



Nuclear Contamination

A year after Fukushima, why does Brussels still back nuclear power?

Corporate Europe Observatory

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- **Introduction**

The nuclear industry is gearing up to the first anniversary of Japan's Fukushima nuclear disaster by arguing that nuclear power remains central to the EU's energy needs. Over the last year the industry has repeated key public relations messages that nuclear energy is not only safe, but central to any low carbon, secure energy future. And its vociferous PR campaign and highly effective lobby network, has been welcomed by parts of the European Commission.

A year on from Fukushima, the policy ramifications are still being felt across the EU, particularly in some member states. While the industry concedes that the accident "had a major impact on the EU institutional agenda,"¹ it has been lobbying hard to minimise these impacts, trying to make sure that Fukushima does not compromise the potential for nuclear new build in the EU.

As the European authorities undertake a series of "stress tests" to assess the risk of a Fukushima-type disaster affecting a European nuclear power plant, the industry's carefully crafted public relations message is that safety remains its top priority.²

And the campaign has been successful. Despite the world's worst nuclear accident for a generation, the nuclear industry, operating with an estimated 20 million euro lobby budget and some 150-200 lobbyists in Brussels, remains extremely dominant.³

The lobby is so powerful that, despite Fukushima, nuclear remains at the heart of European Commission's proposals for a clean energy future. Meanwhile over in the European Parliament, some policy analysts believe that within the European Parliament, the nuclear lobby is even more powerful than it was before. This means that while some member states such as Germany and Italy may be ditching nuclear, in Brussels, the industry believes the future still looks bright for nuclear power.

The industry's web of influence starts with powerful lobby groups such as [Foratom](#) and nuclear companies such as [E.ON](#) and [EDF](#), who appear to be welcome visitors at DG Energy, the Commission department in charge of nuclear power.

The Commission has also created platforms for the lobby to influence policy such as advisory groups and technology platforms such as the Sustainable Nuclear Energy Technology Platform (SNETP). Finally the nuclear lobby spreads its influence via pro-nuclear MEPs such as British Conservative Giles Chichester.

Despite nuclear's friends in Brussels, there are many who believe that the industry's influence is waning further afield. There are two main factors behind this: the new generation of nuclear reactors that were produced post Chernobyl have not lived up to their promise. But, more importantly, in the current financial climate, banks have been unwilling to provide finance.⁴

In addition, in January 2012 a formal complaint about subsidies for nuclear power was sent to the European Commission which, if upheld, would make it unlikely that any new nuclear power stations will be built in the EU.⁵

Despite these setbacks, the nuclear lobby is arguing that nuclear remains central to EU energy policy, regardless of Fukushima. The energy journal *Platts*, disagrees. "Turning a blind eye to Fukushima is clearly not sustainable," it argues.⁶

- **The Road Maps**

Just days before the Fukushima disaster in Japan in March 2011, Foratom, the powerful Brussels-based nuclear industry lobby group, wrote to the European Commissioner for Energy, Günther Oettinger, concerning the Commission's Energy RoadMap 2050.

Foratom represents 16 national nuclear associations and nearly 800 firms working across the nuclear industry. It "acts as the voice of the industry in energy policy discussions involving the EU institutions."⁷ It also ranks among the top 20 corporate lobby spenders in Brussels and declared EUR 1.9 million in lobbying expenses in 2010, according to the Commission's lobby register.⁸ Foratom is at the forefront of a well-funded nuclear lobby, which spends an estimated 20 million euro lobbying European institutions a year⁹ (see Box below).

The Road Maps are a series of policy documents outlining the Commission's thinking over the next four decades on climate, energy and transport, including one by DG Climate in March 2011 on decarbonisation strategies¹⁰ and one by DG Energy in December on different energy scenarios to 2050.¹¹

Foratom's letter was part of an intense lobbying effort by the nuclear industry to ensure that nuclear power remained a key energy source for the Commission in both these Road Map policy documents. Foratom's letter contained key messages about low carbon and secure energy. "Foratom wishes to confirm the industry's determination to be an important stakeholder in building a low-carbon, competitive and secure energy future," the letter said.¹²

The following day, 8 March 2011, Foratom along with lobbying partners, the European Nuclear Society and the Nuclear Communications Network, asked Philip Lowe, the Director General of DG Energy, to be the key-note speaker at their bi-annual conference.¹³ Lowe accepted the invitation.¹⁴

On the same day, the European Commission launched its proposed low carbon RoadMap document, which included a commitment to nuclear power.¹⁵ Foratom's director-general Santiago San Antonio responded, saying that the "recognition that low-carbon technologies will play a vital role in the future energy mix reinforces nuclear energy's contribution to the fight against climate change."¹⁶ The nuclear industry's lobby had succeeded to that point.

