

# Nuclear safety in the EU

In the wake of the Fukushima disaster, there is renewed concern for nuclear safety in the EU.

## Nuclear energy in Europe

Europe is deeply divided over nuclear energy. A number of mostly smaller Member States (MS) strongly oppose it, but some others, such as France, rely heavily on nuclear for electricity. Overall, 31% of the EU's electricity comes from nuclear.

In response to rising oil prices and security of gas supply issues, in 2010 Germany granted clearance for seven older reactors which had been scheduled to close to continue operation for eight more years. After Fukushima, Berlin abruptly decided to shut them temporarily. This unilateral move angered European neighbours, who felt they should have been consulted.

## Safety in the EU

The EU's civil nuclear industry has never had a significant accident, but the Union's territory and people were adversely affected by radiation fallout from the 1986 meltdown at Chernobyl, Ukraine. This has had a lasting effect on Europeans' attitudes towards the technology. Even before the Japan accident, a majority of Europeans saw nuclear more as a threat than as a neutral source of energy.

### EU role in nuclear safety

After stumbling on strong MS resistance to an earlier, tougher, draft, the Commission established a working group in 2007, whose proposals eventually led to the adoption of the [Nuclear Safety Directive](#) (NSD) in 2009.

The NSD obliges MS to establish a safety body. It defines 'nuclear safety' and gives the Commission the right to start infringement procedures. Crucially, it vests ultimate responsibility for safety with the licence holders themselves. The Court of

Justice of the EU (CJEU) can fine a MS found to be in breach. This makes the CJEU the world's first supranational nuclear court.

Some of the provisions of the NSD, however, have been criticised as vague. For instance, it is unclear how the Commission will enforce rules on the independence of regulatory authorities. The NSD also does not cover nuclear waste disposal - an issue most Europeans feel the EU should act on.

This uncertainty explains the lack of clarity over the role the Commission will play in new "stress tests" to assess the safety of the EU's 143 civil nuclear power plants.

Unsafe facilities in the EU-12 were closed following accession negotiations. However, concerns remain over facilities in the Eastern Neighbourhood.

### Outlook

As more and more of the EU's reactors near the end of their life, hard decisions await on whether and how to replace them. Without relying on carbon-free nuclear, the EU's CO<sub>2</sub> emissions will likely increase. A strict EU policy on safety may be the industry's best hope of convincing sceptical citizens to accept Europe's nuclear future.

