

European Court: 'Life-time extension nuclear power reactors Doel 1 and 2 unlawful'

Brussels 29 July 2019 – The European Court of Justice concludes that the life-time extension of the nuclear power reactors Doel 1 and Doel 2 is unlawful because no Environmental Impact Assessment (EIA) was made nor had public participation taken place in the run-up to the decision. With that, the Court sides with the environmental organisations Bond Beter Leefmilieu (BBL) and Inter-Environment Wallonie (IEW). Sara van Dyck of BBL: “This advice is an important European precedent. It confirms that life-time extension of nuclear power stations cannot just be made behind the curtain.”

In June 2015, the Belgian government decided to prolong the life-time of the oldest nuclear power reactors Doel 1 and 2 with ten years. This happened without an Environmental Impact Assessment and without public consultation. Bond Beter Leefmilieu and Inter-Environment Wallonie went to the Belgian Constitutional Court to cancel the decision. That Court passed the case to the European Court of Justice.

Sara van Dyck van BBL: “Just like the European Court now concludes, the Espoo and Aarhus Convention demand a transboundary EIA and public participation in the case of life-time extension of nuclear power stations. We expect now that the Belgian Constitutional Court will follow the advice of the European Court and will reach soon its verdict.”

In principle, Doel 1 and 2 should be shut down after the final verdict of the Belgian Constitutional Court until they are in line with the law and an EIA with transboundary public participation has been carried out. The European Court does give the possibility that an EIA with public participation may be carried out without shutting down Doel 1 and 2, if it can be proven that closure of these power stations would cause harm to the security of electricity supply. According to the environmental organisations, this is not the case.

Important signal for political parties

The advice does not only have consequences for the life-time extension of Doel 1 and 2. It is also an important signal to parties that plead for further life-time extensions. "The choice to keep nuclear power stations longer open cannot be taken any longer in the back-rooms of politics. Policy makers will have to take account of possible environmental impacts and concerns of citizens. Not only in Belgium, but also in neighbouring countries, because a nuclear accident does not stop at national borders," says Sara van Dyck of BBL.

BBL and IEW point out that these nuclear reactors also no longer guarantee security of supply. In the last few years, the reactors were regularly out of order because of problems. Also during the heat wave of last week, nuclear power stations all over Europe had to be shut down. "it is high time to turn the nuclear page once and for all and choose clean and safe energy sources," the environmental organisations conclude.

BBL and IEW are currently investigating the legal consequences of this advice.

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