidation of the Ukrainian operating staff and immediately release those who are detained. The presence of Russia's unauthorised personnel interferes with decision-making at the facility, which endangers its safe operation.

The IAEA has raised several times the issue of unauthorized military vehicles and stores observed in the turbine halls of Units 1 and 2 of the ZNPP, as this represents an additional fire hazard to the facility. No action was reported in reaction to this issue and the unauthorized vehicles and stores remain at the turbine halls.

The safe and secure operation of the ZNPP can only be ensured if the Russian Federation withdraws from the plant, ceases all actions against it and allows the competent Ukrainian authorities to regain full control over the plant.

Moreover, Russia's deliberate targeting of Ukraine's nuclear facilities as well its shelling of energy infrastructures providing electricity supplies to the nuclear power plants continue to place Ukraine and all of us at risk.

It is clear that Russia violates the objectives of the Convention on Nuclear Safety as laid down in Article 1, notably to "achieve and maintain a high level of nuclear safety worldwide".

We commend the work of the Ukrainian nuclear safety regulator and its staff, and the staff in Ukrainian nuclear facilities who continue to operate under extremely difficult circumstances.

EURATOM and its Member States praise the efforts of the Ukrainian national authorities to comply with the Convention obligations despite the difficult circumstances under which they have to operate. We commend the preparation of a comprehensive national report as well as the effective engagement in the review process with the submission of a large number of questions (275) to other Contracting Parties and the preparation of answers to the questions received.

But at the same time, Russia's actions interfere with Ukraine's sovereign responsibility to fulfil Ukraine's obligations under the Convention. Before the attempted illegal seizure of the ZNPP, Ukraine operated these facilities safely, securely, and peacefully for decades, in full conformity with the Convention.

Based on the reports made by the IAEA missions to the Ukrainian nuclear facilities, Russia's actions in Ukraine violate the Convention in the sense that Russia prevents Ukraine from and, in particular with regards to the following articles:

- taking steps to maintain a system of regulatory inspection and assessment to govern the safety of nuclear installations, as per Article 7;
- ensuring that the licence holder of nuclear installations meets its prime responsibility for safety, as per Article 9;
- taking steps to ensure that due priority is given to nuclear safety in all activities, as per Article 10;
- ensuring that sufficient numbers of qualified staff are available for all safety-related activities in each nuclear installations, as per Article 11,
- taking into account the capabilities and limitations of human performance, as per Article 12;
- taking steps to ensure that verification is carried out to ensure that the physical state and operation of nuclear installations continue to be in line with their design, applicable national safety requirements, and operational limits and conditions, as per Article 14;
- taking appropriate steps to ensure that in all operational states exposure of workers and the public is kept as low as reasonably achievable and no individual is exposed to radiation doses exceeding the prescribed national limits, as per Article 15;
- taking appropriate steps so that on-site and off-site emergency plans are routinely tested and cover the activities to be carried out in case of an emergency, as per Article 16;
- ensuring that the operation, maintenance, inspection and testing are conducted in accordance with approved procedures; that the necessary engineering and technical support is available; that operational limits and conditions are defined and revised as necessary for identifying safe boundaries for operation, as per Article 19.

EURATOM and its Member States fully support the IAEA's work to assist Ukraine in ensuring, inter alia, nuclear safety. We commend the continued IAEA presence at the ZNPP and establishment of a continued presence of IAEA experts at all Ukraine's nuclear facilities. We underscore the importance of preserving their

access without limitation to the different facilities and ensuring a regular rotation of IAEA experts to all nuclear sites.

EURATOM and its Member States continue to support the IAEA Director General's efforts to reach agreement on the establishment of a nuclear safety and security protection zone at the ZNPP, in full respect of Ukraine's sovereignty and territorial integrity.

EURATOM and its Member States stand firmly with Ukraine to support its implementation of commitments under the Convention on Nuclear Safety.