



To The European Commissioners

Teresa Ribera – Executive Vice-President for a Clean, Just and Competitive Transition

Dan Jørgensen – Commissioner responsible for energy and housing

Rue de la Loi 200
1040 Brussels, Belgium

January 29th, 2025

Dear Vice-President Ribera and Commissioner Jørgensen

Subject: NGOs Call For A Level Playing Field In The European Energy Markets And A New European-wide Nuclear Risk Assessment

Considering that viable and quick solutions are needed to secure Europe's energy future [in the face of the climate crisis](#), we, as NGOs representing European citizens committed to a swift, ecological and economically affordable energy transition, take this opportunity to put forward some proposals on how to facilitate an energy transition without the use of nuclear power.

We do not consider the attempts to greenwash and revive the nuclear industry, which is failing in all respects – including economically and environmentally – and which do not represent a credible solution to the climate crisis, are in the interest of the European citizenry.

What Europe needs is **more support and financing of renewable energies, energy efficiency and energy conservation** in order to live up to the demands of the Paris Agreement. Instead, EU Member States are spending considerable sums of money that are irretrievably lost in meaningless and potentially dangerous investments. E.g., the [Grand Carénage](#) requires an investment of almost fifty billion euros between 2014 and 2025 just to maintain, upgrade and extend the operating life of the outdated French nuclear power plants (NPPs).

Furthermore, the so far unsubstantiated hope for a “new” generation of reactors, including small modular reactors, which so far at best exist at the experimental stage and whose licensing is a long way off, drains finances and unnecessarily wastes time that we do no longer have.

In contrast, renewable energies such as wind power and photovoltaics are outperforming forecasts year after year in terms of capacity, cost levels and technological development. With its research potential, Europe has long been in a position to fuel this trend and perform as a global leader.

In addition, the lack of proportionate liability regime for the NPP operators **gives them a competitive advantage compared to other energy sources**, most notably renewable energies. This indirect support of nuclear power should be perceived as a distortion **of the European energy markets** and an impediment to a clean, just and competitive energy transition. The preferential treatment of nuclear power is also institutionalized in the Euratom Treaty.

For a long time, actors in the energy sector and civil society have pointed out that **European NPPs are inadequately insured against serious accidents**. After the stress tests following the meltdowns at Fukushima Daiichi more than ten years ago, the European Commission admitted that this was a problem that needed to be resolved. A French government study published in 2013 by the Institute for Radiation Protection and Nuclear Safety (IRSN) calculated costs of up to 430 billion euros for a nuclear accident at the scale of the disaster in Fukushima in France. However, since then, nothing has happened [1].

Recently, risks have been amplified by new and serious risk scenarios: In addition to Ukrainian NPPs being targeted in acts of war, which [under the Vienna and the Paris Conventions](#) cannot not be covered by insurance due to force majeure, as well as the progressive effects of the climate catastrophe, when they manifest themselves in extreme weather events such as heavy rainfall, resulting in massive flooding, or long periods of heat and drought. Nonetheless, these extraordinary circumstances endanger NPPs in a way that has not been taken into consideration in existing safety designs. Added to this are the [risks of plant life extensions](#) of outdated reactors.

Furthermore, with the possible deployment of new and experimental big and small reactor types, including small modular reactors, more risks will be added to the ones that are still not fully addressed. Considering that the new Energy Commissioner [has been tasked](#) with the support of the acceleration of the development and deployment of small modular reactors in Europe during the 2030s, but also to continue ensuring nuclear safety and safeguards, **the time is now right for an update and improvement of the EU's nuclear liability regime**.

Hence, **we call for a new European-wide nuclear risk assessment**, including a detailed study of the strengths and weaknesses of the liability regimes in the EU Member States, including provisions and insurance conditions, which must all result in **a liability regime towards a full European liability scheme under the Euratom Treaty**. According to the Treaty's Art. 98, Member States must take all necessary measures to facilitate the conclusion of insurance contracts covering nuclear risks and directives on this are issued by The Council, acting by a qualified majority on a proposal from the Commission, after consulting the European Parliament.

As of now, the European liability regime constitutes **a patchwork with the lowest possible denominator**, rather than a unified system with the highest standards of responsibility. Thus, **we call for [a single harmonised European nuclear liability law for all current and future NPP operators](#)**, in which liability is not only absolute, i.e., no proof of fault or negligence is required as a condition of liability, but also limitless for the operator, like in Germany or [Austria](#), where nuclear operators are not exempted from liability because of war or natural disasters.

[1] As a consequence, several petitions have reached the European Parliament's Petitions Committee (PETI) in recent years. Hence, PETI commissioned a study entitled "[Cross-border nuclear safety, liability and cooperation in the European Union](#)" that provides a comprehensive overview, critical analyses and urgent calls for improving the status quo. The European Commission has also offered a [study with similar demands](#).

Best regards

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