

Position paper of the Mouvement Ecologique on draft law 8768 on the "Clean Industrial Deal"

No to support for nuclear technology in Luxembourg within the framework of economic development!

The recently presented draft law 8768, transposing the "Clean Industrial Deal" into Luxembourg legislation, creates the necessary framework for state investments and subsidies to implement the energy transition in the industrial sector, and accordingly the pathway to "net-zero emissions". This draft is currently being discussed in the relevant committee of the Chamber of Deputies.

The Mouvement Écologique fundamentally welcomes the fact that Luxembourg wants to make use of the opportunities available at European level to financially support investments in production capacities for renewable energy and decarbonisation technologies – such as batteries, photovoltaics, wind power, heat pumps, etc. Such an industrial policy framework is an important building block for strengthening domestic value creation in the energy transition and reducing dependence on fossil fuel imports.

However, the Mouvement Ecologique views with great concern that the new version of "Annex 2" of the draft law – which conclusively lists the eligible products, components and critical raw materials within the meaning of Article 5 – explicitly classifies nuclear technologies as eligible "Net Zero" technologies as well. Specifically, this concerns the following categories:

- Nuclear fission energy technologies (nuclear fission power plants, including fuel elements, reactor vessels, steam turbines, steam generators, etc.);
- Nuclear fuel cycle technologies (nuclear fuel cycle, including centrifuges, heavy water, gas treatment systems, etc.);
- Other nuclear technologies (such as nuclear fusion technologies).

These categories have indeed been taken directly from the European framework and are therefore not a special Luxembourg provision. But: the EU in principle explicitly gives member states leeway as to which technologies they actually want to support nationally, or not.

Luxembourg's legislator is by no means obliged, under EU provisions, to include nuclear technologies in the national support scheme. This is entirely at its discretion. This raises the question of why Luxembourg chose this approach!

It is equally irritating that this fact is then swept "under the table" in the draft law's explanatory memorandum ("exposé des motifs"). This document only mentions renewable technologies (solar, wind, heat pumps, electrolysers for hydrogen

production). These technologies are important for making Luxembourg's industrial location fit for the future and are accordingly to be welcomed.

Even the potentially high investments in carbon capture, storage and utilisation technologies can already be questioned from an environmental point of view, particularly when they compete with the financing of renewable energies.

What is particularly problematic, however, is that nuclear technologies nevertheless continue to be listed in the annexes.

This raises the question of purpose: why does the Luxembourg government want to keep this option open, when it has positioned itself against nuclear energy? Would it be conceivable for industries from this sector to establish themselves on Luxembourg territory? Or does the government want to help finance nuclear production capacities abroad?

All of these scenarios are extremely problematic.

1. Contradiction with Luxembourg's long-standing energy policy orientation

Luxembourg has no nuclear power plant of its own and has clearly positioned itself, in terms of energy policy, as a nuclear-free country – not least as a result of decades of civil society engagement against the nearby Cattenom nuclear power plant. The national climate strategy (Climate Law of 15 December 2020, PNEC) consistently relies on renewable energy, energy efficiency and sector coupling, not on nuclear power.

A law that – even if only through a technical reference list – could make Luxembourg tax revenue available for building production capacities for reactor vessels, fuel elements, centrifuges for uranium enrichment or other nuclear supply chains, stands in open contradiction to this fundamental position. It is incompatible with Luxembourg's own understanding of its energy policy that an instrument explicitly intended "to accelerate the energy transition" (explanatory memorandum) could at the same time help finance the industrial base of nuclear power, especially given that nuclear energy is extremely expensive and many projects are affected by massive delays.

2. Nuclear energy is not a "clean" or "Net Zero" technology within the meaning of Luxembourg's climate policy

The title of the law and its objectives explicitly speak of "clean technologies" and a "net-zero emissions economy". The Mouvement Ecologique disputes the implicit equation of nuclear energy with "clean" technologies. Regardless of the CO₂ balance of the electricity produced, nuclear energy raises unresolved questions regarding the final disposal of radioactive waste, proliferation, security of uranium supply, and considerable safety and liability risks. Including this technology in a list that otherwise comprises batteries, solar modules, wind turbines, heat pumps and electrolyzers sends

the wrong political signal and puts these technologies on an equal footing, even though the safety concerns and potential risks involved are of an entirely different nature.

3. Misuse of limited public funds and a question of priorities

The "fiche financière" (financial data sheet) attached to the draft law provides an overview of the public funds needed for already identified projects, as well as additional financial resources for possible further projects. A total volume of over €170 million by 2034 is set out. The text states that additional projects might not be able to be funded, since the financial resources currently provided for might not cover them. Against this background, it is all the more important that the available and limited public funds benefit exclusively genuine future-oriented technologies of the energy transition, rather than potentially having to compete with nuclear projects.

Even if the practical likelihood of a company in Luxembourg actually applying for support for nuclear technologies or the manufacture of such material were to be low, the mere legal anchoring of this possibility carries considerable symbolic weight. It would make it more difficult for Luxembourg to credibly position itself, internationally and within the Greater Region (including vis-à-vis France in the context of Cattenom), as a consistently nuclear-free country committed to 100% renewable and decentralised energy systems.

Conclusion

The Mouvement Ecologique supports the objective of the draft law to promote Luxembourg investments in production capacities for the energy transition. However, it strongly demands that:

- **nuclear energy and other nuclear technologies (including fusion) be explicitly excluded from eligibility for support under Article 5 and "Annex 2";**
- **financial resources and political attention consistently benefit genuinely renewable and energy-efficient technologies.**

Only in this way will the law remain true to its own claim of supporting Luxembourg's transition to a net-zero emissions economy based on renewable energy, while remaining consistent with the country's long-standing, broadly supported anti-nuclear position.

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