

NUCLEAR OPERATING COMMITTEE MANDATE

Background:

The concept of the Northern Dimension Environmental Partnership (NDEP) was developed in response to calls from the Russian Federation and the international community for a concerted effort to address environmental problems in Northwest Russia. Of particular concern is the legacy of environmental damage in the region concerning water, drainage, energy efficiency and nuclear waste. With the creation of the NDEP, together with its Support Fund, the Russian Federation, the European Union, bilateral donors and the International Financial Institutions EBRD, NIB, EIB, and World Bank Group have a cohesive institutional framework, backed by dedicated resources to address these problems.

The key element of the Northern Dimension Environmental Partnership is the NDEP Support Fund, which pools financial contributions from supporters. In December 2001 the EBRD Board of Directors adopted the NDEP Support Fund Rules. The EBRD is the Manager of the Fund. Contributions to the Fund may be earmarked for nuclear safety related projects and thereafter used solely for that purpose.

The Rules also have set up an organisational structure consisting of the Assembly of Contributors, the NDEP Steering Group and such other advisory and executive bodies that the Assembly may establish to facilitate implementation of the Programme.

In this regard, the NDEP Support Fund Rules (section 3.02 (n)) stipulate that for the purpose of the Fund in addressing the risks of nuclear pollution:

the Assembly may establish an Operating Committee and/or other subsidiary bodies to carry out such functions as the Assembly may determine with respect to the operation and supervision of the Fund. The powers, functions and membership of an Operating Committee or other subsidiary bodies shall be determined by the Assembly pursuant to these rules.

At the Assembly meeting of 15 November 2002 it was decided that a Nuclear Operating Committee was to be created by written approval of the Assembly, once MNEPR negotiations were concluded. The MNEPR agreement was signed on 21 May 2003 in Stockholm.

The current text sets out the mandate for the Nuclear Operating Committee.

1. Objective

The Operating Committee has the following objectives:

- To identify projects in the nuclear window which fulfil the objective of the Support Fund;
- To propose, jointly with the NDEP Steering Group, prioritisation of projects in the nuclear window, in accordance with section 1.02 (c) of the NDEP Support Fund rules¹;
- To assist the Fund Manager in ensuring the effective co-ordination between the Fund and other bilateral and multilateral funding sources and in any question which may arise during the implementation of projects;
- To assist the Assembly of Contributors in supervising the implementation of the nuclear projects.

2. Composition

The Operating Committee is composed of the representatives of the countries and organisations, contributing to the NDEP Support Fund. Each authority or organisation will nominate in writing to the Chairman of the Assembly one representative and one deputy representative. Experts may support the representative and deputy representative at meetings. The IFIs may participate as observers to the meetings of the Operating Committee.

No remuneration shall be granted by the Fund to the members of the Committee for their expenses related to the Fund.

At its first meeting the Committee shall appoint from amongst its members a Chairperson and Deputy Chairperson for an initial period of one year. When appointing the first Chairperson the various contributions to the nuclear window are taken into consideration, notably the main contribution. Thereafter the Chairperson and Deputy will be appointed or reappointed annually at the Annual Meeting of the Fund.

3. Governance

3.1 Secretariat of the Fund

The EBRD, as the Manager of the Fund, will serve as secretariat of the Operating Committee.

3.2 Task of the Operating Committee

In pursuing its objectives, the Operating Committee will in particular:

¹Section 1.02 (c) stipulates that “projects eligible for support have to be approved by the Assembly of Contributors after being proposed by the NDEP Steering Group in an order of priorities”.

- Define in close collaboration with the Fund Manager, the Russian Federation and the NDEP Steering Group a strategic approach to the management of solid nuclear fuel and radioactive waste management in Northwest Russia;
- Establish in collaboration with the NDEP Steering Group selection criteria for the prioritisation of the projects proposed by the Members contributing to the nuclear window or the Fund Manager, pursuant to section 1.02 (c) of the Rules, as a basis for joint recommendations to the Assembly;
- Identify and elaborate, when needed, projects that fit with the NDEP nuclear window;
- Apply eligibility and selection criteria to the projects and jointly decide with the NDEP Steering Group about proposing to the Assembly some of them for financial support, in consultation with all donors of multilateral or bilateral schemes (i.e. CEG, G8 Global partnership, MNEPR framework, etc.);
- Assist the Fund Manager in ensuring co-ordination between the bilateral and multilateral projects;
- Review progress of projects including advise on additional funding and changes in the funding schedule, if requested by the Fund Manager;
- Supervise the implementation by the Fund Manager of the operational and financial decisions made by the Assembly notably commenting the progress report by the Fund Manager.

4. Meetings

The Operating Committee will adopt its internal rules. It will hold in principle a minimum of two plenary meetings per year. The Chairman will call the meetings. A meeting may be held in any case if requested by the Chairman or a majority of the Operating Committee members.

As part of their regular meetings, the NDEP Steering Group and the Operating Committee will hold on occasion joint sessions for deciding about the projects to be presented to the Assembly for support by the Fund.

5. Information

All contributors undertake to inform the Operating Committee of any developments that might affect project implementation. Any information to the Operating Committee will be distributed to all Operating Committee and NDEP Steering Group members.

Information to and from the Operating Committee members will be considered as confidential.

Minutes of the Operating Committee meetings will be distributed to the members of both the Operating Committee and the NDEP Steering Group.