

Information Circular

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Guidelines regarding the Review Process under the Convention on Nuclear Safety

I. Introduction

1. These guidelines, established by the Contracting Parties pursuant to Article 22 of the Convention, are intended to be read in conjunction with the text of the Convention. Their purpose is to provide guidance to the Contracting Parties on the process for reviewing National Reports submitted in accordance with Article 5 and thereby to facilitate the efficient review of implementation by the Contracting Parties of their obligations under the Convention.
2. The aim of the review process should be to achieve a thorough examination of National Reports submitted in accordance with Article 5 of the Convention, so that Contracting Parties can learn from each other's solutions to common and individual nuclear safety problems and, above all, contribute to improving nuclear safety worldwide through a constructive exchange of views.

II. Background

3. Recognizing that reviews of National Reports at periodic meetings pursuant to Article 20 of the Convention could be accomplished more efficiently through the establishment of sub-groups, the Contracting Parties considered two possible approaches:
 - a) 'Horizontal' division — each group would discuss a limited subject area. Each delegation would have a representative in each subject group (leading to groups with the total number of Contracting Parties as members). Each group would discuss the parts of each National Report which were relevant to the subject area of the group; and

- b) ‘Vertical’ division — Contracting Parties would be divided into Country Groups, each including up to seven or eight Contracting Parties with nuclear installations. Each group would consider in detail the National Report of each member of that group, discussing all the subject areas covered by the National Reports.
4. At the first Review Meeting, the Contracting Parties decided that the ‘vertical’ approach should provide the basis of review for conducting Review Meetings.
5. Dividing the Contracting Parties into Country Groups is intended:
- a) to ensure that all National Reports are reviewed in detail and in their entirety, reflecting the concept of “safety as a whole”;
 - b) to enable all Contracting Parties, in accordance with Article 20.3 of the Convention, to seek clarification of and comment on the National Reports of all others, both by submitting written questions and comments before Review Meetings and by speaking in the Country Groups meetings and at plenary sessions of the Review Meetings;
 - c) to increase the closeness of international co-operation in dealing with nuclear safety issues and to improve the quality of review;
 - d) to enable Contracting Parties without nuclear installations to play a full part in the review process;
 - e) to streamline the review process by avoiding duplication of discussion of the same information on, for example, the regulatory system, in any one National Report;
 - f) to effectively manage resources by
 - enabling national assessors to focus in detail on a limited number of National Reports from their own group members (although they may study other National Reports to whatever depth they wish), and
 - minimizing the number of experts any Contracting Party has to include in its delegation for a Review Meeting; and
 - g) to provide for the efficient conduct of business at, and minimize the overall length of, the Review Meeting.

III. Organizational Meeting and Nomination of Officers

6. Approximately nineteen months before each Review Meeting, an Organizational Meeting will be held to allocate Contracting Parties to Country Groups using the vertical approach, and to elect the Review Meeting President and Vice-Presidents, and Country Group Chairpersons, Vice-Chairpersons, Rapporteurs and Coordinators (jointly referred to as the Officers).
7. Country Groups should not be limited to particular geographical areas. In order to achieve sufficient breadth of experience to promote both effective and efficient discussion, each group should contain at least four Contracting Parties with operational nuclear installations. Annex III provides details on the method of determining the composition of Country Groups.
8. Contracting Parties are urged to submit to the Secretariat in advance of the Organizational Meeting the names of candidates and alternates that they wish to be considered for election to the

positions of President or Vice-Presidents of the Review Meeting, or Chairperson, Vice-Chairperson, Coordinator, or Rapporteur of a Country Group. Such persons should be chosen on the basis of, *inter alia*, expertise, impartiality and availability (ref. the Annex II on Roles and Responsibilities). Where possible, it is recommended that at least one officer in each Country Group have previous experience of serving as an officer.

9. Following the Organizational Meeting, a one-day meeting of incoming and outgoing officers shall be held to describe the Review Meeting process in detail, including key documents, and to share experience and lessons learned. The National Contact shall be invited to participate in this meeting.

IV. Assignment to Country Groups of States Ratifying After an Organizational Meeting

10. States which ratify the Convention after an Organizational Meeting but at least 90 days before the Review Meeting should be enabled to join in the review process. Such Contracting Parties are required to submit as soon as possible and in any event not later than 90 days before the Review Meeting, a National Report pursuant to Article 5 and are entitled to receive the National Reports of others. They should be added to existing Country Groups in sequential order of date of ratification, starting with the group with the fewest members or, if all the groups have the same number of members, starting with Country Group 1.

