



# Invitation

## **Is nuclear energy sustainable? - a technical and legal excursus**

Presentation of the results of the following two studies

**Expert response to the Joint Research Centre's report "Technical assessment of nuclear energy with respect to the 'Do No Significant Harm' criteria in Regulation (EU) 2020/852, ('Taxonomy Regulation')" by the Federal Office for the Safety of Nuclear Waste Management (BASE) on behalf of the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety**

as well as

**„Nuclear energy and the taxonomy regulation“ (Legal Opinion) by Redeker Sellner Dahs on behalf of the Austrian Federal Ministry for Climate Protection, Environment, Energy, Mobility, Innovation and Technology**

There is an intense ongoing discussion at European and international level about whether nuclear energy can be classified as an ecologically sustainable economic activity. The reasons for this are the European Commission's current review process in the scope of the development of technical criteria for the Taxonomy Regulation and the corresponding review report of the Joint Research Centre.

The Federal Office for the Safety of Nuclear Waste Management and the law firm Redeker Sellner Dahs have conducted a technical and legal review of the classification of nuclear energy use according to the Taxonomy Regulation on behalf of the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety and of the Austrian Federal Ministry for Climate Protection, Environment, Energy, Mobility, Innovation and Technology.

In its expert response, BASE concludes that the JRC report only incompletely addresses the risks and negative consequences of nuclear energy use. In particular, the undue burdens on future generations are not sufficiently taken into account.

In its legal opinion, the law firm Redeker Sellner Dahs examines whether nuclear power is covered by the scope of the 'Taxonomy Regulation', explains the Regulation's increased level of protection in view of the precautionary principle, and classifies the findings of the JRC report in this respect from a legal perspective.

The authors invite you to a

**Event on legal and technical aspects**

on Tuesday, 9 November 2021

at the Permanent Representation of Austria to the European Union  
Avenue de Cortenbergh 30, 1040 Brussels  
from 2pm to 3:30pm

The speakers will be Jochen Ahlswede (Head of Research Department at BASE) and Dr. Simone Lünenbürger and Dr. Korbinian Reiter (both representing Redeker Sellner Dahs). Following the presentations, the speakers will be available to answer questions.

The event will be held in English.

You can find BASE's expert response here:

[https://www.base.bund.de/SharedDocs/Stellungnahmen/BASE/DE/2021/0714\\_base-fachstellungnahme-jrc-bericht.html](https://www.base.bund.de/SharedDocs/Stellungnahmen/BASE/DE/2021/0714_base-fachstellungnahme-jrc-bericht.html)

The legal opinion of Redeker Sellner Dahs as well as a German summary can be found here:

[https://www.bmk.gv.at/dam/jcr:22c30412-4acd-4b9f-b150-b25998e16d6c/Redeker-Sellner-Dahs\\_Nuclear-Power-Taxonomy-Regulation.pdf](https://www.bmk.gv.at/dam/jcr:22c30412-4acd-4b9f-b150-b25998e16d6c/Redeker-Sellner-Dahs_Nuclear-Power-Taxonomy-Regulation.pdf)

[https://www.bmk.gv.at/dam/jcr:3da651b9-0085-4aaa-bb2f-a5308956efba/Redeker-Sellner-Dahs\\_Zsf-Kernenergie-Taxonomie-Verordnung.pdf](https://www.bmk.gv.at/dam/jcr:3da651b9-0085-4aaa-bb2f-a5308956efba/Redeker-Sellner-Dahs_Zsf-Kernenergie-Taxonomie-Verordnung.pdf)

The number of participants on-site shall be limited to 25. The event will be also streamed live via webex.

Registration is requested by November 5, 2021, 2pm with [Michaela.WENISCH@bmeia.gv.at](mailto:Michaela.WENISCH@bmeia.gv.at). If your registration to attend the on-site event was successful, you will receive a notification by Monday, November 8, 2021. Otherwise, you will receive the login data to participate in the webex session.

Please note the following Corona-related restrictions for participation on-site:

Please note that the 3G rule will apply to those participating in person, meaning you have to be either vaccinated, tested or recovered from a Corona infection. Please let us know your 3G status (vaccinated / recovered / tested) upon registration. Face masks must be worn in the building. Please keep a distance from others (1.5 m). Antigen test results shall be valid for 24 hours after the test was taken.