

Role of civil society and other stakeholders

in the development and application of WAC

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Issues today:

1. Transparency
2. Civil society as stakeholder
3. Citizen's science
4. Whistleblowers
5. Independence of WMOs

Transparency

WACs link the different radioactive waste management processes
= they are not standing in a bubble.

WACs have influence on the justification of acceptance
= justification of production of certain wastes
(amounts, forms, production at all!)
→ establishment needed in an EARLY phase
and part of public procedures like EIAs!

Civil society as stakeholder

IAEA in May workshop presentation: no mentioning of public / civil society!

Public / CS: not *everybody*

- wanting to be involved – direct interest
- need to be involved – crucial knowledge or angle of view

- People in the vicinity (distance proportional to impact!)
- NGOs
- Academia

Citizen's science

- citizens / NGO measurements
- citizens / NGO sampling
- academic research on request of citizens / NGOs
- independent citizens laboratories
 - ACRO - <https://www.acro.eu.org/>
 - CRIIRAD - <http://www.criirad.org/>
 - Umwelt Institut München - <https://www.umweltinstitut.org/>

primary data and knowledge – second opinions

Whistleblowers

True and systemic transparency to correct rusted internal structures

Whistleblowing over larger society → the exception, scary, very long term
The ultimate LITMUS TEST for transparency

- diversion
- belittling involved NGOs and whistleblowers
- and (a lot) worse

Independence of WMOs 1/3

Civil Society concluded: WMOs are not independent actors.

1. “Professional bias” – developing your baby. Outside stakeholders perceived as opponents, hindrances to progress, problematic.
2. Pressure from primary stakeholders

Independence of WMOs 2/3

EXAMPLES:

- SKB – owned by nuclear operators
- COVRA – state owned, some revolving doors with govt and operators
- SURAO – state owned, solid part of the “nuclear bubble”
- JAVYS – idem – risk that generic WAC could decline quality control over international waste processing in Bohunice

Independence of WMOs 3/3

SECURE the highest level of independence

- easier interaction with all stakeholders (credibility!)
- more difficult – questions, viewpoints taken into due account!

SECURE credible and accepted independent feedback mechanisms

- SE: 2 independent CS secretariats (MKG, MILKAS)
and environmental court
- FR: independent CLIs
- DE: independent oversight group CS and other stakeholders

BUT: WMOs historically overruled these mechanisms (UK, CZ, SI, DE, FR, SE)

Conclusions

Transparency and public participation in WACs;

- Nuclear stakeholders don't incorporate civil society (public, NGOs, academia) as co-stakeholders in their decision processes and implementation;
- Transparency, but also whistleblowing, are too often not perceived as constructive tools; defensive digging in heels;
- WMOs are in practice not independent – more independence needed – as well as truly independent oversight mechanisms and institutions, integrated in all decision and implementation processes WMOs are involved in.

Discussion!

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Cross-cutting Topic 2:

Role of civil society and other stakeholders in the development and application of WAC

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Presentation at the

ROUTES SUBTASK 4.2 WORKSHOP

Sharing Experience on Waste Management with / without WAC

14th to 16th June 2021

From the Task 4 objectives:

“On the basis of that overview, it should develop an approach to support decision makers choosing concrete waste management measures **without later having to regret their choices** (e.g. because of policy changes made, new technical developments) (“no regret” waste management measures).”

This period: An analysis to assess whether different approaches of waste management deliver what is needed for an “ideal solution” (a gap analysis), in line with different option(s) for (final) disposal. Looking how decisions can be made that do not lead to problems later down the line (“**no regret**” waste management measures).

Issues today:

- Transparency
- Civil society as stakeholder
- Citizen’s science
- Whistleblowers
- Independence of WMOs

Transparency

Awareness that WACs link the different radioactive waste management processes = they are not standing in a bubble.

WACs have influence on the justification of acceptance = justification of production of certain wastes (amounts, forms, production at all!) → establishment needed in an EARLY phase and part of public procedures like EIAs!

Civil society as stakeholder

In the presentation of the IAEA during the May workshop: public / civil society does not play any role!

