Basic information

2006/2230(INI) INI - Own-initiative procedure	Procedure completed
Assessing Euratom: 50 years of European nuclear energy policy **Subject** 3.50.02.02 Euratom framework programme, research and training programmes 3.60.04 Nuclear energy, industry and safety	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ITRE Industry, Research and Energy	MALDEIKIS Eugenijus (UEN)	12/09/2006

Committee for opinion	Rapporteur for opinion	Appointed
AFCO Constitutional Affairs	VOGGENHUBER Johannes (Verts/ALE)	04/10/2006

European Commission

Commission DG	Commissioner
Energy and Transport	PIEBALGS Andris

Key events

Date	Event	Reference	Summary
28/09/2006	Committee referral announced in Parliament		
20/03/2007	Non-legislative basic document published	COM(2007)0124	Summary
27/03/2007	Vote in committee		Summary
10/04/2007	Committee report tabled for plenary	A6-0129/2007	
09/05/2007	Debate in Parliament		
10/05/2007	Decision by Parliament	T6-0181/2007	Summary
10/05/2007	Results of vote in Parliament		
10/05/2007	End of procedure in Parliament		

Technical information	
Procedure reference	2006/2230(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/6/38323

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE384.503	12/02/2007	
Amendments tabled in committee		PE386.343	06/03/2007	
Committee opinion	AFCO	PE384.564	23/03/2007	
Committee report tabled for plenary, single reading		A6-0129/2007	10/04/2007	
Text adopted by Parliament, single reading		T6-0181/2007	10/05/2007	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2007)0124	20/03/2007	Summary
Document attached to the procedure	SEC(2007)0347	20/03/2007	Summary

Assessing Euratom: 50 years of European nuclear energy policy

2006/2230(INI) - 20/03/2007 - Document attached to the procedure

This staff working document summarises the changes of the Euratom Treaty over the last 50 years and the actions carried out over this period to the present day with a view to developing a vision of Euratom's role in the future.

The context in which the Euratom Treaty came into effect is different to that which was envisaged during its negotiation. Among the changes appear, in particular, the discovery of oilfields and the facilitated accessibility to materials and nuclear technologies. The development of the nuclear sector has proven to be more fragmented and more marked by national character that that envisaged in 1957.

The acquis of the EAEC which was built, in a rather continuous and coherent way, is detailed in this document. This has evolved in a general way according to Community interest in the context of the development of the nuclear energy sector in the EAEC and the world.

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 changing situation in, the EU.

The changing nature of the actions can be summarised in 5 stages :

- 1958-1968: application of the Euratom Treaty by the European institutions in a less favourable context to Community action.
- 1969-1979: the rise of national and private nuclear programs in Europe following the 1st oil crisis. Co-operation with the IAEA and contribution to non-proliferation.

- 1980-1990: strengthening the social requirements with regard to nuclear issues. Response to the 2nd oil crisis. Reaction and lessons learned from the Three Mile Island (1979) and Tchernobyl accidents (1986).
- 1991-2001: participation in the revival of international co-operation in the nuclear field following the end of the USSR, especially for the safety of nuclear activities.
- 2002-2007: consideration of the role of Euratom Treaty in the Union, in particular to ensure the safety of nuclear activities in the context of the recent enlargement process, the liberalisation of the electricity markets and the debates on competitive based energy strategies, the security of the supply and the environmental issues related to climatic change.

Assessing Euratom: 50 years of European nuclear energy policy

2006/2230(INI) - 20/03/2007 - Non-legislative basic document

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.

Assessing Euratom: 50 years of European nuclear energy policy

2006/2230(INI) - 10/05/2007 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drawn up by Eugenijus **MALDEIKIS** (UEN, LT) entitled "Assessing Euratom - 50 Years of European nuclear energy policy". The report examined the extent to which the Euratom Treaty remains a suitable legal framework for nuclear energy activities and whether it can contribute to Europe's economic competitiveness, energy independence and security of supply.