What the EU transparency register tells about nuclear lobbying

200+ lobbyists - an estimated 20 million euro spent on lobbying per year

A look at the EU's lobby transparency register confirms the heavy political presence of the nuclear industry in Brussels decision-making. As the register is voluntary, many firms simply stay out (BNFL, Iberdrola, Toshiba and others)¹⁷, but the 15 nuclear companies with Brussels' offices that are registered report spending over 12 million euro on lobbying per year.¹⁸ Add to that the lobbying budget of Foratom and other associations and the figure reaches 16 million euro.¹⁹ This does not include nuclear-industry funded think tanks nor the work of lobby consultancies like G Plus, Interel European Affairs, Clan Public Affairs, Cabinet DN, Business Bridge Europe and others on behalf of nuclear industry clients.²⁰ As under-reporting on lobby expenditure (unrealistically low estimates) in the EU register is widespread²¹, the real figure is likely to be substantially higher: 20 million euro per year might be an educated guess.

The combined number of lobbyists reported by the nuclear industry in the register is 97 (22 hold parliamentary access badges). In many cases the numbers reported are full-time equivalent, so with many people spending only part of their working hours on lobbying, the actual number of lobbyists could be more than double. And then, of course there are the companies and lobby groups that boycott the register, which makes it likely that some 150 - 200 lobbyists are working to promote nuclear industry in Brussels.

The fact that the Commission document removed any mention of “renewable” targets after 2020 and instead talked of “low carbon” ones, angered the renewable energy lobby. “The disappearance of the 'renewables' language after 2020 is problematic and troubling in the sense that you know that it's coming from the nuclear and the CCS lobby,” said Steve Sawyer, secretary-general of the Global Wind Energy Council.²² Sawyer's concerns were that the Commission was trying to make it easier to promote nuclear as a part of a “low-carbon” mix of energy sources, rather than renewables.

- **Reaction to the tsunami**

Three days later, on 11 March 2011, the nuclear industry's carefully crafted plans were washed away when a tsunami overwhelmed the Japanese nuclear plant at Fukushima. As the disaster unfolded in Japan, the European nuclear industry went into crisis mode. It tried to reassure the public and the Commission that nuclear was safe and that people should not overreact to the disaster.

Ten days after the accident, the President of Foratom, Ralf Gldner, wrote to Jos Manuel Barroso, the President of the European Commission, to try and reassure him.

“It is premature to draw conclusions from the tragedy in Japan with regard to the European nuclear energy programme,” wrote Gldner. “We need to refrain from making any premature policy decisions that could have significant implications for Europe's energy future.”

He added: “nuclear energy is and will continue to be a key element in meeting Europe's energy needs”.²³

It is a mantra that the nuclear industry has repeated solidly over the last year, as its

intense lobbying has continued. A key part of this damage limitation exercise has been to argue that an industry that has a history of secrecy and accidents, is now committed to transparency, openness and safety.²⁴

In the weeks after the accident, DG Energy and the Commissioner for Energy were lobbied by Swedish energy giant Vattenfall²⁵, the German company RWE²⁶ and the Alliance for a Competitive European Industry (ACEI), among others.²⁷

But the lobbying could not stop the political fallout from the accident affecting member states. At the end of May, Germany announced that it would phase out all nuclear plants by 2022.²⁸

The pan-European employers' lobby organisation, BusinessEurope, wrote to Commissioner Oettinger, warning that the "German Government decision to phase out could have consequences for companies throughout Europe" which would "alter certain basic assumptions underlying the EU's climate and energy policies."²⁹ Days later, Enn Veskimägi, the chairman of the Estonian Confederation of Employers, voiced similar concerns.³⁰

