

IAEA SAFETY STANDARDS

for protecting people and the environment

Status: Step 7, Draft for review by
the Safety Standards Committees

Communication and Consultation with Interested Parties

DRAFT SAFETY GUIDE

DS 460

New Safety Guide

IAEA

International Atomic Energy Agency

FOREWORD

The IAEA's Statute authorizes the Agency to "establish or adopt... standards of safety for protection of health and minimization of danger to life and property" — standards that the IAEA must use in its own operations, and which States can apply by means of their regulatory provisions for nuclear and radiation safety. The IAEA does this in consultation with the competent organs of the United Nations and with the specialized agencies concerned. A comprehensive set of high quality standards under regular review is a key element of a stable and sustainable global safety regime, as is the IAEA's assistance in their application.

The IAEA commenced its safety standards programme in 1958. The emphasis placed on quality, fitness for purpose and continuous improvement has led to the widespread use of the IAEA standards throughout the world. The Safety Standards Series now includes unified Fundamental Safety Principles, which represent an international consensus on what must constitute a high level of protection and safety. With the strong support of the Commission on Safety Standards, the IAEA is working to promote the global acceptance and use of its standards.

Standards are only effective if they are properly applied in practice. The IAEA's safety services encompass design, siting and engineering safety, operational safety, radiation safety, safe transport of radioactive material and safe management of radioactive waste, as well as governmental organization, regulatory matters and safety culture in organizations. These safety services assist Member States in the application of the standards and enable valuable experience and insights to be shared.

Regulating safety is a national responsibility, and many States have decided to adopt the IAEA's standards for use in their national regulations. For parties to the various international safety conventions, IAEA standards provide a consistent, reliable means of ensuring the effective fulfilment of obligations under the conventions. The standards are also applied by regulatory bodies and operators around the world to enhance safety in nuclear power generation and in nuclear applications in medicine, industry, agriculture and research.

Safety is not an end in itself but a prerequisite for the purpose of the protection of people in all States and of the environment — now and in the future. The risks associated with ionizing radiation must be assessed and controlled without unduly limiting the contribution of nuclear energy to equitable and sustainable development. Governments, regulatory bodies and operators everywhere must ensure that nuclear material and radiation sources are used beneficially, safely and ethically. The IAEA safety standards are designed to facilitate this, and I encourage all Member States to make use of them.

NOTE BY THE SECRETARIAT

The IAEA safety standards reflect an international consensus on what constitutes a high level of safety for protecting people and the environment from harmful effects of ionizing radiation. The process of developing, reviewing and establishing the IAEA standards involves the IAEA Secretariat and all Member States, many of which are represented on the four IAEA safety standards committees and the IAEA Commission on Safety Standards.

The IAEA standards, as a key element of the global safety regime, are kept under regular review by the Secretariat, the safety standards committees and the Commission on Safety Standards. The Secretariat gathers information on experience in the application of the IAEA standards and information gained from the follow-up of events for the purpose of ensuring that the standards continue to meet users' needs. The present publication reflects feedback and experience accumulated until 2013 and it has been subject to the rigorous review process for standards.

THE IAEA SAFETY STANDARDS

BACKGROUND

Radioactivity is a natural phenomenon and natural sources of radiation are features of the environment. Radiation and radioactive substances have many beneficial applications, ranging from power generation to uses in medicine, industry and agriculture. The radiation risks to workers and the public and to the environment that may arise from these applications have to be assessed and, if necessary, controlled.

Activities such as the medical uses of radiation, the operation of nuclear installations, the production, transport and use of radioactive material, and the management of radioactive waste must therefore be subject to standards of safety.

Regulating safety is a national responsibility. However, radiation risks may transcend national borders, and international cooperation serves to promote and enhance safety globally by exchanging experience and by improving capabilities to control hazards, to prevent accidents, to respond to emergencies and to mitigate any harmful consequences. States have an obligation of diligence and duty of care and are expected to fulfil their national and international undertakings and obligations.

International safety standards provide support for States in meeting their obligations under general principles of international law, such as those relating to environmental protection. International safety standards also promote and assure confidence in safety and facilitate international commerce and trade.

A global nuclear safety regime is in place and is being continuously improved. IAEA safety standards, which support the implementation of binding international instruments and national safety infrastructures, are a cornerstone of this global regime. The IAEA safety standards constitute a useful tool for contracting parties to assess their performance under these international conventions.

THE IAEA SAFETY STANDARDS

The status of the IAEA safety standards derives from the IAEA's Statute, which authorizes the IAEA to establish or adopt, in consultation and, where appropriate, in collaboration with the competent organs of the United Nations and with the specialized agencies concerned, standards of safety for protection of health and minimization of danger to life and property and to provide for their application.

With a view to ensuring the protection of people and the environment from harmful effects of ionizing radiation, the IAEA safety standards establish fundamental safety principles, requirements and measures to control the radiation exposure of people and the release of radioactive material to the environment, to restrict the likelihood of events that might lead to a loss of control over a nuclear

reactor core, nuclear chain reaction, radioactive source or any other source of radiation and to mitigate the consequences of such events if they were to occur. The standards apply to facilities and activities that give rise to radiation risks, including nuclear installations, the use of radiation and radioactive sources, the transport of radioactive material and the management of radioactive waste.

Safety measures and security measures¹ have in common the aim of protecting human life and health and the environment. Safety measures and security measures must be designed and implemented in an integrated manner so that security measures do not compromise safety and safety measures do not compromise security.

The IAEA safety standards reflect an international consensus on what constitutes a high level of safety for protecting people and the environment from harmful effects of ionizing radiation. They are issued in the IAEA Safety Standards Series, which has three categories (see Fig. 1):

Safety Fundamentals

The Safety Fundamentals SF-1 presents the fundamental safety objective and principles of protection and safety and provides the basis for the safety requirements.

Safety Requirements

An integrated and consistent set of Safety Requirements establish the requirements that must be met to ensure the protection of people and the environment, both now and in the future. The requirements are governed by the objective and principles of the Safety Fundamentals. If the requirements are not met, measures must be taken to reach or restore the required level of safety. The format and style of the requirements facilitate their use for the establishment, in a harmonized manner, of a national regulatory framework. The safety requirements use ‘shall’ statements with statements of associated conditions to be met. Many requirements are not addressed to a specific party, the implication being that the appropriate parties are responsible for fulfilling them.

Safety Guides

Safety Guides provide recommendations and guidance on how to comply with the safety requirements, indicating an international consensus that it is necessary to take the measures recommended (or equivalent alternative measures). The Safety Guides present international good practices, and increasingly they reflect best practices, to help users striving to achieve high levels of safety. The recommendations provided in Safety Guides are expressed as ‘should’ statements.

¹ See also publications issued in the IAEA Nuclear Security Series



Figure 1: The long-term structure for the IAEA Safety Standards Series.

APPLICATION OF THE IAEA SAFETY STANDARDS

The principal users of safety standards in IAEA Member States are regulatory bodies and other relevant national authorities. The IAEA safety standards are also used by co-sponsoring organizations and by many organizations that design, construct and operate nuclear facilities, as well as organizations involved in the use of radiation and radioactive sources.

The IAEA safety standards are applicable, as relevant, throughout the entire lifetime of all facilities and activities — existing and new — utilized for peaceful purposes and to protective actions to reduce existing radiation risks. They can be used by States as a reference for their national regulations in respect of facilities and activities.

The IAEA's Statute makes the safety standards binding on the IAEA in relation to its own operations and also on States in relation to IAEA assisted operations.

The IAEA safety standards also form the basis for the IAEA's safety review services, and they are used by the IAEA in support of competence building, including developing educational curricula and training courses.

International conventions contain requirements similar to those in the IAEA safety standards and make them binding on contracting parties. The IAEA safety standards, supplemented by international conventions, industry standards and detailed national requirements, establish a consistent basis for protecting people and the environment. There will also be some special aspects of safety that need to be assessed at the national level. For example, many of the IAEA safety standards, particularly those addressing aspects of safety in planning or design, are intended to apply primarily to new facilities and activities. The requirements established in the IAEA safety standards might not be fully met at some existing facilities that were built to earlier standards. The way in which IAEA safety standards are to be applied to such facilities is a decision for individual States.

The scientific considerations underlying the IAEA safety standards provide an objective basis for decisions concerning safety; however, decision makers must also make informed judgements and must determine how best to balance the benefits of an action or an activity against the associated radiation risks and any other detrimental impacts to which it gives rise.

DEVELOPMENT PROCESS FOR THE IAEA SAFETY STANDARDS

The preparation and review of the safety standards involves the IAEA Secretariat and four safety standards committees for safety in the areas of nuclear safety (NUSSC), radiation safety (RASSC), the safety of radioactive waste (WASSC) and the safe transport of radioactive material (TRANSSC), and a Commission on Safety Standards (CSS), which oversees the IAEA safety standards programme (see Fig. 2).

All IAEA Member States may nominate experts for the safety standards committees and may provide comments on draft standards. The membership of the CSS is appointed by the Director General and includes senior governmental officials having responsibility for establishing national standards.

A management system has been established for the processes of planning, developing, reviewing, revising and establishing the IAEA safety standards. It articulates the mandate of the IAEA, the vision on the future application of the safety standards, policies and strategies, and corresponding functions and responsibilities.

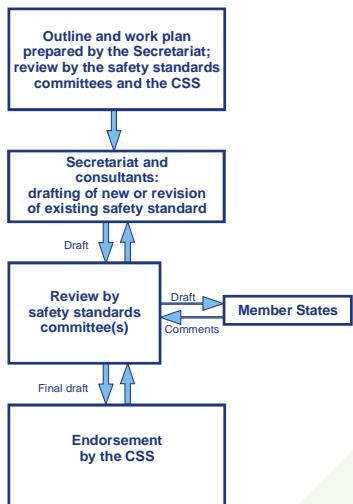


Figure 2: The process for developing a new safety standard or revising an existing standard.

