



PRESS RELEASE

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The new EU energy package is not enough

The EURATOM Treaty must be abolished or reformed and A European Community for Renewable Energies and Energy Efficiency must be established as a modern version of The European Coal and Steel Community, if the green energy transition is to be accomplished.

On November 30th, The European Commission presented a comprehensive energy package. It is part of EU's climate and energy policy framework setting a target of at least 40% greenhouse gas emission reduction for 2030. Among others, the package comprises legislative proposals on energy efficiency, renewables, design of the electricity market, security of electricity supply, governance rules for the Energy Union, Ecodesign, and measures to promote private and public energy investments [1].

However, it is far from enough to secure the clean energy transition indicated by the Paris Agreement, if the 2° C goal is to be achieved [2]. Although it sets a binding 30% energy efficiency target for 2030 and give opportunities for citizens to generate, consume and store their own energy, it does not sufficiently encourage phasing out fossil fuels and nuclear power.

"If the so-called capacity mechanisms that do not distinguish between RES, nuclear power and fossil fuels in the baseload energy supply, are implemented, the whole clean energy transition comes under threat", says Palle Bendsen from NOAH FoE Denmark's Uranium Group. "The same is the case if new renewables are no longer given priority grid access. First and foremost, decentralised energy production by prosumers must be stimulated much more than anticipated in the energy package [3]. And it is essential that large scale bioenergy is not viewed as renewable [4]. The transition to a renewable energy system must be guided by the remaining carbon budget and the European Union's fair share thereof. As it is now, the energy transition is slowed down, because there is no real phase out of fossil fuels and nuclear power".

Discrimination of renewable energies starts at EU's institutional level: Nuclear power has its own Treaty - the EURATOM Treaty - singling out one energy source and one industry sector, which are treated differently from all other sectors, because EURATOM places a privileged status for direct and indirect EU and state funding on the nuclear industry [5]. Thus, any policy aiming at obtaining a level playing field for renewables in Europe would imply abolishment or reform of the Treaty. If that is not viable in the short or mid-term, unilateral withdrawal should be considered. It has long been established that this is legally possible [6].

"In any case, all possible political mechanisms at the European, including the European constitutional level, aiming at developing and disseminating renewable energy technologies, should be explored. The institutional prerequisite for a sustainable energy transition is A European Community for Renewable Energies and Energy Efficiency as a modern version of The European Coal and Steel Community", says Niels

Henrik Hooge from FoE Denmark's Uranium Group. "Earlier this year, the Austrian government put forward a proposal for a protocol, which is to be attached to the Lisbon Treaty as an annex. The aim is to consolidate the energy transition in EU's constitution. The proposal constitutes a fully prepared treaty draft, based on the Energy Union. The proposal is supported by several EU member states, but has not yet been discussed in the Danish Parliament". [7]

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Notes:

[1] Press release, European Commission: Clean Energy for All Europeans – unlocking Europe's growth potential, 30 November 2016: http://europa.eu/rapid/press-release_IP-16-4009_en.htm

[2] NOAH Friends of the Earth Denmark, Consultation on the EU Green Paper, "A framework for climate and energy policy until 2030", 29 June 2013: https://noah.dk/sites/default/files/2016-12/2013-06-29_NOAHs_response_EU_Green_Paper_2030_ENG_final.pdf

[3] A recent study finds that 112 million prosumers ("production by consumers") could meet 19 per cent of Europe's electricity demand by 2030. By 2050, over 264 million European prosumers, or half of all citizens in the European Union, could meet as much as 45 per cent of Europe's electricity demand, cf. CE Delft: The potential of energy citizens in the European Union, September 2016: <http://www.foeeurope.org/potential-energy-citizens-european-union-260916>

[4] Biofuelwatch, Corporate Europe Observatory, EcoNexus, Global Forest Coalition, NOAH-Friends of the Earth Denmark, Rainforest Rescue/Rettet den Regenwald, Transnational Institute, World Rainforest Movement: Declaration: Large-scale bioenergy must be excluded from the renewable energy definition, November 2015: <http://wrm.org.uy/other-relevant-information/declaration-large-scale-bioenergy-must-be-excluded-from-the-renewable-energy-definition/>

[5] Conference documentation, Energy Intelligence for Europe, The Euratom Treaty and Future Energy Options: Conditions for a Level Playing Field in the Energy Sector, Copenhagen, September 2005: <http://energyintelligenceforeurope.dk/documentation.html>

[6] E.g see: Prof. Dr. Bernhard Wegener: Die Kündigung des Vertrages zur Gründung der Europäischen Atomgemeinschaft (EURATOM), Europa-, völker- und verfassungsrechtliche Optionen der Bundesrepublik Deutschland mit grünen Schlussfolgerungen aus dem Euratom-Gutachten, März 2007: <http://www.gruene-bundestag.de/cms/publikationen/dokbin/170/170871.pdf>

[7] Draft Protocol Annexed to The Treaty on European Union and The Treaty on the Functioning of the European Union on the Energy Transition and to Promote Environmentally Friendly Forms of Energy in the European Union: https://noah.dk/sites/default/files/2016-12/Protocol%20on%20energy%20transition_0.pdf

For general information on these issues, see: Niels Henrik Hooge: EU som Europæisk Fællesskab for Vedvarende Energi og Energieffektivitet, Kritisk Debat 17/10 2016: http://kritiskdebat.dk/articles.php?article_id=1747