Germany's decision was followed by June's referendum in Italy which rejected a nuclear power revival with an overwhelming 94 per cent vote (on a 57 per cent turnout).³¹ Foratom tried to argue that that the Italian vote was not against nuclear *per se* but was "also heavily influenced by protest votes against PM Berlusconi".³²

The mood in Britain was very different. In July Vincent de Rivaz, the chief executive of EDF, addressed a conference on nuclear new build in the UK. "What impact has Fukushima had" on the deliverability of nuclear new build in the UK, he asked an audience that included Britain's Energy Minister, Charles Hendry. "Has it fundamentally altered the process?"

The answer, he told them was "no", but warned that "it is important that the new nuclear programme in the UK should not be subject to unnecessary delay and it is not".³³

On the 8th September, Foratom's new director general Jean-Pol Poncelet, who had come from the French nuclear company Areva, met the European Commissioner for Energy, Günther Oettinger.³⁴ The same day, Poncelet also gave a presentation to a workshop being held by the Brussels-based utilities lobby organisation, Eurelectric, on Nuclear Perspectives after Fukushima. He boasted that Foratom was not expecting Fukushima to cause any "deep changes in long-term perspective" in the Commission's view on nuclear power as regards the Energy Road Map.³⁵

Later that month, in a meeting with senior officials from DG Energy, Foratom yet again delivered a presentation on the contribution of nuclear energy post-Fukushima arguing that "based on the current technological knowledge it is probably not possible to drive EU and world towards sustainability without nuclear."³⁶

Some seven months after the disaster, the nuclear spin doctors felt they were making progress. In its post-Fukushima update, Foratom wrote: "Overall we can say that whilst Fukushima has led to temporarily decreased public confidence in some countries and probably to extra short-term costs and some delays in nuclear new build programmes, none of these factors is considered to be decisive in terms of the nuclear contribution in 2050".

Foratom added that there was still a "compelling case" for nuclear to contribute

significantly to Europe's energy needs.³⁷

- **Report is “Not A Surprise” due to influence of nuclear lobby**

The Commission's Energy Roadmap 2050 was published in December 2011. It said that “as a large scale low-carbon option, nuclear energy will remain in the EU power generation mix” and that, in member states where it was currently being pursued, it will “be needed to provide a significant contribution in the energy transformation process.”³⁸

One energy expert called the report “a direct slap in the face to Merkel's government, made all the more galling by the fact that EU Energy Commissioner Günther Oettinger, a German, is the driving force behind the report.”³⁹ The industry had achieved what it set out to do. Despite the world's worst nuclear accident for a generation, nuclear remained at the heart of Europe's energy mix.

Michel Raquet, the energy advisor for the Greens in the European Parliament, was not surprised. He explained “the people the Commission are listening to more are pro-nuclear and pro-Carbon Capture and Storage (CCS). It was not a surprise. They are trying to make a smoke-screen saying it is about more renewables, but at the end of the day in real life it is more CCS and more nuclear.”⁴⁰

- **Friends in high places**

Three days before the Commission published its Energy Roadmap 2050, the fourth meeting of its Advisory Group on the Roadmap took place in Brussels.⁴¹ The meeting was chaired by energy expert, Dr Dieter Helm, a professor of energy policy at the University of Oxford and special adviser to the European Energy Commissioner.⁴²

The advisory group had been formed in May 2011. Documents released under Freedom of Information Regulation show that a draft list of members, compiled in January 2011, did not include Helm's name either on the Committee or on the six name reserve list. Claude Mandil, the former Director General of the International Energy Agency, was originally proposed as chair, but for some reason did not take the job.⁴³ It appears that Helm was not even approached until 25 March 2011, two weeks after Fukushima.⁴⁴

Helm has been accused by his critics of being “pro-nuclear,” a charge Helm has always vehemently denied. Claude Turmes, a Green MEP, argues that “Helm has a clear nuclear bias. While promoting nuclear as a low-carbon technology he is deliberately ignoring all risks and waste problems induced by the nuclear supply chain.”⁴⁵ Recently Helm has seemed to be less vocal about the need for nuclear instead expressing strong support for the rapidly expanding shale gas industry.⁴⁶