INTERACTION WITH OTHER INTERNATIONAL ORGANIZATIONS

The findings of the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) and the recommendations of international expert bodies, notably the International Commission on Radiological Protection (ICRP), are taken into account in developing the IAEA safety standards. Some safety standards are developed in cooperation with other bodies in the United Nations system or other specialized agencies, including the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme, the International Labour Organization, the OECD Nuclear Energy Agency, the Pan American Health Organization and the World Health Organization.

INTERPRETATION OF THE TEXT

Safety related terms are to be understood as defined in the IAEA Safety Glossary (<http://www-ns.iaea.org/standards/safety-glossary.htm>). Otherwise, words are used with the spellings and meanings assigned to them in the latest edition of The Concise Oxford Dictionary. For Safety Guides, the English version of the text is the authoritative version.

The background and context of each standard in the IAEA Safety Standards series and its objective, scope and structure are explained in Section 1, Introduction, of each publication.

Material for which there is no appropriate place in the body text (e.g. material that is subsidiary to or separate from the body text, is included in support of statements in the main text, or describes methods of calculation, procedures or limits and conditions) may be presented in appendices or annexes.

An appendix, if included, is considered to form an integral part of the safety standard. Material in an appendix has the same status as the main text, and the IAEA assumes authorship of it. Annexes and

footnotes to the main text, if included, are used to provide practical examples or additional information or explanation. Annexes and footnotes are not integral parts of the main text. Annex material published by the IAEA is not necessarily issued under its authorship; material under other authorship may be presented in annexes to the safety standards. Extraneous material presented in annexes is excerpted and adapted as necessary to be generally useful.



CONTENTS

1.	INTRODUCTION	11
	BACKGROUND	11
	DEFINITIONS	13
	OBJECTIVE.....	14
	STRUCTURE.....	14
2.	OVERARCHING RECOMMENDATIONS	15
	EARNING TRUST.....	15
	INDEPENDENCE.....	15
	PROVISIONS.....	16
	AVAILABILITY OF INFORMATION	17
3.	LEGISLATION AND REGULATION.....	19
	GOVERNMENTAL, LEGAL AND REGULATORY FRAMEWORK	19
	RESTRICTION OF INFORMATION.....	20
4.	IMPLEMENTATION	22
	LEADERSHIP AND STRATEGY	22
	MANAGEMENT SYSTEM AND COMPETENCE	23
	INTERESTED PARTIES	24
	COMMUNICATION AND CONSULTATION PROCESS.....	27
5.	COMMUNICATION AND CONSULTATION METHODS.....	32
	INFORMATION	32
	PARTICIPATION.....	34
	APPENDIX I: EXAMPLE OF COMMUNICATION STRATEGY TEMPLATE	39
	APPENDIX II: EXAMPLE OF COMMUNICATION PLAN TEMPLATE.....	41
	REFERENCES	43
	CONTRIBUTORS TO DRAFTING AND REVIEW	46

Figure 1 - The long-term structure for the IAEA Safety Standards Series.

Figure 2 - The process for developing a new safety standard or revising an existing standard.

Figure 3 - Communication and consultation process should include these steps from setting communication and consultation objective up to the evaluation of the process.

1. INTRODUCTION

BACKGROUND

1.1. Over the last decades, there has been a growing societal awareness about the necessity for transparency, openness and participation of interested parties in the safety-related issues. Members of the public usually have limited knowledge and a great deal of uncertainty in any issue involving radiation because of the complexity of this topic, the perceived risk associated with nuclear energy and the use of ionizing radiation sources. Most people, who are dependent on information provided by regulatory bodies, operating organizations, experts and the news media, want to have access to reliable, comprehensive and easily understandable information about safety and regulatory issues to form opinions and make fully informed decisions. They also want to have fair and reasonable opportunities to provide their views and to influence regulatory decision-making processes.

1.2. Communication and consultation are subject to Requirement 36 of the IAEA Standard Series No. GSR Part 1 on Governmental, legal and regulatory framework for safety [2] “*Communication and consultation with interested parties: The regulatory body shall promote the establishment of appropriate means of informing and consulting interested parties and the public about the possible radiation risks and other environmental information associated with facilities and activities, and about the processes and decisions of the regulatory body.*” Communication and consultation are strategic instruments to support the regulatory body in discharging its regulatory functions and in developing the safety awareness amongst interested parties, therefore in promoting safety culture amongst them. Establishing strong regular communication and consultation practices will also ensure greater communication success during a possible emergency.

1.3. Beyond the legitimate interest of interested parties in radiation and nuclear safety matters, safety issues are best handled with the participation of all concerned citizens, at the relevant level. There are several rationales for the regulatory body to develop and implement a strategy and a culture of transparency and openness and to involve, when necessary, stakeholders so that trust in its competence, independence, impartiality and objectivity can be established as well as its capability to act can be maintained and improved:

- *Accountability:* transparency and openness promote accountability which is a key component of safety culture as stated in Requirement 5 - Management for protection and safety – paragraph 2.51 of GSR Part 3 (interim) [5]. Accountability should enhance public confidence in the regulatory body as well as confidence within the regulatory body, and increases the confidence of stakeholders that their views are heard, without bias, by the regulator;

- *Credibility and legitimacy*: transparent and open communication about regulatory decision-making and opportunities for stakeholder involvement in that process reinforces interested parties' awareness of the role and responsibility of the regulatory body for protecting people and the environment from harmful effects of ionizing radiation and helps to inform interested parties how it discharges its duties. In contrast to promotional organizations concerned with public acceptance of nuclear energy as such, the regulatory body is concerned only with promoting safety and its improvement through regulatory activities. The use of a transparent and open regulatory decision-making process helps to demonstrate and reinforce this distinction;
- *Higher quality in regulatory function implementation*: the active involvement of interested parties in safety issues allows individuals or societal groups to challenge the regulatory process, which may strengthen the decision-making basis and safety. The knowledge of interested parties – for example, local residents' knowledge of the local environment, diverse social culture, values and meanings – can inform critical discussions about how issues are framed. At the same time, this is an opportunity for interested parties to express their concerns and opinions, allowing the regulatory body to better understand and, therefore, better consider these concerns; and
- *Independence*: being more open and transparent will allow a regulatory body to effectively demonstrate its independence. Transparency and openness help make any undue influences that might adversely affect safety more visible, therefore enhancing the ability of the regulatory body to make independent judgements and decisions;
- *Stability of regulatory control*: public involvement strengthens the legitimacy of regulatory decisions and provides a broader responsibility for them, even though some interested parties may not always agree with a decision. This helps increase the regulatory control stability over time. Furthermore, interested parties' involvement decreases the likelihood of narrow early framing (not taking into account all possible relevant aspects) which later shows up to be insufficient. Even though some interested parties may not always agree with a decision, if there is trust and mutual respect they will accept the integrity of the decision making process.

1.4. Decision making mechanisms may vary considerably from country to country, depending on culture, history, government philosophy as well as legal and organisational factors. For the establishment of processes for information and participation, there are factors, such as cultural prerequisites, international conventions, legal frameworks and institutional systems that should be taken into account as they may make the practical activities, even when resting on the same basic principles, quite different between different countries and different situations. There is no ideal or prototypical best practice. Instead 'best practice' or rather 'good practice' might be nationally or even locally defined to a great extent, given that it fits within an overall regulatory structure. Even taking this into account, all countries should create and implement instruments that enhance transparency,

openness and participation of the interested parties considering the guidance provided by this document.

USE OF TERMS

1.5. In this document, the following terms are used as defined below:

- **Communication** is the exchange of information to manage relationships between an organization and its interested parties with the purpose to inform, influence, persuade or develop a common understanding in pursuit of an organization's long term objectives and serve the public interest for safety.
- **Communication strategy** is a long-term framework of policies and arrangements for the regulatory body to inform and consult with interested parties. It consists of a corporate culture that encourages communication and consultation as important for the success of the regulatory body's efforts to ensure public safety. The communication strategy helps ensure openness and transparency by guiding the regulatory body's interactions with interested parties during the course of various regulatory actions, including licensing reviews, inspection and oversight, and enforcement. As such, an effective communication strategy is essential for gaining public trust and protecting the regulatory body's credibility.
- **Communication plan** (or communication and consultation plan) implements the communications strategy in relation to a specific issue or facility. It may be relatively short-term, regarding an emerging issue such as a licensing review, or cover routine regulatory activities such as transportation of radioactive materials or management of radioactive waste. A communication plan should include key messages, background about the issue, facility or activity, and a schedule for implementing communication and consultation with various interested parties.
- **Consultation** refers to processes through which the regulator seeks the views of individuals or groups on regulatory matters that affect them directly or in which they have a significant interest. Consultation can occur at various points in the regulatory process and can be used to help frame an issue, identify or assess options and evaluate existing regulatory policies. Consultation includes processes such as public meetings, public hearings, advisory committees, polling and focus groups.
- **Interested Parties**, referred to also as stakeholders or concerned parties [26], are those individuals or organisations concerned with safety and the regulatory body's decisions. Interested parties include the general public, such as people residing in the vicinity of facilities and activities; elected officials and governmental authorities at the national, regional and local level; national and local non-governmental organizations; regulated industry and its employees, trade unions, and suppliers; professional and academic organizations; news media; and neighbouring countries.

- Transparency and openness are concepts:

- . by which information related to the regulatory body's responsibilities, including its decision making process, is proactively and easily accessible to and understandable by interested parties; and
- . which promote an active participation of interested parties in decision making in order to fully consider their views and opinions.

