

**Draft Minutes of the Meeting of the Board of Management of INLA
held in Vienna on 3 December 2019**

Were present :

HORIN William, President

ABDEL AZIZ Ahab
AMEYE Evelyne
BEYENS Marc
FORK William
GÜLEL BIRSEN Abide
JANSEN TERSTEGEN Achim
NOMURA Toyohiro
SALTER Ian
TONHAUSER Wolfram
VASQUEZ MAIGNAN Ximena

REYNERS Patrick, Secretary General
KEYMOLEN Bernadette, Secretary

By invitation :

BABICH Sergej
VAN KALLEVEEN Alexandra
SANDERS Mark
SHKARBANOV Andrey

Apologies received :

DOMINGUEZ Cristina
JAVANAINEN Jyrki
LAMM Vanda
LAVOIE Jacques
LEGER Marc
MACIEL SANCHEZ Sara
REYNERS Els

I. Opening

The meeting of the Board was held at the headquarter of the International Atomic Energy Agency (IAEA) in Vienna, and started at 9.30 AM on Tuesday 3 december 2019. The President welcomed all present and particularly Mr. Andrey Shkabanov and Mr. Sergej Babich who had been invited to attend the meeting. He then turned to Mrs Peri Lynne Johnson, Director of the Office of Legal Affairs of the Vienna Agency and invited her to address the Board.

The presentation by Mrs. Johnson is reproduced in Annex 1 to the Minutes.

The President thanked Mrs Johnson for her intervention and for the IAEA's hospitality. At this point, the Secretary General noted that considering the number of Board members either present or represented, the quorum was reached.

II. Adoption of the Agenda

The Secretary General drew the attention to his letters of 18 June (initial Agenda) and of 22 October proposing a slightly amended Agenda [INLA Board (2019) 3.Rev. 1]. The Agenda, as revised, was adopted.

III. Approval of the Minutes of the Board of Management meeting on 3 November 2018

The Minutes of the meeting held in Abu Dhabi on 3 November 2018 [INLA Board (2019) 1.Rev.1] were approved without change.

IV. Progress report on the organization of Nuclear Inter Jura 2020

The President reported briefly on the preparation of the congress to be held in Washington from 25 to 29 October 2020. He was satisfied with the progress so far achieved with the help of his US colleagues. The congress would use as a theme : INLA and the Nuclear Industry - The Next 50 Years. This title was in particular a reference to the fact that by that time the Association would reach approximatively its fifty years of existence.

The Secretary General added that in the First Announcement circulated end of October, in addition to the usual call for papers, certain topics considered as of particular relevance for the programme of the congress were indicated. Several Board members expressed their satisfaction at the emphasis on the topical approach rather than simply following the WG-based format. Ahab Abdel-Aziz suggested enhancing the coordination between Working Group chairs when preparing the congress scientific

programme. He noted as a possible subject the growing concern in international projects about the state of operational and regulatory readiness. He wondered whether intergovernmental agencies could be of assistance in this respect.

Mark Sanders hoped that practical (not simply technical) issues in the implementation of radiation protection systems could be addressed, like ALARA violations, notably in the light of American experience. Wolfram Tonhauser referred to SMRs as an item of interest, including floating reactors, as well as to the future CPPNM review conference and the coming Friends of the CSC report.

The Secretary General explained that the abstracts for reports to be received by the Secretariat would be further redirected to the Working Group chairs concerned and he proposed that the next Board of Management meeting make available enough time for a review of such abstracts, as it had been done in the past.

V. Situation concerning the INLA Working Groups and National/Regional Sections

The President started the discussion and referred to the joint meeting of INLA Working Groups held in Cadarache (France) on 21 May 2019. The meeting kindly hosted by the ITER organizations was a very successful example of inter-Working Groups cooperation.

Ian Salter thought that Fusion should be a major item at the next congress. There was a surge of new activities on fusion in his country for example, and in other regions as well. Will Fork also saw a potential for regulatory developments in this field. Wolfram Tonhauser noted the existence within the IAEA of a Nuclear Fusion Guidance Group. The use of tritium could cause the need for nuclear liability provisions.