As chair of the Energy Roadmap advisory group, Helm was also a special adviser to Commissioner Oettinger, although the Commissioner has denied ever meeting Helm personally.⁴⁷ In October 2011, Corporate Europe Observatory wrote to Commissioner Maroš Šefčovič (inter-institutional relations and administration) raising questions over Helm's appointment as a special advisor and whether his wide-ranging business interests and opinions constituted a conflict of interest with his appointment.⁴⁸

On 22 November 2011 Helm resigned as special advisor following the “completion” of the *ad hoc* working group meetings, although he continued to chair meetings after this date.⁴⁹ When the Roadmap was published in December 2011, Helm tweeted that

“this completes my work in Brussels”.⁵⁰

- **Pro-nuclear platforms**

The Commission has also institutionalised its support for nuclear via advisory groups and “technology platforms” which are perfect lobbying vehicles for the industry and its allies to promote their views and see them become official Commission advice and policy.

To coincide with the launch of the Energy Roadmap in December 2011, the European Nuclear Energy Forum (ENEF), a quasi-Commission organisation, held a Working Group on “Opportunities of Nuclear Energy” in Brussels.⁵¹ Although the European Commission says that ENEF is a “unique platform for a broad discussion, free of any taboos on ... the opportunities and risks of nuclear energy,”⁵² its critics argue it has become a pro-nuclear platform.

The bias was evident back in 2007, when European Commission President José Manuel Barroso spoke of ‘a revival for nuclear energy’ at ENEF’s inaugural meeting.⁵³

One of the speakers at the 2011 Working Group meeting was Paul Howarth from the British National Nuclear Laboratory, who praised the nuclear industry’s PR effort which had taken it from “virtual phase out” to preparing a new generation of Phase 111 and IV nuclear plants in just a few years. He argued that, in the UK alone, 80 new nuclear / CCS plants were needed to meet the 2050 CO2 targets outlined by Lord Stern.⁵⁴

ENEF is one of numerous fora in Brussels at which the nuclear power industry can present its “shopping list of demands” to decision-makers. It continues to argue that vast amounts of money need to be invested in nuclear. In May 2011, Poncelet, then Areva’s senior vice-president and chair of ENEF’s “opportunities working group”, estimated that for nuclear power to continue to play an important role in the EU’s longer term energy mix, some 470 billion is needed to be invested before 2050.⁵⁵

- **Industry biased agenda**

The Sustainable Nuclear Energy Technology Platform (SNETP) is a highly influential lobby vehicle for the industry too. SNETP is one of at least 36 so-called technology platforms which are industry-led and which were set up to define research priorities and action plans in a number of areas to boost EU growth, competitiveness and sustainability.⁵⁶

Along with the Implementing Geological Disposal of Radioactive Waste Technology Platform⁵⁷, it is said to be extremely persuasive within the Commission. While technically independent, these platforms were set up and financially supported by the Commission which “remains engaged with them in structural dialogue on research issues.”⁵⁸

At the SNETP meeting in Warsaw, just over two weeks before the Energy Roadmap 2050 was published in December 2011, the line from the nuclear lobbyists was that nothing had changed due to Fukushima. Jozef Misak, from the Nuclear Research Institute, in the Czech Republic, who is on the Secretariat of SNETP, said: “The Fukushima accident did not change the reasons for maintaining/enhancing the role of nuclear energy in energy mix as sustainable, low carbon source reducing import dependence of EU. As a matter of fact, with few exceptions, the majority of the

countries worldwide recognize the important role of nuclear energy as a safe source of electricity.”⁵⁹

The General Assembly was also addressed by the acting deputy director general at DG Energy, Peter Faross, who said: “Nuclear energy will therefore continue to be an important contributor to the fight against climate change and to the EU's security of energy supply”.⁶⁰

SNETP includes Commission officials among its members (industry representatives, consultants, and nuclear lobbyists) and promotes the research, development and demonstration of nuclear technologies. One of its goals is a new generation of nuclear reactors, in support of the European Sustainable Nuclear Industrial Initiative. The estimated costs for this are between EUR 7 to 10 billion over the next 10 years.⁶¹ The burden to the EU taxpayer has not yet been disclosed.