These concepts refer to the model based on an involvement of interested parties as early as possible in a decision-making process (e.g., "Engage, Interact and Cooperate" model), which has been replacing in most countries the traditional model which consists to start communicating with them late in the process or even after having made the decision (e.g., "Decide, Announce and Defend" model).

OBJECTIVE

1.6. This guide provides practical guidance and recommendations for regulatory bodies concerning communication and consultation with interested parties about the possible radiation risks associated with facilities and activities, and about processes and decisions of the regulatory body. This guide does not address communication neither during emergency situation nor with respect to security, covered by other IAEA publications [3, 32, 33, 34 and 35].

1.7. This guide should be primarily used by the regulatory body for communication and consultation with interested parties. It may also be used by other organisations or individuals considering their responsibilities for communication and consultation with interested parties.

STRUCTURE

1.8. This General Safety Guide consists of 5 sections:

- Section 1 is an introduction, which presents the background, use of terms, objective, scope and structure of the safety guide;
- Section 2 provides overarching recommendations which should be applied to meet the relevant safety requirements;
- Section 3 presents the provisions that should be considered for inclusion in the legal and regulatory framework and provides guidance which should be followed when establishing the legal and regulatory framework for communication and consultation with interested parties;
- Section 4 addresses the need for having an effective leadership and describes provisions for developing and implementing a communications strategy; and
- Section 5 provides guidance about methods for effective communication and consultation with interested parties.

2. OVERARCHING RECOMMENDATIONS

2.1. This section addresses overarching recommendations which should be applied to meet Requirement 36 of GSR part 1 [2] with the aim of establishing and implementing a strategy for communication and consultation with interested parties in line with the objective to increase transparency and openness.

EARNING TRUST

2.2. Transparency and openness should be concepts underlying the strategy of the regulatory body to communicate and consult with interested parties so that trust in its independence, competence, integrity and impartiality can be established. For any process of participation to be legitimate, there needs to be a certain degree of trust among those affected, those participating and citizens at large. If any interested party does not trust the regulatory body in a particular process setting it will not take part in the process and consequently the regulatory body will lose legitimacy. The regulatory body should be competent in its fields of expertise, objective, reliable, responsive, should respect the interested parties and be fair with them to develop confidence and credibility. Stakeholders' trust can never be established "once and for all". It is easy to lose and it should be earned on a continual basis.

2.3. Senior management of the regulatory body should be committed to implement a high level of transparency and openness. This implementation should be based on pro-active public communications and initiating dialogue, and on willingness to listen and respond to a broad variety of concerns, as well as a real public participation in regulatory activities.

INDEPENDENCE

2.4. Independence is a key factor towards being recognized as a reliable and trustworthy organisation. In any interaction with interested parties, the regulatory body should not take any action which could compromise safety and security and would call its independence, from undue influence, into question, as is stated in Requirement 4 - Independence of the regulatory body – of GSR Part 1 [2]

2.5. The regulatory body is responsible for the regulatory oversight of nuclear and radiation safety and not biased in favour of promotion of the nuclear uses. This should be a fundamental communication message to interested parties, including the regulatory body's staff.

2.6. The regulatory body should be adequately funded to support communication and consultation with interested parties.

PROVISIONS

2.7. The text accompanying Requirement 36 - Communication and consultation with interested parties - of GSR part 1 [2] states: “*4.67. The regulatory body, in its public informational activities and consultation, shall set up appropriate means of informing interested parties, the public and the news media about the radiation risks associated with facilities and activities, the requirements for protection of people and the environment, and the processes of the regulatory body.*”

2.8. Arrangements for communication and consultation should be established and implemented in order to:

- provide interested parties with reliable, comprehensive, understandable and easily accessible information on safety and regulatory issues;
- establish meaningful two-way interactions with interested parties in order for them to have fair and reasonable opportunities to provide their views and to influence regulatory processes. A primary goal should be to listen to and understand the concerns, issues and questions and address them in a manner that is as responsible and understandable as possible; and
- consider transboundary relations with neighbouring countries. In this respect, together with the competent national authorities, the regulatory body should explore the possibilities of involving the interested parties of neighbouring states in the same level as national stakeholders.

2.9. The methods for communication and consultation with interested parties should be adapted to the communication objectives, the expected stakeholders and according to the graded approach². Also it should be used in accordance with national circumstances, concerns and interests of interested parties.

2.10. When necessary, the regulatory body should ensure that interested parties are involved as soon as possible, even in certain cases before launching the regulatory activity, e.g., review and assessment relating to radioactive waste facilities [20, 21]. This includes that the arrangements for public's participation are clearly explained as early as possible. Stakeholders with different viewpoints should be given opportunities to participate in the communication and consultation process. Their early involvement brings the following benefits:

- it provides an early warning system for potential conflict situations and a better chance to solve problems early;
- it can prevent or, at least, decrease the likelihood of narrow early framing (not taking into account all possible relevant aspects) which later turns out to be insufficient. Early involvement provides

² GSR part 1, Requirement 36, paragraph 4.69: “*Public information activities shall reflect the radiation risks associated with facilities and activities, in accordance with a graded approach*”

perspectives that could make the entire process more effective, therefore saving financial resources and time; and

- it makes possible for interested parties to positively influence the process and to contribute with their perspectives at a stage when they can still be incorporated.

2.11. The regulatory body should communicate the arrangements to inform and involve interested parties and make them easily available.

2.12. The regulatory body should ensure that these arrangements are stable and consistent with the communication strategy to build confidence among interested parties.

2.13. All results of communication and consultation with interested parties should be documented.

2.14. As a general objective, the regulatory body should continuously enhance arrangements for communication and consultation taking into consideration other experiences at national and international level, feedback from the interested parties and evaluation of activities conducted to communicate and consult.

AVAILABILITY OF INFORMATION

2.15. Each interested party should have appropriate access to information concerning safety that is held by public authorities and authorised parties³, and the opportunity to influence the decision-making processes. States should facilitate and encourage public awareness and participation by making information widely available.

2.16. The regulatory body should strive to publish as much relevant information as possible. Restriction on information should be limited, although it is acknowledged that some sensitive information with regards to nuclear security and proprietary information for instance, cannot be released to the public. It needs and should have responsibility for providing information about its programmes, activities and results, positions and decisions; and about the radiation risks associated with facilities and activities; and incidents, including accidents and abnormal occurrences in facilities and activities. It is advisable that the regulatory body makes the results of the evaluation of its organisation and performances through external assessments, such as the IRRS missions available to the public to increase its own credibility in the eyes of other interested parties.

³ GSR part 1, Requirement 4 – footnote 6: “An ‘authorized party’ is the person or organization responsible for an authorized facility or an authorized activity that gives rise to radiation risks who has been granted written permission (i.e. authorized by the regulatory body or another governmental body to perform specified activities). The ‘authorized party’ for an authorized facility or activity is usually the operating organization or the registrant or licensee (although forms of authorization other than registration or licensing may apply)”

2.17. Information on access to administrative and judicial review procedures should be available to any interested party which considers that its request for information has been ignored, wrongfully refused, whether in part or in full, inadequately answered, or otherwise not dealt with in accordance with applicable provisions.

DRAFT

3. LEGISLATION AND REGULATION

3.1. This section addresses provisions concerning communication and consultation with interested parties which should be considered as part of the legal and regulatory framework for safety. The following guidance should be followed when establishing the legal and regulatory requirements for communication and consultation. These requirements should take into account relevant international laws and conventions.

GOVERNMENTAL, LEGAL AND REGULATORY FRAMEWORK

3.2. The governmental, legal and regulatory framework should define a national policy on communication as part of the national infrastructure for safety with a clear allocation of responsibility for communication in different circumstances.

3.3. Legal and regulatory requirements should be placed on licensees of nuclear facilities to disclose and make available information to interested parties.

3.4. Communication and consultation with interested parties should be part of the legal or regulatory functions of the regulatory body.

3.5. The regulatory decision-making processes should be regularly reviewed to identify the need for effective communication and consultation with interested parties. Then, for relevant regulatory decision-making (e.g., licensing of nuclear facility, regulation drafting), the stakeholders' involvement should be addressed by the legal and regulatory framework.

3.6. Mechanisms should be established for involving interested parties in relevant safety-related issues. To facilitate their participation in specific activities or projects, provision should be made in the regulation that they should be informed in a timely and effective manner (e.g., either by public notice or individually as appropriate,), of:

- The proposed action (e.g., issuing a license);
- The nature of possible decisions or the draft decision;
- The envisioned procedure, including as and when this information can be provided:
 - . The commencement of the procedure,
 - . An indication of what safety-related information relevant to the proposed activity is available,
 - . The opportunities for the public to participate, including the time and venue of any public hearing or meeting, and
 - . The schedule and the provisions for transmittal of comments or questions;
- Whether the activity is subject to a national or transboundary environmental impact assessment procedure.

3.7. The regulation should include reasonable time-frames for the different phases of the regulatory process, allowing sufficient time for informing interested parties and for them to prepare and participate effectively.

3.8. Governments and regulatory bodies should have an open attitude to the possible institutionalization of new processes for communication and consultation. Such processes can be developed and established as informal and voluntary activities within existing legal and administrative structures. In cases where they are found to be valuable and have the potential to remain so over a long period of time, it may be beneficial to institutionalize them with legal and organizational instruments.

3.9. A balance should be struck between the inescapable force of legal or regulatory requirements and an informal process that can be effective in providing awareness but is essentially dependent on the good will of key actors. Efforts should be made to find a proper balance in the level of detail prescribed in a regulatory process. A high level of detail can make it less flexible and less adaptable to new issues and changing contexts. Insufficient detail can lead to confusion, misunderstanding, and ultimately a lack of communication and consultation. The communications strategy should provide the additional detail as agency policy, while retaining the flexibility to be modified as needed.