The President concluded on the desirability for INLA to cover the emergence of new technologies. In that regard, Ximena Vasquez-Maignan thought that the use of nuclear power sources in the outer space could be a new domain to explore for the WG2. Under liability, there remained the problem of claims handling. She also announced that Fiona Geoffroy (EDF) had become the new secretary for that Group.

Ahab Abdel-Aziz remarked that while probably the largest in terms of participants, WG3 was perhaps also the most inactive, at least as concerns physical meetings. The reason was that it gave priority to conference calls and internet communications.

For Mark Sanders – and the WG4 – an old subject, actually recently raised again by Sara Maciel, remained the idea of at last adopting an international convention on radiation protection.

Alexandra Van Kalleveen singled out the question of cyber-security of nuclear plants. This brought the Secretary General to observe that the WG6 had remained fairly inactive for a long time. The President and Wolfram Tonhauser offered to take the matter with Carl Stoiber.

In the absence of Khalil Bukhari and Jean-Denis Treillard, the Secretary General explained that they were actively preparing a contribution from the WG7 to the next congress, in particular with the cooperation of WNTI.

The President noted with satisfaction that there were many potential transversal topics to address by the Working Groups and the Secretary General reminded everybody that Working Groups and national sections were welcome to post information about their activities on the website.

VI. Management and secretariat of the Association

The Secretary General started by explaining the conditions under which Bernadette Keymolen had replaced Brigitte Helderweirt when the latter retired at the end of 2018. For the moment, this was only on a small part-time basis, creating inevitably some difficulty with daily secretarial functions but the situation should improve mid 2020. He also noted that Marc Roothoof was now retiring from his position as SYBAN Manager – to be replaced by Peter Lodewyckx – but he had accepted to remain INLA Auditor until at least the next congress. Lately, the Secretariat had been busy with various administrative chores.

One was the obligation to satisfy under Belgian Law to the so-called UBO registration. That meant that non-profit international private associations like INLA were required to inscribe on a Central Commercial Register the « ultimate beneficial owners », for the sake of transparency and repression of fraud. This formality covered in practice the current members of the Board and persons with managerial functions, i.e. the Secretary General. It proved to be a rather cumbersome procedure for which the assistance of a local lawfirm had been necessary. The other related to the protection of personal data of INLA members. In substance, under the EU 2016 Regulation on the protection of physical persons private data and their circulation, these data must be protected by appropriate technical and organisational means. The interested persons must be duly informed and be given the possibility to oppose the access and treatment of their data if they so decide. In the case of INLA, the relevant data mostly appear on the website which is open to the general public and particularly on the roster, subject to the use of a password (for members only). The Board took note of this information and several members felt it would be necessary to verify the effective compliance of INLA with the EU Regulation and that, if needed, the Secretariat should seek qualified legal advice. Marc Beyens suggested that Godelieve Vandeputte could give the Secretariat the benefit of ENGIE's experience. It was agreed that the Secretary General would keep the Board informed of developments on either subject at the next meeting.

VII. Procedure for the admission of new members

The Secretary General reminded the Board about the exchange of views on this question at the last meeting in Abu Dhabi. The Board had asked the secretariat to circulate a note summarizing the

options [INLA Board (2) 2019]. There being no particular reaction to that note, the President concluded that in the light of recent experience with some problematic candidates, the current procedure was the most effective.

VIII. Chorus Initiative Project

The Secretary General referred to his letter dated 9 September 2019 under which he had consulted the Board about a possible participation to this Project and he thanked the Board members for their quick and positive response. He recalled that the purpose of the Project was to study the question of an extension of the notion of radiosensitivity – already taken into account in medical practices – to the domains of radioecology and nuclear industry (including post-accident management). He explained that Wolfram Tonhauser had kindly offered to bring Mr. Miroslav Pinak, Head of the IAEA Radiation Protection Department, to come and speak to the Board about the approach of the Vienna Agency in this field.

Miroslav Pinak in summary, considered the proposed Project a useful initiative which could cast more light on the eventual application of radiosensitivity beyond the medical sector; one was aware in particular of the risk of causing discrimination within the population and of possible ethical issues. On the other hand, Miroslav Pinak felt that it might be premature to envisage specific regulatory actions in this field. Alexandra van Kalleveen offered additional explanations on how the Project could be handled under the EC procedures (her intervention is reproduced in ANNEX 2).

