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7. Calls on the Commission to act to prevent the formation of vertical bottlenecks and horizontal monopolies; calls on the Member States to subsidise — in accordance with Community law — digital TV receivers (either set-top boxes or boxes integrated into TV sets) such as the Multimedia Home Platform system, with an open API (Application Program Interface) to prevent the development of bottlenecks; calls on the Member States to promote and develop interactive services in order to increase the level of digital expertise and the competitiveness of European society, and jointly to promote technical broadcasting measures with a view to filtering content that might impair the physical, mental or moral development of minors;
 8. Calls on the Commission to publish information on best practice with regard to financing aspects and to provide clear guidance on state aid and issues relating to competition law;
 9. Calls on the Commission and the Member States to emphasise the great importance of ensuring “equitable access” to the spectrum dividend within the frame of the RRC06 negotiations, and to agree on a common negotiating position to support the scenario based on the deadline of 2015 for the end of general protection against interference by analogue channels transmitting from outside the European Union, in order to ensure undisturbed digital broadcasting as close as possible to 2012;
 10. In order to ensure that the digital divide in society is not exacerbated, calls on the Member States to ensure as soon as possible that there are adequate provisions in place prior to the transition from analogue to digital, including funding and intelligible information, which will mitigate the cost of conversion for those in society who will have difficulty in procuring and financing the necessary replacement equipment;
 11. Calls on the Commission to ensure that, in regulating the digital transition, a clear distinction is made between the regulation of transmission of electronic signals and infrastructure and the regulation of content (including audiovisual content), and to ensure, in order to protect pluralism and diversity in the broadcasting field, that the majority, or an appropriate part, of the new broadcasting possibilities and broadcasters do not come under the exclusive control or decisive influence of multinational media undertakings; considers that the various additional services transmitted alongside digital broadcasts on the same network should be regulated by making a distinction appropriate to their nature: content services related to broadcasting, other content services and services related to telecommunications;
 12. Calls on the Commission and the Member States to ensure full interoperability and technological neutrality in order to provide a level playing field for all operators and to boost European innovation;
 13. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States.
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P6_TA(2005)0432

Decommissioning nuclear power plants

European Parliament resolution on the use of financial resources earmarked for the decommissioning of nuclear power plants (2005/2027(INI))

The European Parliament,

- having regard to the Communication from the Commission to the European Parliament and the Council on the use of financial resources earmarked for the decommissioning of nuclear power plants (COM (2004)0719),

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- having regard to its position adopted at first reading on 13 March 2002 with a view to the adoption of a European Parliament and Council directive amending Directive 96/92/EC concerning common rules for the internal markets in electricity ⁽¹⁾,
- having regard to its position adopted at first reading on 13 March 2002 with a view to the adoption of a European Parliament and Council directive amending Directive 98/30/EC concerning common rules for the internal markets in natural gas ⁽²⁾,
- having regard to its position adopted at second reading on 4 June 2003 with a view to the adoption of a European Parliament and Council directive concerning common rules for the internal market in electricity and repealing Directive 96/92/EC ⁽³⁾,
- having regard to Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92/EC and the related interinstitutional and Commission statements on decommissioning and waste management activities ⁽⁴⁾,
- having regard to Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation ⁽⁵⁾,
- having regard to the proposals for Council Directives (Euratom) setting out basic obligations and general principles on the safety of nuclear installations and on the management of spent nuclear fuel and radioactive waste (COM(2003)0032),
- having regard to the Communication from the Commission to the Council and the European Parliament on nuclear safety in the European Union (COM(2002)0605),
- having regard to the Commission Decision 2005/407/EC of 22 September 2004 on the State aid which the United Kingdom is planning to implement for British Energy plc ⁽⁶⁾,
- having regard to the report of the French Cour des comptes of 20 January 2005 on dismantling nuclear installations and managing radioactive waste and in particular the finding therein that the use for other purposes of provisions which have been earmarked for future decommissioning could create distortions of competition between producers in the Community,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, Research and Energy (A6-0279/2005),

The importance of decommissioning nuclear power plants

1. Recognises that it is important, for the protection of human beings and the environment, that nuclear power plants are properly decommissioned after they are shut down;
2. Notes that there is a massive reduction in radioactivity following the removal of the nuclear fuel when a nuclear power plant is shut down; notes however that the residual radioactivity requires a high level of nuclear protection to meet the requirements of Council Directive 96/29/Euratom;
3. Notes that a lack of financial resources for decommissioning might in some cases delay the decommissioning of nuclear power plants and hence should be avoided;
4. Welcomes the Commission's intention to report annually to the Parliament on the use of financial resources earmarked for the decommissioning of nuclear power plants;

⁽¹⁾ OJ C 47 E, 27.2.2003, p. 351.

⁽²⁾ OJ C 47 E, 27.2.2003, p. 367.

⁽³⁾ OJ C 68 E, 18.3.2004, p. 211.

⁽⁴⁾ OJ L 176, 15.7.2003, p. 37.