3.10. Prospective changes in legal and regulatory requirements should be subject to careful scrutiny to evaluate the possible impact on the existing arrangements to communicate and consult with interested parties. The regulatory body should inform and, as necessary, consult its stakeholders in relation to the basis for such proposed changes in regulatory requirements.

3.11. Safety-related information should be made available proactively and upon request, with exceptions as discussed below. Provision for the disclosure of information within specific timescales should be established to avoid unnecessary delay.

3.12. When several authorities have responsibilities for safety within the regulatory framework, the provisions for ensuring effective coordination between them for the relevant regulatory activities should address communication and consultation aspects.

RESTRICTION OF INFORMATION

3.13. Information disclosure may be restricted if it has adverse effects on:

- International relations, national defence or public security;
- The confidentiality of the proceedings of public authorities, where such confidentiality is provided for under national law;
- The course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an enquiry of a criminal or disciplinary nature;
- The confidentiality of commercial and industrial information, where such confidentiality is protected by law in order to protect a legitimate economic interest. Within this framework, information on

radioactive emissions which is relevant for the protection of the people and environment should be disclosed;

- Intellectual property rights;
- The confidentiality of personal data and files relating to a person, where that person has not consented to the disclosure of the information to the public, and where such confidentiality is provided for in national law; or
- The interests of a third party which has supplied the information requested without that party being under or capable of being put under a legal obligation to do so, and where that party does not consent to the release of the material.

3.14. Refusal of a request for information should be in writing if the request was in writing or the applicant so demands. A refusal should state the reasons for not disclosing the information and describe how the decision was made to deny the request for information. The refusal should be made as soon as possible and within regulatory limits.

4. IMPLEMENTATION

4.1. This section addresses the provisions which should be developed and implemented by the regulatory body for a transparent and open approach when communicating and consulting with interested parties. The provisions include leadership, strategy and a management system for effective implementation. This section also addresses important elements that should be considered when developing any communication and consultation process and defines the boundaries of key interested parties generically which may vary from country to country.

LEADERSHIP AND STRATEGY

4.2. Senior management should provide leadership and a clear commitment to a high level of transparency and openness in regulatory activities, going beyond, when possible, what the legislation and the regulations require keeping in mind compliance with legislation and regulation should be ensured at any time. Merely following the legal and regulatory requirements in an administrative way can result in a low level of meaningful public participation, without true transparency and openness.

4.3. Efforts should be made to promote the importance and to support an in-house culture of transparency and openness among the regulatory body staff. Such a culture helps enhance interested parties' confidence in the regulatory body. It should also lead to proactive, open and clear communications with stakeholders and meaningful participation by interested parties.

4.4. A communication strategy should be developed and implemented considering the role and functions of the regulatory body as well as its overall aim to improve transparency and openness and contribute to increased public confidence. This strategy should be integrated within the overall strategy for safety of the regulatory body.

4.5. Clear responsibilities should be established within the regulatory body to deal with communication and consultation activities. These responsibilities may be located within one or more offices, but they should be clearly defined to ensure effective implementation of the communication strategy.

4.6. The interaction between the communication staff and technical staff of the regulatory body should be constant and continuous. Communication and technical staff should cooperate in the development of communication plans and the consistent use of communications channels and tools.

4.7. Key communication staff should have direct access to the head of the regulatory body and senior managers. Senior managers should seek the advice of key communication staff during policy deliberations in order to gauge how their actions might be perceived by interested parties.

4.8. The regulatory body, where appropriate, should encourage and assist communities to develop

processes of communication and to understand issues with its assistance and the assistance of operators.

MANAGEMENT SYSTEM AND COMPETENCE

4.9. Arrangements for communication and consultation with interested parties should be part of the regulatory body's integrated management system. They should be part of a formal process that is based on specified policies, principles and associated criteria and that follows specified procedures and guidance. At all times, the national legal and regulatory requirements should be fulfilled and confidential information properly protected.

4.10. The regulatory body should consider two-way communication with interested parties to facilitate the regulatory decision. It should develop a process to accept or reject interested parties' comments.

4.11. When several governmental authorities are concerned for safety or have authority that overlaps that of the regulatory body, constructive liaisons should be developed through relevant means (memoranda of understandings, periodic meetings, etc.) to ensure effective communication, consultation and, as necessary, coordination.

4.12. The regulatory body should develop and maintain its competence in order to communicate and consult with interested parties in an efficient manner. Communications staff should be trained in public outreach techniques (e.g., facilitation of public meetings, conducting press conferences and social media). All relevant staff members who might be involved in communicating with interested parties should be trained accordingly, including on writing and speaking at public meetings.

4.13. An information and knowledge management system should allow communication officers and other staff ready access to historic information on past incidents and emergencies, annual reports, information brochures, fact sheets and all other relevant publications and information. Such a system should help providing interested parties with requested information in a timely manner. Information and knowledge management arrangements should also be established under this system to control and maintain relevant communication and consultation activity-related records.

4.14. Guidance should be developed regarding types of documents that should be released to the public and sensitive information that should be restricted; the way in which information should be made available to interested parties (use of media, Internet and other channels, schedules for releasing information, use of clear and jargon free language, choice of languages in multi-lingual countries, etc.); and the use of specific tools such as the International Nuclear and Radiological Event Scale

(INES⁴).

4.15. The regulatory body should participate in meetings, conferences or other public gatherings that are sponsored by other organizations in a consistent manner over time.

INTERESTED PARTIES

4.16. Interested parties can be national or from other countries. Different interested parties may have different needs or agendas. Therefore, it is important to identify and categorize them, and to determine their needs, expectations and concerns. This helps in selecting options from a variety of strategies and approaches to communicate and consult. Interested parties may vary from country to country depending on culture, history, government philosophy, legal and organisational factors. The following paragraphs briefly describe the role of typical interested parties.

4.17. The regulatory body should be known as an independent, credible and reliable source of information. To establish and protect this reputation, the regulatory body should be proactive, transparent and open in its dealings with interested parties. At the same time, it should be quick to respond to their inquiries and, if possible, to correct inaccuracies. All communications with interested parties should be concise and in clear language.

Public

4.18. The public relies on various sources of information to form their own opinion. News media, especially television and Internet, have the greatest reach and have a great influence in framing how people perceive issues. Members of the public may also contact the regulatory body directly (by mail, email, phone, social media, public meetings, etc.) to obtain answers to specific questions. In this case, the regulatory body should be prepared to provide the requested information in a timely manner.

4.19. Among the public, several interested groups exist with different expectations and needs. People living in the vicinity of a nuclear facility or activity usually have different needs from those of the public living elsewhere. Communication may also be adapted according to the gender and the age

⁴ INES is used to classify events according to their safety significance to facilitate a common understanding between the technical community, the media and the public. INES comprises 7 levels from 1 (anomaly) to 7 (major accident). Events without safety significance are classified as “below scale / Level 0” and events that have no safety relevance with respect to radiation or nuclear safety are not classified on the scale. As highlighted in the definition of INES in the IAEA Safety Glossary [28], *“There remains a fundamental mismatch between the terminology used in Safety Standards and that used in INES. In short, events that would be considered accidents according to the safety standards definition may be accidents or incidents (i.e., not accidents) in INES terminology”*. This definition also points out that this discrepancy is *“a potential problem for public communication”*.

(e.g., children, teenagers, adults) of the public. The role of community leaders – such as local elected officials, religious and social leaders – in framing public perception should not be underestimated.

News and social media

4.20. Journalists are important stakeholders, and various news and social media are one of the most important channels for the regulatory body to communicate with interested parties. There is no way to control how a message is eventually diffused through the media; that is why all communications with media should be concise and in clear language.

4.21. Different mechanisms should be used to proactively interact with the media, including:

- Direct contact by telephone;
- Written documents: brochures, magazines, reports, press releases, etc.;
- Regulatory and other websites;
- Press conferences;
- Invitation to public consultation events; and
- Invitation to observe and participate in specific activities (inspection, emergency exercises).

4.22. Press conferences should be organised where appropriate and provide opportunities to announce important information to the media. A press conference is a good channel for disseminating information and developing a good understanding about emerging issues or major announcements of the regulatory body. A press conference should be announced in a timely manner and advance information may be provided to facilitate journalists' participation.

Local liaison groups (or committees)

4.23. An important role for societal trust is played by local communities. Upon local or national initiatives, local liaison groups (or committees) may be organised near nuclear facilities to inform and dialogue with the public as well as for education purposes. The role of these local liaison groups should be to provide the local people with independent information, and information from the regulatory body and the authorised parties.

4.24. Members of liaison groups should come largely from those who reside in the vicinity of nuclear installations.

4.25. Upon invitation of a local liaison group, the regulatory body and other concerned state organizations should participate in activities of the local liaison group and may attend meetings in an advisory capacity. Moreover, local liaison groups should be able to invite, as necessary, third parties (e.g., professors, researchers and experts) for discussion-facilitation and fact-finding.

Special groups

4.26. Special groups are linked to particular constituencies that are often motivated to achieve specific

goals and interests. They include non-governmental organizations (NGOs) such as labour unions, consumer groups, environmental groups and antinuclear groups. NGOs can be a valuable resource for highlighting issues that may otherwise be neglected and for providing input from new angles. Their early involvement in the communication and consultation process decreases the likelihood of narrow framing of issues by technical experts that later on may jeopardize the decision-making process. These groups should be given fair opportunities to participate. They should also be provided with factual information on current nuclear issues to help avoid misconceptions.