The ensuing discussion led to the conclusion that, provided the Project was selected by the EU authorities, the Association should for the time being rather adopt an observer position; the Secretary General was therefore invited to represent INLA in the Project on that basis, until further review of its involvement.

IX. INLA Prize

The Secretary General regretted the lack of progress since the last discussions held within the Board about the persistent difficulties with the Prize, while in New Delhi. He reminded the Board that Lukasz Mlynarkewicz had been asked to set up a task group with a view to revitalize the competition. Efforts unfortunately had not been met with success and, for instance, there had again be no Prize winner in Abu Dhabi due to an absence of credible candidates. He therefore suggested to suspend the Prize, at least until a solution can be found. Wolfram Tonhauser wondered whether an intermediate arrangement could be to envisage a special award to be allocated for outstanding work on nuclear law. The President invited the secretariat to study this option; in the meantime, reference to the Prize would be removed from the website.

X. Publication of the Abu Dhabi congress proceedings

The Secretary General indicated that work was under way on preparing the proceedings as an electronic publication, in collaboration with Lukasz Mlynarkewicz. He hoped to be able to provide a more advanced report at the next Board meeting.

XI. Financial situation

The Secretary General circulated during the meeting two tables reflecting a marginally revised 2019 budget and a tentative 2020 budget. The financial situation was sound with a deposit of 104.000 EUR in an KBC account and of 79.000 EUR in an ING account, both in Brussels. However, a recurrent problem came from the insufficient level in the collection of yearly membership fees. The Secretariat intended to send shortly a series of reminder letters, it being understood that members failing to pay their dues for two consecutive years would be dropped from membership role. Help from the chairs of national sections was also important in the process.

The President suggested to establish a small group to assist the Secretariat in finding ways and means to rectify the situation. William Fork, Achim Jansen Terstegen and Evelyne Ameye offered to participate.

The Board also decided to keep unchanged for 2020 the membership fees, that is 90 EUR for regular members and 20 EUR for students.

XII. Future Nuclear Inter Juras

The Secretary General reported on his various contacts aimed at identifying candidates for future congresses, in 2022 and in 2024. Andrey Shkarbanov, at the invitation of the President, informed the Board that the Russian authorities were prepared to propose the organization of an INLA congress and that it could be the case as early as 2022. He hoped that this offer which could be made official at the time of the Washington congress, would be welcome. Referring to the departure from the Board of Andrey Popov because of a change in Russian legislation, Andrey Shkarbanov introduced Sergej Babich, Director for Corporate and Legal Affairs at the Fuel Company of Rosatom (TVEL) who could in turn apply for joining the Board at the next election. Sergej Babich added that two venues were considered for the congress: Saint-Petersbourg and Sotchi.

The reactions from the members of the Board were very positive. Indeed, Russia as a major nuclear energy country, had long been expected to host an INLA congress.

The Secretary General explained that there was another country which was interested to organize a

Nuclear Inter Jura, namely Poland where there were on-going plans to launch a nuclear power programme. The reactions were also encouraging though it was felt that the Polish proposal could rather be considered for 2024, a time by which the nuclear plans should be firmly established. The Secretariat was asked to inform back the Polish authorities and to thank them.

XIII. A new INLA Anniversary book

Sara Maciel had recently suggested preparing a new and expanded version of the 25th Anniversary Book published at the time of the Tours congress in 1997, in order to mark the 50th Anniversary of INLA. This was found a good idea and the Secretariat was invited to study further this project.

XIV. Nuclear law education programmes

Ximena Vasquez-Maignan, explained that the ISNL Board of Directors (Montpellier School) - which was to celebrate its 20th Anniversary next year – had decided to review existing nuclear law teaching activities; the help of Board members in carrying out this inventory would be appreciated. The information so gathered could also be posted on the INLA website.

XV. Next meeting

The President suggested that the Board meet towards the end of February next year, so as to allow a review of abstracts for the Washington Congress, besides the usual business. Ximena Vásques-Maignan offered to host the meeting on the premises of the NEA and the date of Friday, 28 February 2020 was selected.

There being no other business, the meeting was closed.