SNETP's industry members include Areva, E.ON, EDF, ENEL, Vattenfall, and Westinghouse. Despite its apparent political independence from the Commission, SNETP and its secretariat, which includes Foratom, have received 1.5 million euro in direct Commission funding.^{62 63}

SNETP's secretariat received EUR 700,000 from the Commission in December 2008 and an additional EUR 800,000 in June 2011.⁶⁴ CEO asked the Commission liaison officer to justify the funding, the wages, and travel expenses but despite numerous email and telephone calls, has not received any response.⁶⁵

Richard Ivens, Foratom's representative in the secretariat, told CEO that Foratom only uses the Commission funding for travel expenses but “the other members of the secretariat draw wages from the fund.”

The secretariat is coordinated by LGI Consulting and includes E.ON; CEA, the French government-funded technological research organisation and the Nuclear Research Institute from the Czech Republic.⁶⁶

Commission funds also appear to be being used to promote SNETP to “ensure maximum impact of SNETP, with public communications and interaction with stakeholders.”⁶⁷

Several companies involved in SNETP have been highly critical of the German government's decision to exit nuclear power since Fukushima. E.ON, which is on the SNETP secretariat, has obtained a legal opinion saying the decision is unconstitutional and it is challenging it in the courts.⁶⁸

The Swedish energy company Vattenfall, which is on the corporate governing body of SNETP and manages German plants in Krümmel and Brunsbüttel, is asking for compensation for future revenue losses as a result of the German government's decision.⁶⁹

Foratom's then director-general Santiago San Antonio was also highly critical of Germany's decision,⁷⁰ attempting to convince policy-makers that nuclear energy should retain its current one third of the EU electricity generation market.⁷¹ For that to happen Germany would need to keep its nuclear facilities operational or more will have to be built elsewhere.

- **The Commission's nuclear 'expert groups'**

As well as the ad-hoc advisory group on the Energy Roadmap 2050, the Commission has set-up numerous advisory groups to provide policy inputs on various issues related to nuclear energy.

Some of these are known as Expert Groups, which are supposed – in principle – to give broad and balanced advice to the Commission. The reality however, is that their role is often political and can be one-sided.⁷² There are up to 1000 expert groups overall, which gives them a hugely important role within the European Commission, filling gaps in knowledge and capacity.

Evidence suggests that this is another area of the Commission's work which has been penetrated by the nuclear energy industry. Of nine expert groups where nuclear matters are centre-stage (there are others which include nuclear issues as part of a wider agenda), six appear to be made up of national level agencies, academics or other national-level experts and therefore do not have large scale industry influence.

But the other three groups' members include representatives from the nuclear industry. The most overtly biased seems to be the Comité consultatif de l'agence d'approvisionnement d'Euratom (Advisory Committee on the Implementation of the Euratom Treaty, also known as the European Atomic Energy Community). The Euratom Treaty underpins all the policies behind the formation and development of Europe's nuclear industry, so this Advisory Committee is highly influential and is listed on the Commission's register of expert groups as having a remit to assist in the preparation of legislation or in policy definition.⁷³

The membership of this group consists of 27 member state representatives and 28 'organisations' that include the major nuclear companies: Areva, EDF Energy, ENEL, Rio Tinto Uranium, and Vattenfall Nuclear. For a number of years, the Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU) has complained about the corporate dominance of certain expert groups. Due to its large industry representation, this expert group is currently the subject of a complaint to the European Ombudsman by ALTER-EU.⁷⁴

Another expert group, the Sûreté du Transport de Matières Radioactives (Security in Transport of Radioactive Materials), examines the safety and security of transporting radioactive waste.⁷⁵ Whilst the members are listed as representing 'public authorities', this appears to be misleading as, according to the official register, the UK representation includes the lobby group, Foratom.⁷⁶

- **Inside the Parliament**

Foratom and the nuclear industry's tentacles spread into the European Parliament too, where some analysts believe that the nuclear lobby has become even stronger since Fukushima. Michel Raquet, the energy advisor to the Greens, says that the nuclear lobby's influence at the European Parliament was reduced in the direct aftermath of Fukushima, "but then it has re-established or even increased its power since then. Compared to pre-Fukushima it has probably increased."⁷⁷