Governmental authorities and decision makers

4.27. Within the governmental, legal and regulatory infrastructure, the exchange of information and the consultation among governmental bodies and other regulatory authorities are paramount for coherent and efficient regulation of safety, including in the following areas: environmental protection; public and occupational health, emergencies, radioactive waste management, and safety in the transport of radioactive materials.

4.28. The regulatory body should establish provisions or ensure that those provisions exist for effective and direct communication with other governmental authorities at a high level when such communication is considered necessary for effectively performing the functions of the regulatory body.

4.29. Elected officials at all levels should be kept informed of the regulatory body's actions in protecting people and the environment. The regulatory body should inform elected officials of events and actions, and should provide timely and complete responses to their inquiries.

Professional categories

4.30. The text accompanying Requirement 21 - Liaison between the regulatory body and authorized parties - of GSR part 1 [2] states: “*4.23 The regulatory body (...) shall liaise with authorized parties to achieve their common objectives in ensuring safety. Meetings shall be held as necessary to fully understand and discuss the arguments of each party on safety related issues*” and “*4.24. The regulatory body shall foster mutual understanding and respect on the part of authorized parties through frank, open and yet formal relationships, providing constructive liaison on safety related issues.*” Then, the regulatory body should contribute to informing professionals using ionizing radiation, and transporting, using or processing radioactive materials, such as operators of nuclear facilities, on safety-related matters (e.g., new developments relating to safety, lessons learned from incidents and accidents, and new regulations). The authorised parties should be also consulted when necessary, including when drafting new regulations.

4.31. Medical and health professionals can be among the most credible sources of information for the public. Information provided by the regulatory body to these parties should be specifically tailored. Special attention should be paid to medical doctors living in the vicinity of a nuclear facility or

activity, because they can disseminate information to the local community and be involved in public communications, for instance, in the emergency preparedness phase.

4.32. Academics, teachers and researchers in the relevant fields (nuclear, medical, etc.), technical support organisations and other third party experts who are not involved in the commercial uses of nuclear technologies and other applications using ionizing radiation can help provide information to the news media and the public as experts. A good working relationship with these interested parties could be useful.

International organizations and national regulatory bodies

4.33. Regulatory bodies should establish links with other national regulatory bodies and international organizations such as the IAEA. It is beneficial to share safety-related information, including operating experience and regulatory experience, with these organisations, as requested by Requirement 15 *Sharing of operating experience and regulatory experience* of GSR part 1 [2].

Staff of the regulatory body

4.34. The regulatory body's employees routinely communicate with the public both formally and informally. They should be kept informed about the regulatory decisions and activities, and all other relevant safety-related information.

COMMUNICATION AND CONSULTATION PROCESS

4.35. As shown in figure 3, a communication and consultation process should include different steps, from setting up the objective up to the process evaluation.

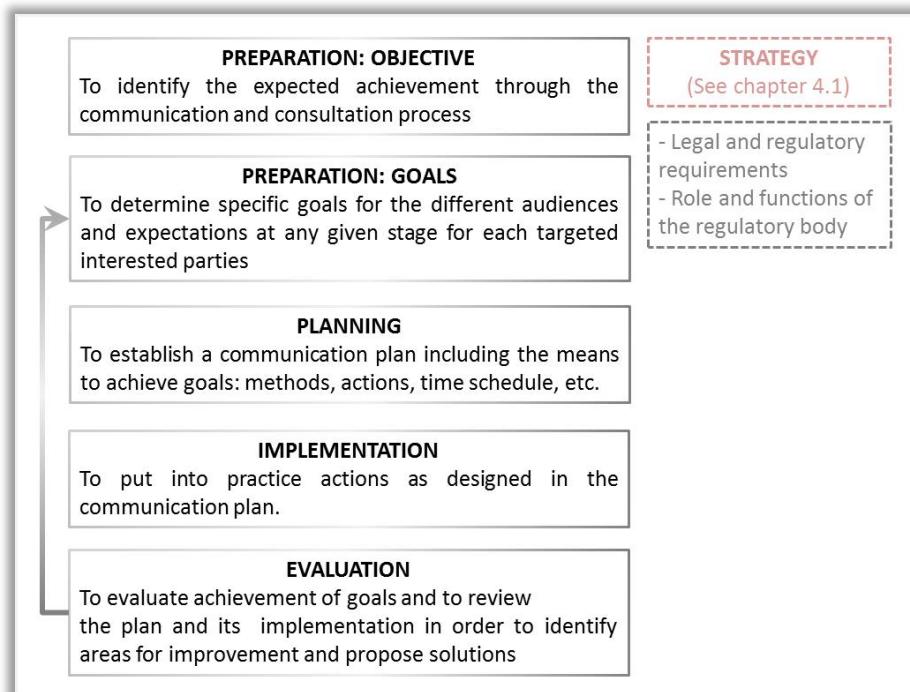


Figure 3: Communication and consultation process.

4.36. Before initiating any communication and consultation process, it is critical to be clear about the role and functions of the regulatory body, its independence, and its strategy to interact with interested parties. Transparency and openness should be underlying objectives for all communication and consultation activities. The legal and regulatory requirements should also be identified for a communication and consultation process, including requirements applicable to restriction of information disclosure.

4.37. At all points in the communication and consultation process, it should be crucial to be clear about what the regulatory body can or cannot do. If interested parties have unrealistic expectations, they are more likely to be disappointed and lose confidence in the process and in the regulatory body itself.

Preparation

4.38. A communication strategy should include a logical, coherent and efficient process for communicating and consulting with interested parties. This process should allow the regulatory body to, *inter alia*:

- increase public trust and confidence by keeping the public informed in a transparent and open manner on how safety requirements are established and enforced;
- disseminate information on safety to interested parties, including information about incidents in facilities and activities, including accidents and abnormal occurrences; radiation risks associated with

facilities and activities; requirements for protecting people and the environment; processes of the regulatory body; and regulatory judgements and decisions;

- involve interested parties in decision-making through consultation or even collaboration mechanisms. In this respect, interested parties residing in the vicinity of current or proposed authorized facilities and activities should be consulted by means of an open, inclusive and responsive process;
- improve cooperation and coordination with other authorities and governmental organisations; and
- improve cooperation with other countries and with international organizations.

4.39. The overall objective of the communication and consultation process should be established using the rationales mentioned in section 1 concerning independence, accountability, credibility and legitimacy, high quality in decision making, and regulatory control stability.

4.40. The communication and consultation process should be flexible enough so that specific communication plans can be tailored to target audiences, depending on which types of interested parties may be involved in a particular issue, facility or activity. A variety of communications tools, methodologies, and subject matter expertise should be available to give maximum flexibility to staff when developing communication plans.

4.41. At all times, the regulatory body should ensure that adequate budget and other resources are available to achieve the goals of the communication and consultation process.

4.42. For an effective and efficient implementation of the communication and consultation process, a communication plan should be established as part of an integrated strategy for achieving transparency and openness (Cf. Annex II). A communication plan is a key tool to properly address a specific issue and to use efficiently the human and financial resources available for communication and consultation with interested parties.

4.43. Effective communication and consultation require implementation of specific and adapted methods and organization according to:

- the legal and regulatory requirements;
- the goals for information and involvement;
- the nature of the targeted stakeholders, their concerns and expectations; and
- the topics and the issues.

4.44. A communication plan should include the overall objectives, appropriate timing to engage interested parties, list of stakeholders to be reached, their concerns, expectations and perspectives, channels and tools to communicate and consult with them. Responsibilities and prioritizations should be also addressed.

4.45. Several communication plans may be developed by an organisation for different purposes, e.g., for routine circumstances, emergencies, specific complex projects (siting of waste management

repository, cleaning of legacy contaminated sites, etc.). The development of these different communication plans should be coordinated by senior management and communication staff. This coordination is essential to optimize the use of financial and human resources and to ensure coherence and consistency among plans. Consistent use of communication plans will help ensure an efficient implementation of the communication strategy.

4.46. It is important when developing a communication plan to identify all possible groups that could be affected by or interested in the issue. These groups may have conflicting agendas, priorities, sensibilities, needs and expectations, all of which should be accounted for by the communication plan. Specific attention should be given to people residing in the vicinity of the facilities or activities. Should the composition and nature of these groups change over time, the communication plan may need to be amended.

4.47. Issues requiring communication plans will vary. For some issues, simply providing information may be sufficient, whereas for a more complex and major issue (e.g., license to construct a new nuclear installation, siting of radioactive waste repository), the regulator may decide to implement a specific process to give interested parties the possibility to participate actively and to be involved in the decision making process. This process should be consistent with the communication strategy.

4.48. Some interested parties may require only information. Others may expect or demand active participation and consultation. Some may merely want an opportunity to express their views. Others, particularly some NGOs, may be reluctant to participate fully in the consultation in order to preserve their independence and autonomy. All types should be considered when developing a communications plan.

4.49. A communication plan may combine different approaches and methods according to the issues, people and groups involved. The plan should account for cultural, organisational and other relevant factors in deciding how best to make information available to the most people possible. This may decrease the likelihood that people will decide not to participate or to withdraw from the process.

Implementation of a communication plan

4.50. Implementation of a communication plan should be co-ordinated with senior management and communication staff of the regulatory body, when necessary with other governmental organisations.

4.51. All persons involved should understand the purposes of the plan, their functions and responsibilities, and how various organisations will interact. Necessary training for the proper plan implementation should be carried out. Regular staff meetings should review the plan's progress, identifying any difficulties with implementation and making any necessary adjustments.

4.52. Communication plans should be flexible. For example, if an event of public interest or an accident occurs, the regulatory body may need to suspend implementation of a routine communication plan temporarily to deal with the immediate issue. Events may also necessitate amending a

communication plan's schedule or key messages as the regulatory body's priorities change.