For more technical and specific areas as WACs, transparency and public participation (as obliged under the Aarhus Convention) do not mean that *everybody* has to be involved. We talk about people that want to be involved (and that is people with a direct interest) or

people that need to be involved (because they have crucial knowledge or an angle of view that is important). What misses in the IAEA approach (and we also see that in the NEA and other industry overshadowed organisations) are processes to include external stakeholders like citizens living in the surroundings of RA management installations (the people that make walks along the Molse Nete, so to speak), that live in densely populated areas or important spots passed by transports (for example the town of Ghent related to the Dutch HLW transports to La Hague), NGOs (which represent citizens involvement and expertise), independent academia (as source of knowledge, but also as source for independent second opinion).

Citizen's science

Part of this is citizens science and independent citizens input – citizens measurement networks, citizen sampling, but also access to, for instance, laboratories for second opinions or citizen's samples. Recognition of citizen labs as important players (ACRO, CRIIRAD, Umweltinstitut München, others).

Whistleblowers

WACs are part of the crucial set of tools to reduce risk and assure a level of quality. If these tools are abused, consequences can be dear – and blowing the whistle on it can cost dear as well.

A whistleblower often first looks for attention within the organisation. But because of internal defensive reactions, in many cases this does not lead to solutions – and to trouble for the whistleblowers. The pure existence of true and systemic transparency offers an alternative route that can correct rusted internal structures.

It always takes a long way before a whistleblower seeks wider attention. When we as Greenpeace or WISE are approached by whistleblowers, we first carry out a very fundamental quality check. Not easy – a lot of emotions involved. Then we assist with drawing attention to concrete problems while keeping the whistleblower out of the wind. Backed up by external expertise. This is the litmus test for transparency. And most nuclear stakeholders blatantly fail that test by resorting to divertive action, belittling involved NGOs (remember: these are often building their expertise on the special issue at hand on the go!) and whistleblower, and worse.

I have – as yet, with about a dozen serious cases over the last 30 years – to experience a nuclear institution transparently and honestly dealing with whistleblower information that had to seek NGO support...

Independence of WMOs

CS has already early come to the conclusion that WMOs are not independent actors.

1. "Professional bias" – developing your baby. Outside stakeholders perceived as opponents, hindrances to progress, problematic.
2. Pressure from primary stakeholders

Examples:

- SKB (owned by nuclear operators) is closed for criticism on corrosion and playing with research. Symptomatic for the relation.

- COVRA (independent state owned organisation, but some revolving doors with governance and operators).
- SURAO (independent state organisation, but solid part of the 'nuclear bubble' and perceived as such widely)
- JAVYS – (independent state organisation, but solid part of the 'nuclear bubble' and perceived as such widely, strong revolving doors): generic WAC could ease international processing of waste streams without sufficient local assessment and transparency. Both make it too easy for the producer (less consideration of prevention and reduction) and for the processor (acceptance of waste deemed within the WACs in the country of origin, but under low quality overview – see for instance waste dumping from Germany and Italy to Albania in the 1990s).

Important:

Secure the highest level of independence of WMOs possible – makes interaction with all stakeholders easier (credibility) – and more difficult (questions and viewpoints need to be taken seriously into due account)

Take care of credible and accepted independent (from WMOs, operators, political structures!) feedback mechanisms

- Sweden: 2 independent CS secretariats (MKG and MILKAS), environmental court
- France: independent CLI's
- Germany: oversight group over the process from CS and other stakeholders, independent WMOs

In the UK, Czech Republic, Slovenia, but also in Germany, France and Sweden: WMOs overruled or tried to overrule these feedback mechanisms, resulting in loss of credibility of the entire process.

Conclusions

- Transparency and public participation are vital issues in all of the nuclear sector – including work on WACs;
- Many nuclear stakeholders still do not incorporate civil society (public, NGOs, academia) as co-stakeholders in their decision processes and implementation work – this goes far too slow, in spite of hopeful tendencies in, for instance, the Swedish and German RA decision processes;
- Transparency, but also whistleblowing, are too often not perceived as constructive tools, and defensive digging in heels still undermines their potential;
- WMOs are in practice not independent – but they have to become more independent to increase the quality of their work. Because of this lack of independence, really independent oversight mechanisms and institutions should be an integrated part of all decision and implementation processes WMOs are involved in.