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Options for EU Treaty Change in the Energy

Switch of the Treaty Establishing the European Atomic Energy Community into a Treaty on Renewable Energy, Energy Efficiency and Energy Conservation

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Options for EU Treaty Change in the Energy
Field

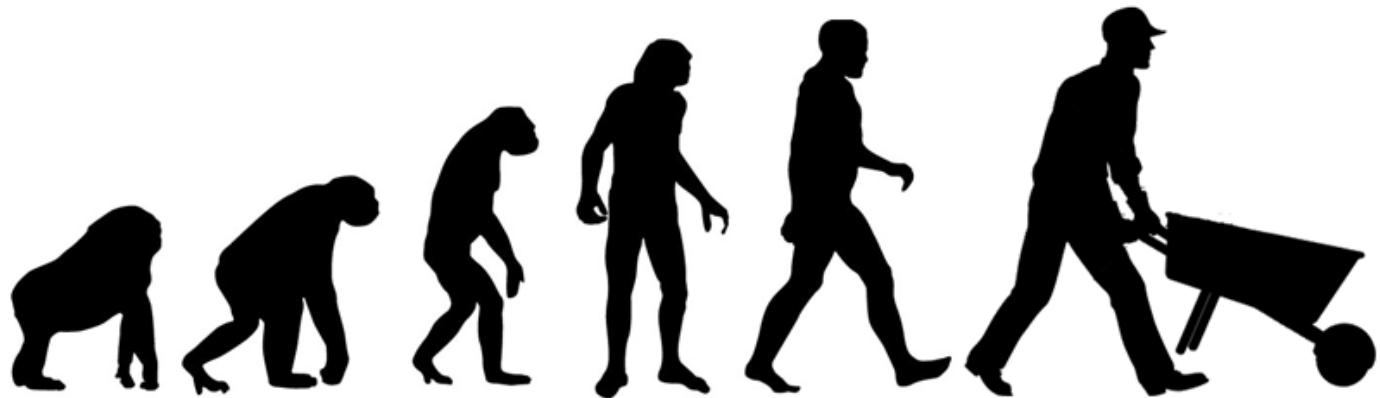
This Is not The Idea!



This Is The Idea: Renewable Energy Inhales Nuclear Energy



TO DO Through **EVOLUTION** Instead Of REVOLUTION



EVOLUTION

THE BULLVINE: EVOLUTION VS REVOLUTION

What Means The EURATOM-TREATY?

- Creation of a Separate Regional International Organisation
- Linked to European Union (EU) by Administration of the Same Bodies, but Since Treaty of Lisbon No Common Roof Anymore
- Give A Privilege to Nuclear Energy Compared to All Other Types of Energy
- Exempt Nuclear Energy From Ordinary EU Regime, thereby hiding particular issues (eg risks: precautionary principle, waste: impossibility of safe storage , real costs: nuclear energy not competitive to any other form of energy)

Purpose of Protocol

- Gradual Replacement of **EURATOM** by EU Focussing on Renewable Energy
- Gradual Phasing Out from Nuclear Energy all over EU-Europe
- Gradual Liquidation of EURATOM
- Provision of Safety Guarantees for Phasing Out Period
- Gradual Transition of Nuclear Phasing Out Into General EU Energy System
- End of Process: EU Covers All Energy and All Energy Is Renewable – Nuclear Energy Is Neither Renewable, Nor Sustainable

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New

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Preamble

Current

- Nuclear Energy Is Essential Source for Development of Industry and Advancement of Peace
- Convinced of Advantage of Joint Effects
- Creation of Conditions for Powerful Nuclear Industry
- Creation of Conditions of Safety
- International Cooperation

New

- Promotion of Sustainable Development
- Awareness of Significance of Environmental Protection as a Cross-sectional Task of the EU
- High Level of Protection of Common Environmental Policy, Based on the Precautionary Principle and on the Principles that Preventive Action should be taken, Environmental Damage should, as a priority, be Rectified at Source and that the Polluter should Pay
- Safeguarding the Functioning of the Energy Market, Guaranteeing of the Security of Energy Supply of the Parties, Promotion of Energy Efficiency and Energy Savings, Development of New and Renewable Energy Sources and their Integration into the Market, Promotion of the Interconnection of Energy Networks
- Ensuring Safe, Environmentally Friendly and Sustainable Energy Production in Europe