50 years with the Euratom Treaty : since 1957 and the signing of the Euratom Treaty, the EU has become the world leader in the nuclear industry and one of the main actors in nuclear research in the fields of controlled thermonuclear fission and fusion. The EU nuclear industry's almost total command of the fuel cycle offers the Union, at this time of debate on energy dependence, guarantees of industrial and technological independence, particularly as regards fuel enrichment. Parliament pointed out that, thanks in particular to the Euratom Treaty, nuclear energy was producing, from 152 reactors spread across 15 Member States, 32 % of Europe's electricity. i.e. the largest share of non-carbon electricity in the EU. The founder countries of Euratom laid down a series of provisions in ten chapters with the aim of strictly containing the development of nuclear energy within the Community, and those provisions are still applicable. However, the 1957 consensus on nuclear energy no longer exists among the Member States. Expectations with regard to nuclear energy, to which the Euratom Treaty gave expression five decades ago, have changed. Those expectations now relate more to the need to have a sound legal framework to govern the supervision of the use of nuclear energy in the EU and to provide a framework for the integration into the EU of countries which use nuclear power. Parliament pointed to the achievements of the Euratom Treaty, which has made it possible to protect the public, workers and the environment against ionising radiation (Chapter III), to develop research in the areas of waste management and plant safety (Chapter I) and to implement safeguards in respect of fissile materials in Europe (Chapter VII). The legislation developed under Chapter III of the Euratom Treaty (on health protection) must remain under the responsibility of the EU in order to ensure that basic standards for the protection of workers and the general public are applied and extended to include the environment, and that it takes account in an evolutionary way of the results of international scientific studies. Safeguards (Chapter VII) are one of the major successes of the Euratom Treaty's application and provide the Commission with the means of ascertaining the stocks and movements of nuclear materials in the EU.

Parliament noted that the main provisions of the Euratom Treaty have not been amended since it entered into force on 1 January 1958. It confirmed that it is for each and every Member State to decide whether or not to rely on nuclear energy. Irrespective of the diversity of views on nuclear energy, the provisions of the Euratom Treaty that have helped prevent the proliferation of nuclear materials, and those which address health, safety and the prevention of radiological contamination, have been highly beneficial and should be carefully co-ordinated with the health and safety provisions of the EC Treaty.

Lacunae: Parliament regretted that the codecision procedure has not been taken into account in the Euratom Treaty, and felt that it was entitled to be formally involved in texts whose legal basis is the Euratom Treaty. It saw as evidence of an unacceptable democratic deficit the fact that Parliament was almost completely excluded from the Euratom legislative process and that it was consulted, and no more, on only one of the ten chapters of the Euratom Treaty. It also regretted the absence of a legislative corpus on harmonised standards for nuclear safety, the management of radioactive waste and the decommissioning of nuclear plants with real added value, particularly in comparison with the existing international framework.

Guidelines for the future: despite its imperfections, the Euratom Treaty remains an indispensable legal framework, not only for Member States who wish to develop their nuclear industry but also for Member States who merely wish to benefit from a protective legal arsenal for their populations and their environment. An intergovernmental conference should be convened to carry out a comprehensive revision of the Euratom Treaty, to repeal the outdated provisions of that Treaty, to maintain the regulatory regime of the nuclear industry at EU level, to revise the remaining provisions in the light of a modern and sustainable energy policy and to incorporate the relevant ones in a separate energy chapter. The EU should defend its industrial and technical leadership in the light of the vigorous revival by other actors of their nuclear activities (Russia, USA) and the emergence of new world actors on the nuclear stage (China and India) which will be the EU's competitors in the medium term. The absence of the legal framework provided by the Euratom Treaty would lead to the renationalisation of nuclear policy in Europe, and would give rise to a risk of legal uncertainty for all the 27 Member States.

Parliament felt that deleting one or more chapters from the Euratom Treaty or merging certain provisions into the EC Treaty would unbalance the Euratom Treaty as a whole by weakening the supervision of nuclear energy use in Europe. This requires the maintenance of a dedicated legal framework. Its partial incorporation into a hypothetical chapter on "Energy" in the EC Treaty would weaken the overall legal supervision of nuclear energy in Europe and remove the specific nuclear control procedures contained today in the Euratom Treaty. However, the Euratom Treaty needs to be somewhat reformed :

-there should be a revision of the decision-making procedures in the Euratom Treaty, which would enable Parliament to be closely involved through co-decision in legislative procedures in the nuclear field;

-in the context of a need to adapt European energy policy and extend the working lives of power stations, there is an urgent need to draw up robust legislation and adopt concrete measures at Community level in the fields of nuclear safety, the management of radioactive waste and the decommissioning of nuclear plants and to take steps to ensure that research and development promoting the safe use of nuclear energy receives as much attention and support as possible.

Parliament went on to call for the development of teaching and training programmes at European level in the nuclear field and for measures to secure the funding of ambitious research programmes, so as to respond to the challenges in the areas of fission and radiological protection. It encouraged the Commission to draw up really forward-looking PINCs for nuclear production and investment targets, in the global context of increasing competition in this sector, which would also take into consideration the aims of reducing greenhouse gas emissions.

Lastly, Parliament called for the role of the Euratom Supply Agency to be revived and for the powers conferred upon it by the Euratom Treaty to be used in full. That role should be regarded from the point of view of competitiveness and security of supplies, rather than uranium shortage, including the supply of fabricated nuclear fuel. The provisions of the Euratom Treaty give it the means of becoming a proper energy observatory in the nuclear field, and to that end, Parliament encouraged the current thinking on improving the status of the Euratom Supply Agency.