Council of the European Union

Brussels, 13 May 2025
(OR. en)

8522/25

Interinstitutional File:
2025/0060(NLE)

RECH 186
ATO 26

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the adoption of the 2024-2027 high flux reactor supplementary research programme at Petten to be implemented by the Joint Research Centre for the European Atomic Energy Community

COUNCIL DECISION (Euratom) 2025/…

of …

on the adoption of the 2024-2027 high flux reactor supplementary research programme at Petten to be implemented by the Joint Research Centre for the European Atomic Energy Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 7 thereof,

Having regard to the proposal from the European Commission,

After consulting the Scientific and Technical Committee,

Whereas:

(1) The high flux reactor at Petten ('HFR') has been an important resource for the Community research on materials sciences and testing, nuclear medicine and reactor safety research in the field of nuclear energy.

(2) The operation of the HFR has been supported by a series of supplementary research programmes. The last supplementary research programme, which was established under Council Decision (Euratom) 2020/960[1] for a four year term, expired on 31 December 2023.

(3) Considering its continued importance as an irreplaceable infrastructure for Community research in the fields of improvement of nuclear reactors safety, health (including the development of medical isotopes for medical research), nuclear fusion, fundamental research, training and waste management (including the possibility to study the safety behaviour of nuclear fuels for reactor systems of interest to Europe), the HFR should continue to be supported by a supplementary research programme until the end of 2027.

[1] Council Decision (Euratom) 2020/960 of 29 June 2020 on the adoption of the 2020-2023 high flux reactor supplementary research programme to be implemented by the Joint Research Centre for the European Atomic Energy Community (OJ L 211, 3.7.2020, p. 14, ELI: http://data.europa.eu/eli/dec/2020/960/oj).

(4) Due to their special interest in the irradiation capabilities of the HFR, the *Nuclear Research and consultancy Group V.O.F* ('NRG') and the *Commissariat à l'énergie atomique et aux énergies alternatives* ('CEA'), as implementing agents for the Netherlands and France respectively, have agreed to finance the entire 2024-2027 HFR supplementary research programme through contributions to the general budget of the Union by way of external assigned revenue.

(5) Those contributions should finance the operation of the HFR in order to support a research programme and the regular operation and maintenance of the HFR. An official notification of definitive shutdown by the operator NRG to the Dutch national regulatory authority prior to the declaration of a safe conservation state should result in the suspension of payments that remain to be effected and in the suspension of any calls for funds by the Commission.

(6) In order to ensure continuity between the supplementary research programmes and the smooth operation of the 2024-2027 HFR supplementary research programme, this Decision should apply retroactively from 1 January 2024.

(7) The Board of Governors of the Joint Research Centre provided its prior opinion[2] pursuant to Article 4(2) of Commission Decision 96/282/Euratom[3],

HAS ADOPTED THIS DECISION:

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[2] Opinion of 7 November 2024.

[3] Commission Decision 96/282/Euratom of 10 April 1996 on the reorganization of the Joint Research Centre (OJ L 107, 30.4.1996, p. 12, ELI: http://data.europa.eu/eli/dec/1996/282/oj).

Article 1

The supplementary research programme on the operation of the High Flux Reactor at Petten ('the programme'), the objectives of which are set out in Annex I, is adopted for a period of four years, starting on 1 January 2024.

Article 2

The costs for the execution of the programme, estimated at EUR 26 815 000, shall be financed entirely through contributions from the Netherlands and France, through the *Nuclear Research and consultancy Group V.O.F* ('NRG') and the *Commissariat à l'énergie atomique et aux énergies alternatives* ('CEA'), respectively. The breakdown of this amount is set out in Annex II. Those contributions shall be considered as external assigned revenue in accordance with Article 21(2), point (a), of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council[4].

Article 3

1. The Commission shall be in charge of the management of the programme. To this end, it shall call upon the services of the Joint Research Centre.

2. The Commission shall keep the Board of Governors of the Joint Research Centre informed of the implementation of the programme.

[4] Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (OJ L, 2024/2509, 26.9.2024, ELI: http://data.europa.eu/eli/reg/2024/2509/oj).

Article 4

In the event that the NRG officially notifies the definitive shutdown of the High Flux Reactor to the Dutch national regulatory authority, prior to the declaration of a safe conservation state, the obligations on the part of the Netherlands and France, through the NRG and the CEA, respectively, to make further contributions shall be suspended as shall any calls for funds by the Commission under this Decision.

Article 5

The Commission shall submit a final report on the implementation of this Decision to the European Parliament and to the Council after the end of the programme.

Article 6

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2024.

Article 7

This Decision is addressed to the Member States.

Done at …, …

For the Council
The President

ANNEX I

SCIENTIFIC AND TECHNICAL OBJECTIVES

The main objectives of the programme are the following:

(1) to ensure the safe and reliable operation of the HFR, in order to guarantee the availability of the neutron flux for experimental purposes;

(2) to allow an efficient use of the HFR by research institutes in a broad range of fields: improvement of safety of nuclear reactors, health (including the development of medical isotopes), nuclear fusion, fundamental research and training and waste management (including the possibility to study the safety issues of nuclear fuels for reactor systems of interest to Europe).

ANNEX II

BREAKDOWN OF THE CONTRIBUTIONS

The contributions to the programme come from the Netherlands and France.

The breakdown of those contributions is as follows:

The Netherlands: EUR 26 215 000;

France: EUR 600 000;

Total: EUR 26 815 000.

Those contributions shall be made to the general budget of the Union and shall be assigned to the programme. Part of the contributions under the programme may also cover expenditure incurred in respect of the operation of the HFR during the year 2024 in accordance with the work programme to be agreed upon among contributing Member States and the Commission.

Those contributions are firm and not revisable as regards to the variations related to operational, maintenance and decommissioning costs.