Preamble continued/1

Current

- No other

New

- Strategic Orientation towards Smart, Sustainable and Integrative Growth
- Higher Flexibility of Common Energy Market, both on the Supply and Demand Side, in order to Prepare the Market Comprehensively for the Integration of Renewable Energy Sources
- Aware of Positive Effects on Regional and Local Development Possibilities, Export Opportunities, Social Cohesion and Employment Opportunities, particularly for SMEs and Independent Energy Producers
- Acceptance of Public Action to Support innovation in the Energy Sector
- Commitment to Energy Efficiency and Energy Savings
- Commitment to the Objectives of a Careful and Rational Use of Natural Resources and towards the Promotion of Measures at an International Level to Combat Climatic Change

Preamble continued/2

Current

- No other

New

- Reduction of green house gases by 80% to 95% below 1990 levels by 2050 in order to limit global warming to below 2 °C
- Promotion of a fast and consistent decarbonisation of energy production and integration of all costs of a carbon-based energy production
- DETERMINED to achieve the Parties' joint long-term political targets relating to environmental protection, climate and security of energy supply, even with regard to Europe's external energy policy relationships.
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Redefinition of Tasks of EURATOM and Enlargement of Tasks of EU / Title II

- EURATOM to Prepare to dissolution by the proposed date of 31 December 2040
- All current tasks of EURATOM redirected towards support of phasing out from nuclear energy by that date
- EU`s Tasks under arts 11 and 191 – 194 used to support dissolution of EURATOM, eg by
 - Creation of energy transition
 - Ensure secure, environmentally friendly, sustainable and affordable energy supply in Europe by means of renewable energies
 - Promote energy savings and energy efficiency
 - Promote respective research, etc.

Other Measures Supportive to Dissolution of EURATOM

- Nuclear Research under the Responsibility of the Commission redirected towards Phasing-Out Process
- Joint Nuclear Research Centre to be Changed to Joint Research Centre on Withdrawal from Nuclear Energy with tasks redefined accordingly
- Licenses under EURATOM patents directed towards Phasing-Out Process
- Current articles 24 – 28 on Security and 52 as to Supplies, as well as 70 – 72 on Supply Policy and 76 on Derogatory Power of Council to be abolished
- Investment measures and joint undertakings redirected towards Phasing-Out Process
- Agency to be liquidated and until liquidation current activities, rights and obligations, as far as not redirected towards Phasing-Out Process
- Excess special fissile materials to be decontaminated and finally stored

Key Provisions for Dissolution of EURATOM

- Upon expiry of EURATOM all ownership of EURATOM shall automatically become ownership of the EU
- No special provisions on nuclear common market (articles 92 and 93 abolished)
- New Title IV on Encouragement of progress in the field of renewable energies, energy efficiency and energy saving, including Chapter 8 on Promotion of respective Research and therein a European Research and Training Programme for Renewable Energy Sources, Energy Efficiency and Energy Saving” “EURENEWENERGY” (articles 87 f new) and respective Joint Undertakings (article 89), Chapter 9 on Dissemination of Research and Chapter 10 on Promotion of Investment
- Title IV Chapter 11 on Renewable Energy Sources
 - Targets and Action Plans
 - Energy Market
 - Energy Efficiency and Energy Savings

Key Provisions for Dissolution of EURATOM continued

- Title IV Chapter 12 on Financing and Competition as to Renewable Energy Sources
 - Financing Instruments
 - State Aid
 - Public Procurement
- Creation of a COMMITTEE TO PROMOTE ENVIRONMENTALLY FRIENDLY FORMS OF ENERGY (Title IV Chapter 13)
- Role of Scientific and Technical Committee redirected towards Phasing-Out Process (Article 108 new)
- Legal personality of EURATOM and privileges and immunities expire on the date of its dissolution (Articles 120 and 124 new)
- Abolition of Member States' Obligation to Communicate Classification (part of article 127 new)
- Entitlement to conclusion of agreements abolished (former Article 206)
- Limitation in time of provisions as to EURATOM and unlimited period of validity for all others (Article 138 new), all annexes except III to be abolished

Conclusions

- There was a better time for realisation of this proposal in 2019 and 2020.
- The EU energy policy with regard to Russia is detrimental for any effort to shift to predominance of renewable energy. To the opposite, it leads directly to a revival of coal and nuclear power.
- However, there will come the time to restore the relations with Russia, sooner or later. The assistance of Russian gas at reasonable prices for the period of transition is without alternative.
- It, thus, seems to be justified to stay patient and take the line of least resistance. The proposal remains an offer for negotiations which can be grasped at any given moment. It does not matter whether it comes to a reform of the EU or not. The proposal has the great advantage not to get stuck and to be sacrificed to overwhelming interests and demands of a general reform of the EU Treaty and TFEU and:
- It is not a bad compromise.