One of the Parliament's most influential committees is that on Industry, Research and Energy. Herbert Reul MEP (who until January 2012 was the committee's chairman), wrote the foreword to Foratom's position paper on the Commission's Energy 2050 Roadmap. "We as decision-makers must ensure that the EU's Energy Roadmap 2050, inclusive of all low-carbon energy sources, underlines the key role nuclear power can play in ensuring European security of supply, competitiveness and sustainability," he wrote.⁷⁸

Reul is vice-president of the European Energy Forum (EEF), an unregulated MEP-industry forum.⁷⁹ Nuclear energy has been a major focus for the EEF and nuclear industry firms have organised and sponsored numerous EEF events.⁸⁰ The EEF's corporate members pay a fee of least 7,000 euro per year for participating in the EEF's activities with MEPs.

MEP Reul is also on the board of RheinEnergie, one of the largest municipal energy companies in Germany which gets 18 per cent of its power from nuclear sources.^{81,82}

The President of the EEF is long-standing pro-nuclear, anti-wind power, advocate Giles Chichester MEP. In January 2011, together with other MEPs from EEF he visited the Cap de la Hague and Flammanville nuclear waste centres as a guest of Areva. Such industry visits are not unusual.

Chichester has accepted hospitality from a number of nuclear and energy companies in the last few years, including RWE, Areva, Paks Nuclear Power Company, Enel, the Slovenian energy utilities, Statoil, Euroheat and Power, Commissariat a l'Energie Atomique, Eurelectric, the Czech Energy Utility company, Total Fina Elf, erbundnetz Gas, Swedish Power Association and Swedish Nuclear Fuel and Waste, Management Company, Canister Nuclear, Laboratory, International Association of Oil and Gas Producers, TVO, FORATOM, and the Kozloduy Nuclear Power Plant in Bulgaria.⁸³

This kind of hospitality will continue, even under the new MEP code of conduct introduced in 2012, after MEPs voted to exclude trips and hospitality from the definition of gifts (which now cannot be accepted if worth more than EUR 150).⁸⁴

Chichester does not just receive hospitality from the nuclear industry. Over an 18-month period, Chichester met lobbyists from Foratom 18 times: that equates to one lobbyist's visit a month with just one of the nuclear lobby organisations. Over the same period he also met nuclear companies on numerous occasions.⁸⁵

There are reasons to be concerned that MEP-industry fora such as the EEF provide the opportunities for 'under the radar' industry lobbying as they are unregulated by the parliamentary authorities yet provide significant opportunities for lobbying over social get-togethers such as dinners or cocktails.⁸⁶

After the Fukushima disaster, Chichester praised the safety record of the nuclear industry and pleaded with his colleagues not to "go wobbly on nuclear power now, we need it too much."⁸⁷ He also wrote that the lesson of Fukushima was *more* not *less* nuclear power: "It is abundantly clear to me that the case for nuclear energy needs to be made over and over again ... We need safe, secure, clean, reliable and affordable electricity from nuclear power. Paradoxically, the events of Fukushima make it even more likely to be the case in Europe."⁸⁸

- **The End of the Renaissance for Nuclear?**

Chichester's views are totally at odds with public opinion. Just before the Energy RoadMap 2050 was published in December, a poll by the BBC found that globally just 22 per cent agreed that "nuclear power is relatively safe and an important source of electricity, and we should build more nuclear power plants."⁸⁹

So as the first anniversary of Fukushima approaches, the nuclear industry will be

ignoring public opinion and downplaying ongoing safety concerns over the accident as well as questions over its viability without large-scale public subsidy. The industry will be arguing that it remains a central tenet of EU energy policy, safe in the knowledge that its web of influence within Brussels makes sure that the Commission remains pro-nuclear.

The evidence is stacking up against it, though. The energy experts from *Platts* have concluded that Fukushima may “mark the effective end of the nuclear renaissance in the West.”⁹⁰

Andy Rowell for Corporate Europe Observatory
Additional research by Nikolaj Nielsen

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