Monitoring and Evaluation

4.53. The regulatory body should continuously monitor and evaluate its communication and consultation process to identify successes, lessons learned and potential improvements to help the process achieve its overall objectives and to enhance public confidence in the regulatory body.

4.54. These reviews should consider the expectations and opinions of interested parties, especially the technical and communications staff of the regulatory body. Other experiences at the national and international levels should be considered, keeping in mind that political, cultural and society differences may make it difficult for best practices in one country to apply easily in another. The regulatory body should actively ask interested parties for feedback. Their expectations and opinions may be collected via the regulatory body's website, emailing campaigns or more sophisticated tools, for example public surveys or satisfaction committees⁵.

⁵ Satisfaction committee consists of representative of regulatory body staff, the public and other relevant interested parties, including Media, NGOs and other administrations. During the meetings, committee members review the achievements for improving credibility, transparency and openness of the regulatory body and enhancing satisfaction levels.

5. COMMUNICATION AND CONSULTATION METHODS

5.1. Communication and consultation activities may require only the provision of information. This may range from no active participation to a more interactive participation, giving interested parties the possibility to better understand complex issues, to develop their understanding of the issue, to debate, to give their position and, in some instances, to collaborate with the regulatory body. Participation could be dialogue, consultation or collaboration or it could be combinations thereof, for example there can be elements of dialogue in a consultation and collaboration could be preceded by dialogue and consultation.

INFORMATION

General provisions for information

5.2. The regulatory body should routinely make as much information as possible available to the public relating to safety, including the radioactive risks associated with facilities and activities, and its independent role to protect people and the environment from harmful effects of ionizing radiation, its responsibilities and activities. Thus, legal and regulatory requirements, review and assessment conclusions, including critical comments, inspection programme, findings of inspections, regulatory decisions, etc. should be made proactively publicly available. The regulatory body may also inform the interested parties on its strategy plan, policies and management system.

5.3. The regulatory body should communicate on events which might affect safety. To ensure mutual understanding of the significance of the event, it is advisable to use the International Nuclear and Radiological Event Scale (INES) for promptly and consistently communicating to interested parties, the safety significance of events associated with sources of radiation. Based on the IAEA guidance, including the INES User's Manual [27], INES classifications should be carried out carefully to avoid inconsistencies. The INES scale should be explained to the public with more detail on the event/accident in question.

5.4. Specific attention should be taken to answer any question or any request for information from any interested party. A response should be delivered within a reasonable timescale.

5.5. Providing factual and official information should be an essential component, even a prerequisite to being transparent and open. Whatever the information delivered by the regulatory body, it should be understandable, reliable, based on facts and evidences, accessible, and provided in a timely manner. The regulatory body should be scrupulous in providing information, neither overstating nor understating the significance of the communicated information. Plain language should be used without adversely affecting the quality of the information. Special attention should be taken to avoid inconsistency of information delivered over time. Background information and key messages could be

developed to support consistency over time.

5.6. The regulatory body should ensure that documents created by its staff are developed and issued without improper influence, real or perceived by special stakeholders such as those regulated by the regulator.

Channels and Tools

5.7. Information should be conveyed through different communications channels which are either mass or targeted to specific audiences. Communication channels can be uncontrolled (journalist interviews, television program, Internet forum, etc.) or controlled (regulatory body website, brochures, educational film, etc.). Communication staff should manage the use of the regulatory body communication channels.

5.8. Information channels should be tailored to most easily reach specific audience and should be combined in a complementary manner considering that some people have only access to a limited number of tools to be informed and communicate. For instance, some of them might not have access to Internet or be able to use the Internet.

5.9. Different types of printed materials should be used to provide information such as information sheets, leaflets and brochures. In this regard, it is advisable to annually publish a report on safety to provide interested parties with, as much as possible, a comprehensive picture of the national safety infrastructure and the actual status of radiation and nuclear safety as well as on regulatory activities, decisions and judgements. The report should also present the regulatory activities performed to regulate safety and other regulator-related information. The annual report should be used as a basis to inform interested parties in a consistent manner.

5.10. The Internet is a very effective channel of communication. Unlimited quantities of information, widely accessible can be delivered through this channel. Furthermore, the information is easily kept updated and may be accessible in many languages. The regulatory body should use websites as one of the key tools to communicate with the public and other interested parties. This facilitates dissemination of updated information and collection of concerns, questions and comments. The regulatory body should also consider using other Internet tools such as social networks and forums.

5.11. Web-based tools used by the regulatory body (websites, social networks, on-line encyclopaedias, etc.) should be user-friendly, maintained up-to-date and used consistently. When using the web-based tools, it is important to be able to efficiently retrieve information and provide comments.

Restricted information

5.12. The extent to which information is made publicly available depends on the national legal and regulatory provisions. The regulatory body should conduct a review before public release of information to determine whether the information disclosure should be restricted for security reasons for instance. If the regulatory body provides general information to the extent possible and explains

the reasons for withholding any details, usually the interested parties will understand the need for such restrictions so long as these are used properly and not abused.

PARTICIPATION

General provisions for participation

5.13. Effective participation (dialogue, consultation, collaboration or a combination of them) of interested parties is essential to develop mutual understanding and clarify the issues in question. Participation should be a paramount component of a strategy of transparency and openness. The regulatory body should strongly encourage an effective participation at appropriate stages while options are still open. The input received may help the regulatory body to improve its own final decision and make it better understood, better accepted and finally better applied.

5.14. Proceeding step by step and setting limited goals for processes of participation may be beneficial and implementing such approach should be considered. If, on the other hand, the decision-making process is close to the final phase, the role of processes of participation should be more goal-oriented to support decision-making with clarifying of the remaining options.

5.15. In addition to other interested parties, when necessary, government representatives and local elected persons should also be invited and involved in the participation process with the aim to make them aware of the activities. Often they are the ultimate decision-makers and therefore they should be given the opportunity to get the best possible insight into interested parties' concerns and to clarify the decision-making framework and the rules for the formal process.

5.16. The relations between the participation process and the political, regulatory and other decision making aspects should be clarified as much as possible at an early stage.

5.17. Participation process should include discussions about the form and structure of the decision-making and regulatory processes as much as about its technical and scientific contents. It is necessary to allow for enough time for the process as there is a continuous need for feed-back and overview.

5.18. Professional organizers can be beneficial in implementing a participation process. They can bring new ideas and methods to make the process more effective. The responsible organisation of the participation process should be aware of different approaches and should define its own purpose with the process of participation in order to be able to choose the best approach for the situation at hand. In some countries, legal and regulatory provisions exist to identify and assign independent organizers for regulatory consultation, for instance during licensing process.

5.19. During a participation process, it should be considered professional facilitators to conduct public meetings and other specific events in an efficient and impartial manner. This applies especially to the discussions on contentious issues such as selection of a nuclear installation site or renewal of an operating licence. It should be also useful to consider a third party to attend a meeting to provide a

neutral perspective to dialogue and to facilitate mutual understanding.

5.20. It can be beneficial to the process development, both for practical work and research, to include foreign experts in related fields to obtain broader perspectives. The aim should be to systematically involve experience, views and comparisons with similar situations in other countries.

5.21. The possibility to form new initiatives and to take part in processes of participation may be dependent on resources. Therefore, arrangements to provide some stakeholders with funding to be able to contribute to participation processes may be considered.

Dialogue

5.22. In some cases, to increase the effectiveness of communication, a genuine dialogue between the regulatory body and interested parties, meaning exchanges of information based on discussions between two or more parties as equals and with respect, should be established. Then the regulatory body will better understand the needs, concerns and interests of the interested parties and the role of regulatory body, its views and positions, and safety issues can be better understood. Even if no consensus is expected at the end of the process, every participant should have possibility to give, express and discuss its positions and views to develop a mutual understanding.

5.23. The organizers of a participation process, rather than simply wishing to inform the public about nuclear safety matters, should be committed to involving the public and assisting them to recognize their own stakes. Organizers should strive to organize an effective dialogue between participants and then to implement a safe space to ensure an open and meaningful dialogue. They should not only assist in defining the context of the proposed process of participation, they may also be crucial for how concerned parties are constituted, and what role they are assumed to play in the process of participation.

5.24. Public meetings may be conducted at national or local level as part of the process of dialogue. They allow direct verbal communication between participants and facilitate to share information, discuss, mutually understood developments and, in case of public hearings, obtain comments and opinions. For example, for regulatory consultation, public meetings should be typically required. To gain maximum benefits from a public meeting, it is important to thoroughly prepare it. The targeted interested parties should be informed in a timely manner regarding the scope, purpose, planning, venue and agenda of the meeting. It is also important to pay attention to the conduct of the meeting to ensure fruitful dialogue between participants.

5.25. To ensure an open and meaningful dialogue, the establishment of a “safe space”⁶ for discussion

⁶ A “safe space” is a process in which all interested parties can participate without fear of reprisal or having committed themselves to any kind of consensus building. Within the regulatory body, safe spaces may be also

should be considered, for exchange of views and for explaining issues and positions. This may include seminars, workshops, meetings or more structured events such as hearings. Such a safe space approach should give the possibility to the interested parties, whether they have pre-established positions of not, to improve their own knowledge of the issue, to express their own positions and to actively participate in the debate. According to the complexity or sensibility of the issue, the process may take time and require multiple exchanges. In this case, neither a final decision, nor consensus is expected to be reached.

5.26. Sometimes interested parties have blocked positions already at an early stage which makes it difficult to establish a fruitful two way dialogue. It is then important to establish working formats, such as safe space already mentioned above, that allow all stakeholders to participate and dialogue without further positioning themselves.

5.27. Different options exist to establish a safe space: it may be a meeting or a more structured event like hearings tailored for the purpose of clarification of issues and arguments, seminars, workshops, etc. According to the complexity or sensibility of the issue, the process may take time and may need to organize several hearings, meetings, seminars or workshops.

