



THE SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC
9TH TERM

406TH

RESOLUTION OF THE SENATE

Delivered on the 18th session held on 29th January 2014

on the Proposal for a Council Directive amending Directive 2009/71/EURATOM establishing a Community framework for the nuclear safety of nuclear installations (Senate Press no. N 098/09)

The Senate

I.

1. Got acquainted

with the draft proposal for a Council Directive amending Directive 2009/71/EURATOM establishing a Community framework for the nuclear safety of nuclear installations;

2. Refers,

in this context, to the long-term position of the Senate, as stated for example in its Resolution No. 114 of 13th March 2013 on the Commission's Communication on the comprehensive risks and safety assessments ("stress tests") of nuclear power plants, in which the Senate stated that it is aware of possible fears that might have been felt by the public as result of extraordinary events at the Japanese nuclear power plant in Fukushima;

3. Reminds nevertheless

that Article 194 of the Treaty on the functioning of the EU does not confer the power on the European Union to set the composition of electricity generation in the member states;

4. Notes, therefore,

that a Member State's decision to use or not to use any source of energy production is fully within its sole competence, and the Union, under the Treaty on the Functioning of the EU, does not have the power to challenge or influence this decision;

II.

1. Refuses

such an interpretation of the stress tests of nuclear plants in Europe which would run counter to the conclusions of the assessment carried out by the European Nuclear Safety Regulators Group;

2. Is of the opinion

that the debate on nuclear energy should primarily take place at the expert level and should not succumb to short-term political influences;

3. Believes, moreover,

that any proposed changes in the field of nuclear safety should be based on evaluation of the implementation of current legislation, noting that the deadline for submission of the report on the implementation of the current Directive 2009/71/Euratom expires only in July 2014;

4. Disagrees,

therefore, with the presented proposal that introduces serious and unjustified changes in the current nuclear safety framework and shall cause an increase in the Member States' costs without significantly enhancing the safety of nuclear installations, which is already at a high level in the EU;

5. Adds

that the presented proposal partly undermines state sovereignty in the field of energy mix, as it ultimately allows one or several Member States to interfere, by means of a peer-review procedure, into other states' composition of sources of their energy production, which is not acceptable under either the EU law or international law;

III.

1. Requests

the Government to inform the Senate about the way this position was taken into account and to provide the Senate with further information on the proceeding of negotiations;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.

Milan Štěch
sign manual
President of the Senate

Jan Látka
sign manual
Senate Verifier