⁽⁵⁾ OJ L 159, 29.6.1996, p. 1.

⁽⁶⁾ OJ L 142, 6.6.2005, p. 26.

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5. Notes the Commission's intention to adopt a non-binding recommendation on this subject in the coming weeks;
6. Notes, also, the Commission's intention to undertake significant survey work on this subject during 2006 in order to support the formulation of Community policy and legislative initiatives;

Financial resources earmarked for decommissioning

7. Considers it necessary to ensure that in all Member States all nuclear undertakings have sufficient financial resources available when needed to cover all the costs of decommissioning, including waste management in order to uphold the polluter pays principle and avoid any recourse to State aid;
8. Calls on the Commission, with due regard for the principle of subsidiarity, to draw up precise definitions concerning the use of financial resources earmarked for decommissioning in each Member State, taking into account decommissioning as well as the management, conditioning and final disposal of the resultant radioactive waste;
9. Notes that the approach to the management of such financial resources differs from one Member State to another, and calls for their sound management;
10. Calls for these financial resources to be used for fair investments fully in line with Community competition law, thereby avoiding distortions;
11. Considers it necessary for these financial resources to be managed and used with maximum transparency, and for external auditing to be guaranteed;

Safety and environmental aspects

12. Regards the above mentioned Commission communication on the use of financial resources earmarked for the decommissioning of nuclear power plants as an opportunity to draw attention to the safety aspects of decommissioning nuclear power plants;
13. Notes that at each step in the decommissioning of nuclear power plants the safety of humans and the environment must be considered and that previous experience should be put to good use as far as possible;
14. Notes the existence of immediate decommissioning and staged decommissioning strategies whose respective advantages and disadvantages should be weighed up in view of the location and the characteristics of the reactor;
15. Is of the opinion that safety issues relating to the protection of humans and the environment should be paramount in respect of the choice of decommissioning strategy;
16. Notes that the dismantling or decommissioning of nuclear power plants is subject to an impact assessment under the provisions of Council Directive 97/11/EC of 3 March 1997 amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment⁽¹⁾;
17. Calls for a review in all Member States of the practice of releasing low-level radioactive substances in particularly large quantities in areas subject to nuclear and radiation protection legislation when a plant is decommissioned;

Economic aspects

18. Considers it acceptable for exceptions to apply, for example in the new Member States, due to safety considerations;
19. Questions whether the accounting provisions made so far in a number of Member States and the corresponding financial resources are equal to the real needs;

⁽¹⁾ OJ L 73, 14.3.1997, p. 5.

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20. Welcomes the financial support, subject to certain basic conditions, granted by the European Union to certain decommissioning projects in the new Member States;

21. Supports the Commission's position that the cost of nuclear decommissioning, which is to be understood as covering *inter alia* other external costs and subsidies for other types of electricity production, must also be taken into account in assessing the economic viability of any power plant in such a way as to avoid distortions of competition;

22. Notes that the operator of a nuclear power plant is responsible for arranging insurance to cover civil liability during the entire decommissioning period against unforeseen incidents or accidents in line with international liability conventions;

23. Notes that the Paris Convention of 29 July 1960 on third party liability in the field of nuclear energy and the Convention of 31 January 1963 Supplementary to the Paris Convention of 29 July 1960 as amended by the Additional Protocol of 28 January 1964 and by the Protocol of 16 November 1982 are still in force and cannot be unilaterally terminated by the EU; notes moreover that the Parliament in its resolution of 26 February 2004 on third party liability in the field of nuclear energy⁽¹⁾ gave its assent to the proposal for a Council decision authorising the Member States which are Contracting Parties to the Paris Convention of 29 July 1960 to ratify, in the interest of the European Community, the Protocol amending that Convention, or to accede to it;

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24. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States.

⁽¹⁾ OJ C 98 E, 23.4.2004, p. 123.

P6_TA(2005)0433**Beating global climate change****European Parliament resolution on “Winning the Battle Against Global Climate Change” (2005/2049 (INI))**

The European Parliament,

- having regard to the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: Winning the Battle Against Global Climate Change (COM(2005)0035),
- having regard to the Kyoto Protocol to the United Nations Framework Convention on Climate Change (UNFCCC) and to the application procedures for its implementation adopted at the Conferences of the Parties in Bonn (July 2001), Marrakech (November 2001), New Delhi (October and November 2002), Milan (December 2003) and Buenos Aires (December 2004),
- having regard to its previous resolutions relating to climate change, and in particular those of 13 January 2005 on the outcome of the Buenos Aires Conference on Climate Change⁽¹⁾, and of 12 May 2005 on the Seminar of Governmental Experts on Climate Change⁽²⁾,
- having regard to the statements conveyed to the G8 Summit in Gleneagles by 24 international business leaders representing the World Economic Forum, for example on the need to adopt long-term climate stabilisation targets,

⁽¹⁾ P6_TA(2005)0005.

⁽²⁾ P6_TA(2005)0177.