5.28. A specific arrangement, agreed by participants, should be followed in terms of time, venues, discussion management, facilitation of the debate, credibility of the process itself and reports of the discussion in order to give a dialogue process better chance to succeed. A reference group with broad representation, based on a formal agreement between the participating stakeholders, may also enhance the credibility of the process itself. The involvement of external resources (professional organizers, mediators, facilitators, foreign experts, etc.) could be considered to help implementing fruitful dialogues.

Consultation

5.29. In accordance with legal and regulatory provisions such as those related to licensing process, the regulator should consult interested parties. In addition to the legal and regulatory consultation, the regulatory body should also consider asking for inputs for other issues such as for complex or major topics (e.g., when drafting legislations or regulations).

5.30. For each of the different stages of consultation, many communication channels and tools should be used. Two specific channels seem particularly adapted to consultation, especially for consulting with the public: Internet and meetings. Channels and tools should be combined for the same consultation. In case of public meetings, the roles and responsibilities of each concerned party have to

organized for internal purposes (e.g., raise the safety awareness of the staff or contribute to facilitate a common understanding of strategy and objectives for safety of the regulatory body).

be explained and understood by all the participants.

5.31. Consultation should include several different stages which should be followed to comply with legal and regulatory requirements and to give the process better chance to succeed. To design a consultation procedure, the followings should be considered:

- Clarification of consultation objectives;
- Identification of targeted interested parties;
- Identification of applicable legal and regulatory requirements;
- Establishment of planning and time-frames which should be sufficient for effective participation and should be adapted according to the nature of the targeted stakeholders;
- Preparation of relevant documents to be published or otherwise made publicly available;
- Establishment of mechanisms and tools to consult with interested parties and for them to comment, directly or through representative consultative bodies;
- Public meetings, formal hearings and other appropriate means of communications which should be announced well in advance or at least a reasonable period of time before meetings or hearings take place; they should be open to the public, media and other interested parties;
- Arrangements to review and assess the result of the consultation in order to consider them as far as possible; and
- Provisions to consider the result in the decision-making process.

5.32. For clarification and mutual understanding purposes, the regulatory body should meet the concerned applicants or authorised parties, relevant governmental authorities and agencies before ‘officially’ launching the consultation.

5.33. A consultation process should start by initial information provided to targeted stakeholders by the regulatory body to have a better chance for them to be actively involved in the process even if the degree of their involvement depends significantly of their own interests. This information should include clear explanation on the consultation-associated issue (e.g., new regulation, licensing decision, emergency preparedness and response), the consultation process (planning and timescale, activities such as public meetings, and Internet uses) including the way the final decision will be made.

5.34. Stakeholders should have the possibility to access all information (e.g., safety assessment report, regulation draft, position draft and guide draft) related to the consultation, free of charge. Interested parties should have the possibility to comment freely, be given sufficient time and the right to know how their comments will be taken into account in the process.

5.35. The arrangements implemented for consultation should allow interested parties to submit, in writing or, as appropriate, at public hearings, meetings or inquiries with the applicant for licence or the authorised parties, any comments, information, analyses or opinions that they consider to be relevant.

5.36. The regulatory body should take into account the outcome of consultation. The result of

interested parties participation and how it has been considered should be made publicly available.

5.37. The regulatory body should inform interested parties promptly of the decision in accordance with the appropriate procedures and make accessible to the public the text of the decision along with the reasons and considerations on which the decision is based.

Collaboration

5.38. To explore potential solutions to regulatory issues, such as the development of regulations, policies and guidance, a collaborative process may be implemented to directly involve different administrative organisations and other interested parties. Thus, involved interested parties become active participants and even partners in a regulatory process with a focus on finding common ground.

5.39. Different mechanisms should be used to make a collaborative process efficient. Those mechanisms should encourage dialogue among participants to develop a mutual understanding and to give them the opportunity to provide, discuss and debate the perspectives of all participants. In the discussion, the concerns and interests behind the participants' positions on the issues should be identified. This allows the participants to find common ground in the resolution of the issues.

5.40. Before starting a collaborative process, the scope, objective, main steps, timescale, and participants should be established but need to stay flexible.

5.41. A collaborative process may include task groups made of a limited number of representatives of concerned parties. A task group is beneficial to develop a draft solution prior to broaden the collaborative process. The process may also be conducted in a facilitated “roundtable” format where the invited representatives explore the regulatory issues according to a structured agenda. As opposed to “town hall” meeting formats, the use of the roundtable format encourages dialogue among the representatives at the table (usually fifteen to twenty participants). These working formats facilitate dialogue and discussion in order to identify areas of agreement and disagreement and to find a common solution.

APPENDIX I: EXAMPLE OF COMMUNICATION STRATEGY TEMPLATE

“A communication strategy should be developed and implemented considering the role and functions of the regulatory body as well as its overall aim to improve transparency and openness and contribute to increased public confidence. This strategy should be integrated within the overall strategy for safety of the regulatory body.”

TITLE, Period of validity

Introduction and purpose

Effective communication and consultation with interested parties, both internal and external, is essential for the regulatory body’s success. A regulatory body will never convince all interested parties of the correctness of its actions, but through effective communication and consultation it can build public confidence by making its efforts to protect the people and the environment more open and transparent.

The purpose of the strategy and the vision of the regulatory body should be described for the long-term. The values of the organization may be also highlighted under this section. Transparency and openness should guide the strategy in order to increase interested parties confidence in the regulatory body.

Communication challenge

The regulatory body cannot stay silent until regulatory decisions have been made. It needs to establish suitable way of interaction with the interested parties. In this interaction, the regulatory body should be observant for challenges which may appear such as:

- Avoid being seen as part of the “nuclear establishment”;
- Participation while maintaining independence and integrity; and
- Communication versus time constraints and resources.

Communication objective

Communication and consultation with interested parties should be implemented for the purpose of including and not limited to the followings:

- To gain trust and confidence from interested parties and to promote mutual understanding among regulatory body and interested parties;
- To respond concerns of interested parties; and
- To inform the regulatory processes.

Key messages

The top three or four key messages should be identified in order to be conveyed throughout all of the communications activities conducted by the regulatory body.

Interested parties

The regulatory body should identify its key stakeholders that the communications strategy will reach through the implementation of the strategy.

Communication strategy

It describes how the communication and consultation can help to achieve the mission and the vision of the regulatory body.

- For internal interested parties, it may address for example the improvement of the communication and consultation system, the support of organizational changes within the agency and the promotion of the safety culture, transparency and openness.
- For external interested parties, it may address for example: dialogue with the public, engagement of the news media, participation of industrial forum and establishment of international relation with relevant organizations.

Evaluation

There is a need to outline how the regulatory body evaluates its communications and consultation process and how it will incorporate or adjust its strategy as required.

APPENDIX II: EXAMPLE OF COMMUNICATION PLAN TEMPLATE

“For an effective and efficient implementation of the communication and consultation process, a communication plan should be established as part of an integrated strategy for achieving transparency and openness. A communication plan is a key tool to properly address a specific issue and to use efficiently the human and financial resources available for communication and consultation with interested parties.”

TITLE and date

Key messages

A bulleted list of limited number of main messages you would want to convey to interested parties. Each should be no longer than two sentences (three at very most) and should be written in plain language. They are NOT a duplicate of the regulatory body’s strategic goals.

Background

This is a brief history of the issue and why the plan is needed. It should be as long as necessary to be helpful to people not fully immersed in the topic, but not so detailed as to be unwieldy and thus not useful. Relevant legal and regulatory provisions should be included.

Audience

List of interested parties, including those within the regulatory body, who should be targeted by the communication and consultation tools listed later in the plan. This can list their concerns, expectations and perspectives.

Communication Team

List the names and contact information of the staff member responsible for the implementation of the communication plan.

Identify the team leader and back-up. The team should typically consist of: relevant individuals who work on the issue and the relevant communication staff. Do not list people who don’t know they are part of your team.

Communication channels and tools

The number and type of tools will depend on the message, audience, timing, resources and legal and regulatory requirements.

They could include:

Meetings	Press releases	Frequently asked questions	Brochures
Talking points	Fact sheet	Web pages	Speeches
Direct mail	Phone calls	Reports	Social media
Advertisements	Newsletters	Posters/fliers	Videos

Transcripts Press conferences forum, seminars annual report

Public information centre

Communication staff should be consulted about whether or not a press release is necessary.

Schedule

This is useful to ensure activities are well coordinated within regulatory body or with notifications of different stakeholders. The schedule should detail communication and consultation activities.

Challenges

An optional element that underscores specific challenges the plan should address, including potential controversies, pre-identified critical public groups, important timing elements, etc. Identified challenges should be linked to specific steps being taken to overcome the challenge.

Evaluation

An element that can attempt to identify the successes and lessons learned which would be documented.

Questions & Answers

While not necessary for all plans, if communication staffs believe they will get questions from interested parties, these should be developed. The communication staffs can develop the questions – including hard questions the team may not be inclined to want to answer. Technical experts of the communication team develop the answers.

The answers should be written in plain, conversational language. Additional technical or supporting information can be provided in separate sentences or bullet points as background.