11. Pursuant to the terms of Article 31.2 of the Convention, States which ratify later than 90 days before the date fixed for a Review Meeting will not become Contracting Parties until after that Review Meeting has begun. Although they do not have the rights of Contracting Parties, such late-ratifying States may be permitted to attend plenary sessions of the Review Meeting and to participate, as appropriate upon a consensus decision of the Contracting Parties in discussions relating to the conduct of subsequent Review Meetings. If they produce a National Report, it should be distributed as soon as possible by the Secretariat, but it will not be considered at that Review Meeting.

V. Participation in Country Groups

12. As provided for in Article 20.3 of the Convention, each Contracting Party shall have a reasonable opportunity to discuss the National Reports of all other Contracting Parties. In the period up to 4 months before a Review Meeting, all Contracting Parties may submit written questions and comments on individual National Reports. These questions and comments shall be posted by the Contracting Party on to a secure and restricted database on the internet provided and operated by the Secretariat. If necessary, the questions and comments should also be submitted to the Country Group Co-ordinator. Using the secure and restricted database, these questions and comments are by this means distributed to all Contracting Parties (see Section VIII).

13. In order to ensure the efficient and effective review of National Reports, access to the sessions of a Country Group at a Review Meeting will be open to:

- a) the members of that Country Group as full participants;

- b) representatives of Contracting Parties which have been allocated to other Country Groups and which have, in accordance with the first paragraph of this Section, previously submitted substantive written questions or comments on the National Report of a Contracting Party allocated to that Country Group, such representatives having the right to participate throughout the Country Group's discussions on that National Report; and
 - c) representatives of any other Contracting Party, such representatives having the right to observe, without the right to participate, in the Country Group sessions.
14. The delegations of the Contracting Parties in Country Group meetings should be led by their Regulatory Body, with participation of utility representatives as appropriate.
15. Review in each Country Group should begin with a short presentation by the particular Contracting Party whose National Report is to be reviewed and should ideally address the following elements: changes in the national programme since the last Review Meeting; action on challenges from the previous Review Meeting; current challenges; significant events since the last Review Meeting; and best practices and efforts. However, new Contracting Parties should not be constrained, but rather be encouraged in their presentations to provide a thorough and complete overview of their approaches to meet the obligations of the Convention.
16. The Contracting Party will then respond to the substantive written questions and comments submitted to the secure and restricted database, or to the Country Group Coordinator, if necessary, regardless of whether the questions or comments were submitted by members of that Country Group or by other interested Contracting Parties.
17. There will then be a discussion period on the National Report and on all the questions and comments that have been submitted. The members of the Country Group will begin discussions on each group of issues. In the context of these discussions, other Contracting Parties which have demonstrated an interest in the issues may then discuss and seek further clarification of responses to their specific written questions and comments.
18. Finally, the Country Group members shall, as full participants, discuss and agree on a working document as the basis for an oral report to be presented by the Country Group Rapporteur at a plenary session of the Review Meeting. Other Contracting Parties referred to in paragraph 17 above may be present and may participate in the discussion of this working document with respect to questions or comments they have submitted. Final agreement on the working document shall be reserved for full participants of the Country Group.
19. The Chairperson, Vice-Chairperson and Rapporteur will, following discussion with the Country Group members, finalize, on the basis of the Rapporteur's Working Documents, the Country Group's Summary Report to be presented at a plenary session of the Review Meeting by the Country Group's Rapporteur.

VI. Composition of Country Groups at Successive Meetings

20. If it is decided to maintain the 'vertical' approach at successive Review Meetings, it would be desirable to vary the membership of the Country Groups at such successive meetings. Such periodical changes in group membership would enable Contracting Parties to acquire in-depth knowledge of a wide range of different approaches to regulation, design, siting and operation and of problems and associated solutions. Over time, this could contribute to an increasingly constructive review process.

Such changes in group membership will occur from one Review Meeting to the next through the allocation of Contracting Parties into Country Groups, according to the method set out in Annex III.

