

**Joint letter from the Czech Republic, French Republic, Hungary, Republic of
Poland, Romania, Slovak Republic and Republic of Slovenia
on the role of nuclear power in the EU climate and energy policy**

19.03.2021

Ms Ursula von der Leyen
President of the European Commission

Mr Frans Timmermans
Executive vice-President

Ms Mairead McGuinness
Commissioner for Financial services,
financial stability and Capital Markets
Union

Ms Kadri Simson
Commissioner for Energy
European Commission

Dear President, Executive vice-President and Commissioners,

Please allow us to express our appreciation for the consistent efforts the European Union is undertaking towards climate-neutrality by 2050 with a new EU target of a net domestic reduction of at least 55% in greenhouse gas emissions by 2030 – our common goal to which we remain fully committed.

Our concern is, however, that the path that is currently determined to achieve this goal leaves little room for internal policy making according to country specific conditions.

We are convinced that all available zero and low-emission technologies that contribute to climate neutrality while supporting other energy policy objectives should not only be recognized but also actively supported by the European Union. This is especially valid for nuclear power whose development is one of the primary objectives of the Treaty establishing the Euratom Community, obliging EU institutions to promote it. Also, the European Commission in its state aid decisions recognized the development of nuclear power as an objective of common interest, even though it may not be pursued by all Member States, while the Court of Justice of the EU, i.a. in a recent judgment on the Hinkley Point C project, confirmed that nuclear energy may benefit from State aid pursuant to Article 107(3)(c) TFEU, and that nuclear energy does not compromise the environmental objectives of the Treaty on the Functioning of the EU.

Thus, every Member State is free to develop nuclear power or refrain from it in mutual respect and regardless of policy choices of other Member States. However, the development of nuclear sector in the EU is contested by a number of Member States despite its indispensable contribution to fighting climate change, as well as the breadth of yet unexploited synergies between the nuclear and renewable technologies. As low-emission baseload, it guarantees the continued renewable deployment to much higher penetration levels. Nuclear power seems to be also a very promising source of low-carbon hydrogen at an affordable price and can play an

important role in energy sector integration. It also generates a considerable number of stable, quality jobs, which will be important in the post-COVID recession.

In the light of the above we are highly concerned that the Member State's right to choose between different energy sources and the right to determine the general structure of the energy supply (Article 194 TFEU) is currently heavily limited by EU policy making, which excludes nuclear power from more and more policies. We appreciate support for nuclear R&D, which was enshrined in the recent political agreements about ITER and Euratom R&D Programme. However, concentrating on technologies to be commercially applicable post 2050 as well as decommissioning activities and safety enhancements without an appropriate framework for nuclear new build could gradually phase out nuclear power and existing nuclear technologies, which will result in a significant loss of high quality jobs in many European countries. This is a great concern not only for nuclear new build but also to associated investments like adapting existing plants to hydrogen generation.

Finally, all Member States are making the policy choices in the field of energy fully in line with EU law, including the Euratom Treaty. This is yet another argument of our urgent call to ensure a true level-playing field for nuclear power in the EU without excluding it from EU climate and energy policies and incentives, and bearing in mind that half of EU countries utilize or develop nuclear power providing close to half of EU low-emission generation, in line with the most stringent safety standards as ensured by the Euratom framework. Therefore, we welcome the recent statement by Vice-President Timmermans for IEA's Big Ideas underlining the Commission's technology neutrality.

We call on the European Commission to ensure that the EU energy and climate policy accommodates all paths to climate neutrality according to the technology neutrality principle. In this context, all available and future zero and low-emission technologies have to be treated equally within all policies, including taxonomy of sustainable investments, aiming at achieving climate neutrality by 2050.

Reiterating our strong commitment to the green transition, we remain open to further exchange of views with you on this highly important topic.

Yours sincerely,

Mr Andrej Babiš
Prime Minister of the Czech Republic

Mr Florin Cițu
Prime Minister of Romania

Mr Emmanuel Macron
President of the French Republic

Mr Igor Matovič
Prime Minister of the Slovak Republic

Mr Viktor Orbán
Prime Minister of Hungary

Mr Janez Janša
Prime Minister of the Republic of Slovenia

Mr Mateusz Morawiecki
Prime Minister of the Republic of Poland