REFERENCES

- [1] INTERNATIONAL ATOMIC ENERGY AGENCY, Fundamental Safety Principles IAEA Safety Standards Series No. SF-1, Vienna (2006).
- [2] INTERNATIONAL ATOMIC ENERGY AGENCY, Governmental, Legal and Regulatory Framework for Safety, IAEA Safety Standards Series No. GSR Part 1, Vienna (2010).
- [3] INTERNATIONAL ATOMIC ENERGY AGENCY, Preparedness and Response for a Nuclear or Radiological Emergency, IAEA Safety Standards Series No. GS-R-2, Vienna (2002).
- [4] INTERNATIONAL ATOMIC ENERGY AGENCY, The Management System for Facilities and Activities, IAEA Safety Standards Series No. GS-R-3, Vienna (2006).
- [5] INTERNATIONAL ATOMIC ENERGY AGENCY, Radiation Protection and Safety of Radiation Sources, IAEA Safety Standards Series No. GSR Part 3 (Interim), Vienna (2011).
- [6] INTERNATIONAL ATOMIC ENERGY AGENCY, Safety Assessment for Facilities and Activities, IAEA Safety Standards Series No. GSR Part 4, Vienna (2009).
- [7] INTERNATIONAL ATOMIC ENERGY AGENCY, Predisposal Management of Radioactive Waste, IAEA Safety Standards Series No. GSR part 5, Vienna (2009).
- [8] INTERNATIONAL ATOMIC ENERGY AGENCY, Safety of Research Reactors Safety Requirements, IAEA Safety Standards Series No. NS-R-4, Vienna (2005).
- [9] INTERNATIONAL ATOMIC ENERGY AGENCY, Safety of Nuclear Fuel Cycle Facilities Safety Requirements, IAEA Safety Standards Series No. NS-R-5, Vienna (2008).
- [10] INTERNATIONAL ATOMIC ENERGY AGENCY, Disposal of Radioactive Waste Specific Safety Requirements, IAEA Safety Standards Series No. SSR-5, Vienna (2011).
- [11] INTERNATIONAL ATOMIC ENERGY AGENCY, Regulations for the Safe Transport of Radioactive Material, IAEA Safety Standards Series No. SSR-6, Vienna (2012).
- [12] INTERNATIONAL ATOMIC ENERGY AGENCY, Regulations for the Safe Transport of Radioactive Material for protecting people and the environment, IAEA Safety Standards Series No. TS-R-1, Vienna (2005).
- [13] INTERNATIONAL ATOMIC ENERGY AGENCY, Remediation of Areas Contaminated by Past Activities and Accidents, IAEA Safety Standards Series No. WS-R-3, Vienna (2003).
- [14] INTERNATIONAL ATOMIC ENERGY AGENCY, Decommissioning of Facilities Using Radioactive Material Safety Requirements, IAEA Safety Standards Series No. WS-R-5, Vienna (2006).

- [15] INTERNATIONAL ATOMIC ENERGY AGENCY, Organization and Staffing of the Regulatory Body for Nuclear Facilities, IAEA Safety Standards Series No. GS-G-1.1, Vienna, 2002.
- [16] INTERNATIONAL ATOMIC ENERGY AGENCY, Review and Assessment of Nuclear Facilities by the Regulatory Body, IAEA Safety Standards Series No. GS-G-1.2, Vienna, 2002.
- [17] INTERNATIONAL ATOMIC ENERGY AGENCY, Regulatory Inspection of Nuclear Facilities and Enforcement by the Regulatory Body, IAEA Safety Standards Series No. GS-G-1.3, Vienna, 2002.
- [18] INTERNATIONAL ATOMIC ENERGY AGENCY, Documentation for Use in Regulating Nuclear Facilities Safety Guide, IAEA Safety Standards Series No. GS-G-1.4, Vienna, 2002.
- [19] INTERNATIONAL ATOMIC ENERGY AGENCY, Regulatory Control of Radiation Sources, IAEA Safety Standards Series No. GS-G-1.5, Vienna, 2004.
- [20] INTERNATIONAL ATOMIC ENERGY AGENCY, The Safety Case and Safety Assessment for the Predisposal Management of Radioactive Waste, IAEA Safety Standards Series No. GSG-3, Vienna, 2013.
- [21] INTERNATIONAL ATOMIC ENERGY AGENCY, The Safety Case and Safety Assessment for the Disposal of Radioactive Waste, IAEA Safety Standards Series No. SSG-23, Vienna, 2012.
- [22] INTERNATIONAL ATOMIC ENERGY AGENCY, Application of the Management Systems for Facilities and Activities, IAEA Safety Standards Series No. GS-G-3.1, Vienna (2006).
- [23] INTERNATIONAL ATOMIC ENERGY AGENCY, Licensing Process for Nuclear Installations Specific Safety Guide, IAEA Safety Standards Series No. SSG-12, Vienna (2010).
- [24] INTERNATIONAL ATOMIC ENERGY AGENCY, Establishing the Safety Infrastructure for a Nuclear Power Programme, IAEA Safety Standards Series No. SSG-16, Vienna (2012).
- [25] INTERNATIONAL ATOMIC ENERGY AGENCY, Communication Planning by the Nuclear Regulatory Body, IAEA Safety Reports Series No 24, Vienna (2002).
- [26] INTERNATIONAL ATOMIC ENERGY AGENCY, Handbook on Nuclear Law, Vienna (2003).
- [27] INTERNATIONAL NUCLEAR SAFETY GROUP, Stakeholder Involvement in Nuclear Issues, INSAG-20, Vienna (2006)
- [28] INTERNATIONAL ATOMIC ENERGY AGENCY, IAEA Safety Glossary: Terminology Used in Nuclear Safety and Radiation Protection, Vienna (2007).

- [29] INTERNATIONAL ATOMIC ENERGY AGENCY, INES: The International Nuclear and Radiological Event Scale Manual, IAEA Safety Standards Series, Vienna (2008).
- [30] INTERNATIONAL ATOMIC ENERGY AGENCY, Stakeholder Involvement throughout the Life Cycle of Nuclear Facilities, IAEA Nuclear Energy Series NG-T-1.4., Vienna (2011).
- [31] INTERNATIONAL ATOMIC ENERGY AGENCY, An Overview of Stakeholder Involvement in Decommissioning, IAEA Nuclear Energy Series NW-T-2.5., Vienna (2009).
- [32] INTERNATIONAL ATOMIC ENERGY AGENCY, Operations Manual for Incident and Emergency Communications, EPR-IECOMM, IAEA, Vienna, (2012).
- [33] INTERNATIONAL ATOMIC ENERGY AGENCY, IAEA Report on Enhancing Transparency and Communication Effectiveness in the Event of a Nuclear or Radiological Emergency, International Experts Meeting, 18–22 June 2012, International Atomic Energy Agency, Vienna (2012).
- [34] INTERNATIONAL ATOMIC ENERGY AGENCY, Arrangements for Preparedness for a Nuclear or Radiological Emergency, IAEA Safety Standards Series, Vienna (2007).
- [35] INTERNATIONAL ATOMIC ENERGY AGENCY, Nuclear Security Culture, IAEA Nuclear Security Series No.7, Vienna (2008).

CONTRIBUTORS TO DRAFTING AND REVIEW

Ahmed B.	Ministry of Environment; Radiation Protection Centre, Iraq
Ali F.	Atomic Energy Licensing Board, Malaysia
Alonso Gonzalez I.	Centro Nacional de Seguridad Nuclear, Cuba
Andersson K.	KARITA Company, Sweden
Aoyama Y.	Nuclear Regulation Authority, Japan
Baldassarri P.	Company SOGIN, Italy
Babakhani A.	Iranian Nuclear Regulatory Authority, Islamic Republic of Iran
Besenyei E.	Hungarian Atomic Energy Authority, Hungary
Bouchot, E	Autorité de sûreté nucléaire, France
Brenner, Eliot	Nuclear Regulatory Commission, United States of America
Busto A.	International Atomic Energy Agency
Chanal L.	Autorité de sûreté nucléaire, France
Gibb T.	Nuclear Safety Commission, Canada
De Jesus T.	Philippine Nuclear Research Institute, Philippines
El Messiry A.	Nuclear and Radiological Regulatory Authority, Egypt
Hueber S.	Swiss Federal Nuclear Safety Inspectorate, Switzerland
Jovanovic S.	University of Montenegro, Montenegro
Jubin J.-R.	International Atomic Energy Agency
Khartabil H	International Atomic Energy Agency
Koteng A.	Radiation Protection Board, Kenya
Lima C.	National Nuclear Energy Commission, Brazil
Lorenz P.	Friends of the Earth Organisation, Austria
Lyons J.	International Atomic Energy Agency
Maoddi P.	Company SOGIN, Italy
Miro L.	International Atomic Energy Agency
Molnar A.	Hungarian Atomic Energy Authority, Hungary
Morozov S.	State Committee on Nuclear Power Industry Supervision, Russia Federation

Mueller A.	Swiss Federal Nuclear Safety Inspectorate, Switzerland
Molin A.	Federal Ministry of Agriculture, Forestry, Environment and Water Management, Austria
Mughal N.	International Atomic Energy Agency
Muner R.	Federal Ministry of Agriculture, Forestry, Environment and Water Management, Austria
Muraj I.	Institute of Public Health, Albania
Muskens P.	International Atomic Energy Agency
Nicic Adriana	International Atomic Energy Agency
Ouedraogo, A.	Autorité nationale de radioprotection et de sûreté nucléaire, Burkina Faso
Petit, Evangelia	Autorité de sûreté nucléaire, France
Riveros D.	Ministerio de Minas y Energía, Colombia
Samaddar S.	International Atomic Energy Agency
Satriawan, B.	Nuclear Energy Regulatory Agency, Indonesia
Schroeder C.	European Commission
Shadad I.	International Atomic Energy Agency
Tschurlovits M.	Atomic Institute – Technical University of Vienna, Austria
Videla L.	International Atomic Energy Agency
Wieland P.	National Nuclear Energy Commission, Brazil
Zemanova D.	Nuclear Regulatory Authority of the Slovak Republic, Slovakia

BODIES FOR THE ENDORSEMENT OF IAEA SAFETY STANDARDS

DRAFT