VII. Activities of Each Contracting Party as a Member of a Country Group

21. Each Contracting Party, as a member of a Country Group, should:
 - a) read and consider all National Reports and, in particular, study in detail the National Reports of all other members of its group;
 - b) post any substantive questions and comments on to the secure and restricted database, or if necessary, through the relevant group co-ordinator, arising from its review of the National Reports;
 - c) respond to the questions and comments posted by other Contracting Parties on their own National Report;
 - d) receive from the secure and restricted database and, if necessary, from each group co-ordinator, including its own, a compilation of the questions and comments submitted on each National Report, including the given answers, so that before the Review Meeting each Contracting Party will be aware of all the issues raised on each National Report; and
 - e) during group meetings, consider and discuss in-depth the National Report of each member of the group, giving consideration as appropriate for up to one full day to National Reports of Contracting Parties with nuclear installations and for less time to National Reports of Contracting Parties without nuclear installations.

VIII. Documentation and the Role of the Group Co-ordinators

22. Subject to Section IV, at the latest seven and a half months before the Review Meeting, each Contracting Party shall submit its National Report pursuant to Article 5 of the Convention as a data file to the secure and restricted database for access to all Contracting Parties, and in a printed version to the Secretariat of the Review Meeting for documentation.

23. A time limit of four months before the Review Meeting is set for the receipt of questions and comments by the Contracting Parties, posted on to the secure and restricted database. Contracting Parties should make every effort to comply with this time limit, in the common interest of having an orderly and productive review process. After that time, the group co-ordinator will assure himself/herself that a compilation of all the questions raised and comments made on each National Report is available on the secure and restricted database.

24. By means of the secure and restricted database, all questions and comments are made available to all Contracting Parties and to all officers of the Review Meeting. If necessary, the Co-ordinator will pass the compilation of the questions raised and the comments made to each Country Group member and to the other Country Group Co-ordinators, who will distribute it to their Country Group members.

25. In addition to compiling the written comments and questions, the Co-ordinator will objectively analyze the comments and questions and identify any trends in them in order to streamline the discussion and focus it on important topics. This analysis should be sent to the Contracting Parties concerned, for clarification, before distribution. The Country Group Co-ordinator should provide the analysis of questions and comments to the Contracting Parties two months prior to the Review Meeting.

26. Written responses to all questions and comments should be made available by the Contracting Parties on the secure and restricted database and, if necessary, through the Country Group Co-ordinators, in the single designated language, at least one month before the start of the Review Meeting.

IX. Officers Meeting

27. Not later than one and a half months before the Review Meeting, the Officers (see Rule 12.1) will meet to develop a consistent approach to the detailed review process, taking into account related decisions taken during the previous Review Meeting and any trends in the questions and comments of Contracting Parties on National Reports already received. They should also agree upon the approach to reporting the groups' findings at the main plenary session. They should agree upon the approach for the presentation of the Contracting Parties (see Section V item 15). The Secretariat will communicate this approach to all Contracting Parties. The officers will meet shortly before the Review Meeting to finalize these approaches if necessary.

X. Length of Review Meetings

28. The aim should be to minimize length while retaining effectiveness of the process and minimizing costs. A maximum of three weeks is suggested for the first Review Meeting. The subsequent Review Meetings could be shorter as it may not be necessary to review all areas to the same depth as at the first Review Meeting.

XI. Structure of Review Meetings and Conduct of Country Group Sessions

A. Opening Plenary Session

29. At a short, plenary opening session, procedural matters will be addressed and national statements will be accepted in writing only.

B. Country Group Sessions

30. Following the opening session, the Contracting Parties will split into Country Groups for the purpose of reviewing in-depth the National Reports of others in the same group and resolving the issues raised in writing by any Contracting Party. It is envisaged that such Country Group sessions

will occupy the remainder of the first week and part of the second week. Each Country Group should review its members' National Reports in a consistent and objective manner as a basis for assessing safety.

C. Final Plenary Session

31. At the final plenary session of the Review Meeting,
 - a) for each Contracting Party in turn, the relevant group Rapporteur will make an oral report. Each oral report must provide a balanced summary of the views expressed in the discussion on the National Reports in question, should include points of agreement and disagreement, should identify good practices as well as highlighting any areas of concern and should list the main themes/topics identified for discussion at the final plenary session;
 - b) each Contracting Party will have an opportunity to respond to the comments made on its National Report; and
 - c) there will be an opportunity for other Contracting Parties to comment on National Report's and on the Rapporteurs' oral reports.
32. Notwithstanding the confidentiality requirements of Article 27 of the Convention, journalists can be invited to attend the opening plenary session as well as the part of the final plenary session at which the final version of the Summary Report is adopted. Furthermore, the President and Vice-Presidents shall be available for a press conference to be organized at the end of each Review Meeting.

