

## **Proposal by ENSREG WGTA for endorsement/adoption by ENSREG Plenary**

### **Article 10: Transparency**

#### *Article 10* **TRANSPARENCY**

*1. Member States shall ensure that necessary information on the management of spent fuel and radioactive waste be made available to workers and the general public. This obligation includes ensuring that the competent regulatory authority inform the public in the fields of its competence. Information shall be made available to the public in accordance with national legislation and international obligations, provided that this does not jeopardise other interests such as, inter alia, security, recognised in national legislation or international obligations.*

*2. Member States shall ensure that the public be given the necessary opportunities to participate effectively in the decision-making process regarding spent fuel and radioactive waste management in accordance with national legislation and international obligations.*

Description of the legal arrangements that establish the requirements for:

- (1) making information available to the public and workers on the management of spent fuel and radioactive waste,
- (2) enabling effective public participation in the decision-making process regarding spent fuel and radioactive waste management

Details of the regulatory authority's communications strategy to include descriptions of:

- how the regulatory authority provides information and communicates in its fields of competence to the general public and to workers (e.g. via website, reports, workshops, conferences, interaction with the media etc);
- the type of information provided and the languages used (e.g. translation into English);
- the frequency of information provision including arrangements for ensuring that the information provided is up to date and easily accessible;
- particular arrangements for providing information in emergency situations;
- the categories of information that are not being provided and the legal basis that is limiting the access to information and appeal mechanisms.

Details on public participation in the decision-making process to include descriptions of:

- opportunities for the public to participate effectively in accordance with national legislation and international obligations (e.g. consultations, hearings);
- how the views of the public are taken into account.

#### Additional information:

ENSREG has adopted "Principles for Openness and Transparency" in 2011 (document number HLG\_p(2011-14)\_57) which provide general guidance to National Regulatory Organisations in their communications activities. The principles are challenging and go beyond the legal obligations set out in Article 10. They are generic in nature and may need to be adapted to the organisational structures in individual Member States.

ENSREG has also published a working paper on "Current Community and International Law with Relevance to Transparency" in 2009 (document number HLG\_p(2009-09)\_31).