Assessing Euratom: 50 years of European nuclear energy policy

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PURPOSE: to present a communication marking 50 years of the Euratom Treaty.

CONTENT: 25 March 2007 marks the 50th anniversary of the signing of the Treaties of Rome, the basis of the European Economic Community, now the European Community, and the European Atomic Energy Community, often referred to as Euratom. This anniversary provides an opportunity to consider the main 'Euratom rules' with a view to better future action.

The results of the activities conducted for 50 years under the auspices of the Euratom Treaty can be regarded as extremely positive. The Treaty has enabled the Community to carry out important activities in a strategic sector, in particular in terms of energy supply for the EU. It is recognised as having made significant achievements in the field of research, the protection of health, safeguarding the peaceful use of nuclear materials and international relations. Thanks to the Euratom Treaty, the Community is contributing to scientific progress through its support for research and innovation. It ensures the application of high radiation protection standards for the public and accompanies new initiatives in the nuclear field. It provides an overall approach to investments in this sector. It ensures regular and equitable supplies for users of nuclear materials in the Community and strictly safeguards the peaceful use of nuclear materials. It has become an international player in this sector.

The Euratom Treaty has formed the basis of Community activities relating to the nuclear power cycle as well as of other activities which use radioactive substances for research, industrial and medical purposes (research, radiation protection rules, etc). Euratom rules are therefore a factor in the everyday lives of the citizens of all the Member States.

The Commission has played a leading role, inasmuch as its powers have allowed, to propose and ensure that the Treaty's resources have been applied since 1 January 1958 in accordance with the needs of, and the situation in, the EU. In this effort, the Commission has been supported on numerous occasions by the judgments of the Court of Justice of the European Communities. The Commission has reacted in a particularly intensive manner during the last few years, for example, by proposing to supplement the Community legal framework for the safety and security of nuclear activities ("nuclear package") which the failure to secure a qualified majority in the Council always prevented from being adopted.

The longevity of the initial provisions of the Euratom Treaty shows how up-to-date several of them still are. Well after 1957, they inspired or anticipated the development of other fields of Community law, such as the provisions of the EC Treaty on research and technological development (framework programmes, joint undertakings, etc). Similarly, even if the institution of university status provided for in the Euratom Treaty (Article 9) has not yet been established as such, the Commission has been the driving force behind the development of the European Nuclear Education Network (ENEN). A qualification as European Master of Science in Nuclear Engineering is now available. With the Commission now proposing a regulation for the establishment of a European Institute of Technology on the basis of the EC Treaty, many lessons can be drawn from this experience in the nuclear field.

The Euratom inspections carried out since 1960 paved the way for Community inspectorates in other fields (air safety, maritime safety, etc). The provisions which permit Community surveillance of environmental radioactivity and recognise the parallel between the Community’s internal and external powers also bear witness to this.

The ongoing debate on the definition of European energy policy centred on competitiveness, security of supply and environmental concerns provides an opportunity to consider future Euratom action. Today, nuclear energy is a reality within the EU and elsewhere. The present race to secure energy resources presents new challenges for this energy source. The Euratom Treaty contains the main provisions which enable the EU to act in this field. Imperfect as it is, the EU, the Member States and the public need it.

In future, the application of the Euratom Treaty must continue to focus on nuclear safety and security. Recent enlargements have strengthened the diversity of the EU landscape in the field of nuclear energy and the need for Community action, as shown by the PINC adopted on 10 January 2007, in particular to ensure the protection of health and the environment and to avoid any malicious use of nuclear materials. Using the resources provided by the Euratom Treaty in this respect benefits all the Member States.

Similarly, the safety and security of nuclear installations and protection against ionising radiation in third countries are also very important issues. A new instrument for international cooperation in this field, based entirely on the Euratom Treaty, will soon be applicable. The Commission would stress that it is important to maintain a technological lead in the nuclear field and supports the development of the most advanced framework in this area, including in the fields of the safety and security of existing and future installations, nonproliferation, waste management and decommissioning. The Community will therefore be required to continue providing help to support the development of the nuclear industry and to guarantee compliance with the highest radiation protection, safety and security standards for all uses of radioactivity in order to help raise the standard of living and increase the quality of life of people in the EU, whatever forms of energy individual States may choose, as well as beyond the EU's frontiers in collaboration with third countries and international organisations.