XII. Retention of Reports and Working Documents

33. Copies of the Rapporteurs' Working Documents and the visual parts of the Country Group Summary Reports shall be made by the Secretariat and securely stored by the Depository of the Convention.

XIII. Copies of Working Documents and Country Group Reports

34. Taking into account the confidentiality obligations of Article 27 of the Convention, copies of both the Rapporteurs' Working Documents and the visual part of the Country Group Summary Reports shall be made available to all Contracting Parties in that Review Meeting.
35. In order to assist in maintaining confidentiality, the Secretariat is requested to make use of whatever security measures it deems reasonable during the making, storing, and distribution of the copies of the records.

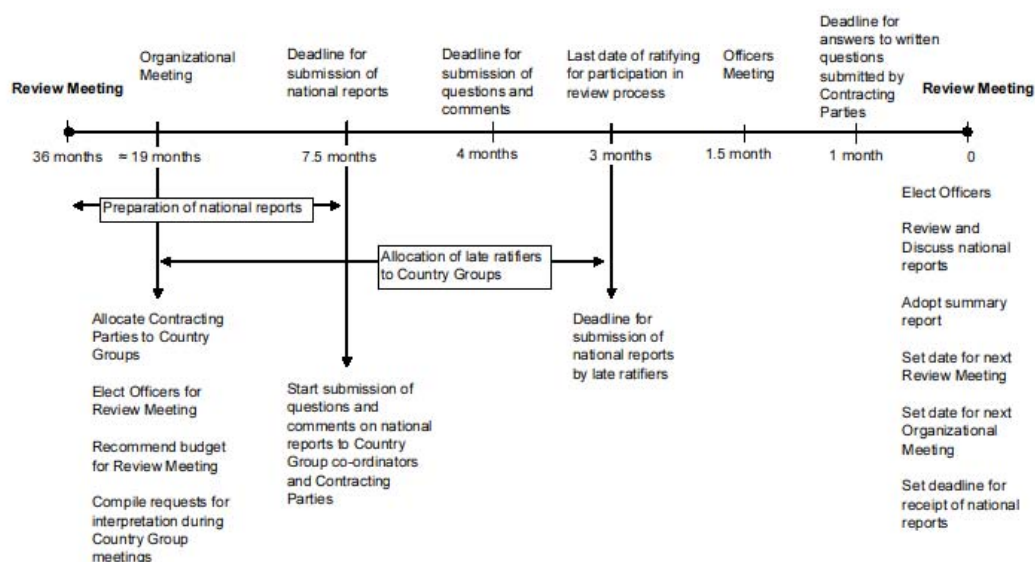
XIV. Summary Reports

36. The President, together with the Rapporteurs, should prepare a summary report and submit it at a plenary session for adoption by consensus by the Contracting Parties for publication at the end of the Review Meeting, as provided in Article 25 of the Convention. The summary report should be concise and clear. It should summarize major issues, possibly by combining significant points made in the Rapporteur's Working Documents and in the Country Group Summary Report. It would not identify any particular Contracting Party by name, but point out any significant areas of concern and interest, highlight good practices and make recommendations for the future.

XV. Provision of Previous National Reports to New Contracting Parties

37. National Reports submitted in connection with previous Review Meetings shall be made available to new Contracting Parties.

TABLE 1. TIME CHART



Editorial note: The data given in this Time Chart reflect the changes adopted by the Contracting Parties at the 4th Review Meeting held in Vienna from 14-25 April 2008. In any cases the text of the Guideline prevails.

ANNEX I TO GUIDELINES ON THE REVIEW PROCESS: GOOD PRACTICES IN CONDUCTING COUNTRY GROUP SESSION

The following are some suggested approaches which may assist a more efficient and useful review of National Reports in Country Group sessions, based on “lessons learned” from successive Review Meetings held since 1999:

- (1) If a Contracting Party submits questions/comments after the four month deadline, those questions/comments will not be entertained unless the questioned State and Country Group Chairperson agree.
- (2) Elected Officers of the Review Meeting (including Country Group Chairpersons, Country Group Co-ordinators and Rapporteurs) should meet at least once prior to the opening of the Review Meeting to: develop a proposal for the structure of oral reports and the final summary report, taking into account the structure used at the previous Review Meeting; resolve any pending issues; and to agree on the most uniform and efficient means for conducting the review of National Reports.
- (3) Questions/comments should be divided into subject matter topics by the Country Group co-ordinator as early as possible to permit orderly Country Group discussions and preparation of the rapporteurs’ and summary reports. This can be done through the secure and restricted database by sorting questions and comments by articles and sub articles of the Convention.
- (4) The Country Group Co-ordinator maybe called upon to assist the relevant Country Group Discussions at the Review Meeting.
- (5) The Rapporteur’s Working Document should be prepared at the end of the discussion in the Country Group on a National Report and should, ideally, include the following information: summary of basic information on the Contracting Party and its nuclear programme; highlighted regulatory changes since the last Review Meeting; safety achievements since the last Review Meeting; planned measures to improve safety; challenges; good practices; suggestions and recommendations. A first version of the Rapporteur’s Working Document should be presented, briefly discussed and agreed by all members of the Country Group at the end of each day’s Country Group sessions, as a check that the Working Document reflects the important issues covered during the day.
- (6) The agreed Rapporteur’s Working Document should be provided to the Review Meeting President at the earliest possible time to permit review and preparation of the overall Summary Report of the Review Meeting.

ANNEX II TO GUIDELINES ON THE REVIEW PROCESS: ROLES AND RESPONSIBILITIES

PRESIDENT

Roles and Responsibilities:

The President is expected to:

- A. To preside over plenary meetings;
- B. To generally direct and oversee the review process, and the functioning of the RM;
- C. To “supervise” other officers;
- D. To represent the RM to the media as appropriate; and,
- E. To prepare a proposed Summary Report of the RM, and a President’s Report on the RM.

Qualifications:

It is desirable that the President possess the following qualifications:

- A. Have experience in chairing large international meetings;
- B. Be available for the duration of the Review Meeting;
- C. Be knowledgeable, either first hand or by being well-briefed, on the CNS and its processes, and on some of the major current issues in the field of nuclear safety;
- D. Have good English-language skills; and,
- E. Be skilled at facilitating consensus.

VICE-PRESIDENT

Roles and Responsibilities:

The Vice-President(s) may be expected to:

- A. To replace the President if and when necessary;
- B. To assist the President as appropriate; and,
- C. To chair meetings of the groups and committees, as may be requested by the President.

Qualifications:

It is desirable that the Vice-President possess the following qualifications:

- A. Have experience in chairing large international meetings;
- B. Be available for the duration of the Review Meeting;
- C. Be knowledgeable, either first hand or by being well-briefed, on the CNS and its processes, and on some of the major current issues in the field of nuclear safety;
- D. Have good English-language skills; and,
- E. Be skilled at facilitating consensus.

COUNTRY GROUP CHAIR

Roles and Responsibilities:

The Country Group Chair will be expected:

- A. To chair and generally manage the meetings of a Country Group;
- B. To participate in meetings of the Plenary;
- C. To implement in his/her Country Group the decisions of the Plenary;
- D. To report on progress in the Country Group and on any organizational issues arising;
- E. To study the National Reports of the Country Group, in advance of their presentation;
- F. To be familiar with the main issues arising from the questions for each of these National Reports;
- G. To stimulate discussion of these issues in the Country Group meeting; and,
- H. To support the Rapporteur in the preparation of the Rapporteur's reports.

Qualifications:

It is desirable that the Country Group Chair possess the following qualifications:

- A. Have a demonstrated aptitude for encouraging the discussion of issues;
- B. Have good English-language skills;
- C. Be a good communicator;
- D. Ability to take guidance and direction from the President; and
- E. Be available for the duration of the RM.

COUNTRY GROUP VICE-CHAIR

Roles and Responsibilities:

The Country Group Vice-Chair will be expected:

- A. To replace the Country Group Chair, in any of the duties of the chair, as needed; and,
- B. To support the Rapporteur in the preparation of the Rapporteur's reports.

Qualifications:

It is desirable that the Country Group Vice-Chair possess the following qualifications:

- A. Have a demonstrated aptitude for encouraging the discussion of issues;
- B. Have good English-language skills;
- C. Be a good communicator;
- D. Have no vested interest, either personal or national, in countries in Country Group;
- E. Ability to take guidance and direction from the President; and,
- F. Be available for the duration of the RM.

RAPPORTEURS

Roles and Responsibilities:

The Rapporteur will be expected:

- A. To be familiar with the National Reports to be presented in the Country Group and the Coordinator's analysis;
- B. To generally note the discussion of each of these National Reports in the Country Group sessions;
- C. To highlight topics and issues that are agreed by the group to be good practice;
- D. To highlight topics and issues that are agreed by the group to be areas where follow-up at a subsequent RM would be desirable;
- E. To produce a report in consultation with the Country Group Chair after each national presentation, summarizing the above items;
- F. To revise that report after discussions in the Country Group;
- G. To produce and present to plenary a report that summarizes the discussions that took place in the Country Group during the RM and their conclusions; and,
- H. To produce the above reports in accordance with the format, timing, and other details as directed by the President and/or the General Committee.

Qualifications:

It is desirable that the Rapporteur possess the following qualifications:

- A. Have good English-language skills;
- B. Be available for the duration of the RM;
- C. Have no vested interest, either personal or national, in countries in the Country Group;
- D. Have knowledge of internationally endorsed safety standards, regulatory practice, and nuclear safety issues (in order to be able to recognize important parts of the discussion);
- E. Be able to summarize in writing succinctly and rapidly;
- F. Be tactful; and
- G. Be willing to work extended hours during the RM.

COORDINATOR

Roles and Responsibilities:

The Coordinator will be expected:

- A. To sort all written questions and comments relating to National Reports of the Country Group into groups according to the CNS's articles;
- B. To develop the major themes and issues arising from these questions and comments;
- C. To do the above with objectivity and in accordance with the prescribed timetables and in agreed formats to ensure consistency and to follow-up with national contacts when they seem likely to miss deadlines; and,
- D. To provide the Country Group officers with the above analysis so that they are well-informed of the issues before the start of the Country Group's discussions.

Qualifications:

It is desirable that the Coordinators possess the following qualifications:

- A. Be available for extensive work periods for some months before the RM;
- B. Have knowledge of nuclear safety issues;
- C. Be familiar with electronic database manipulation; and,
- D. Have good English-language skills.

NATIONAL CONTACT

Roles and Responsibilities

The National Contact will be nominated by each Contracting Party and will be expected:

- A. To have access to and regularly monitor the Convention secure and restricted database ("the Convention secure website"), together with the right to upload national documents, questions, and answers;
- B. To disseminate, nationally, information promulgated on the Convention secure website;
- C. To facilitate progress on issues related to the Convention in their own Member State;
- D. To act as contact for the Country Group Coordinator prior to each Review Meeting; and
- E. To be invited to participate in the one-day meeting of incoming and outgoing Officers of the Convention ("Officers' turnover meeting").

Qualifications

It is desirable that the National Contact possess the following qualifications:

- A. Be available for contact between the Review Meetings;
- B. Have knowledge of nuclear safety issues;
- C. Be familiar with electronic database management; and
- D. Have good English-language skills.

ANNEX III TO GUIDELINES ON THE REVIEW PROCESS: METHOD OF DETERMINING THE COMPOSITION OF COUNTRY GROUPS

1. Contracting Parties having nuclear installations shall be ranked by the number of nuclear installations expected to be in operation at the time of the Organizational Meeting, then in descending order by the number of nuclear installations closed and, finally, by the number of nuclear installations planned or under construction. Where these numbers are the same in each of these categories for ranking, listing of the Contracting Parties shall be done in alphabetical order.
2. The distribution between the Country Groups of those Contracting Parties which do not have nuclear installations shall be agreed by the Contracting Parties at the Organizational Meeting on an alphabetical basis, starting with a randomly selected letter and then use of the first letter of each Contracting Party's name, spelt in the English language.
3. The Contracting Parties shall be assigned to Country Groups using the following method. For illustration purposes, this method presumes that Contracting Parties have agreed to form six Country Groups.
 - All countries with nuclear installations shall be ranked in accordance with paragraph 1 above.
 - The first six countries so ranked shall be assigned to Country Groups 1 2 3 4 5 6 in that order.
 - The following six countries so ranked shall be assigned to the six Country Groups by throwing lots.
 - All following countries by groups of six shall be assigned using the same process of throwing lots until the list is exhausted.
 - Countries without nuclear installations shall be assigned to each Country Group in accordance with paragraph 2 above.