

Briefing Paper: Energy Policy

With reference to the European Union (Amendment) Bill Debates – House of Commons

With regard to energy policy, the overall objective of the Treaty of Lisbon is to create an EU Common Energy Policy. The main aim is security of supply for the whole of the EU, with particular emphasis on burden sharing amongst states.

- Energy will become a shared competence. The EU can decide what it wants to legislate on in this area and the Member States will be left with the remainder.¹
- The Treaty of Lisbon calls for Member States to act in a ‘spirit of solidarity’² and in the event of difficulties in energy supply gives power to the European Council³.
- The EU priority is supply for the Union as a whole, not individual Member States. Because the EU will have priority over energy policy via the shared competence arrangements, British citizens could face rationing in a crisis elsewhere in the EU, as UK energy is sent to them.
- The UK could be forced to ‘bail-out’ other Member States in trouble. Given the dependence of Eastern Europe on Russian energy, there is a risk that in the event of an energy crisis, UK consumers would have to subsidise energy in Eastern Europe and end up paying higher bills.

¹ Title I: Categories and Areas of Union Competence, Article 4 (i) (Consolidated version); Title I: Categories and Areas of Union Competence, Article 2 C (Treaty of Lisbon).

² Title XXI: Energy. Article 194 (Consolidated version); Title XX: Energy. Article 176 A (Treaty of Lisbon).

³ Title VIII: Economic Policy, chapter 1, Article 122 (Consolidated version); Article 100, Difficulties in Supply of Certain Products (Energy), paragraph 1 (Treaty of Lisbon).

- Why is the Government saying that in the event of energy problems, it will abdicate power to the European Union? Is the Government incapable, or admitting its own energy plans are flawed?
- The United States government in the Energy Independence and Security Act 2007⁴ deems energy policy and energy independence an area vital to its national security. Why does the British Government want the EU to take control of this part of vital national security?

⁴ <http://www.whitehouse.gov/news/releases/2007/12/20071219-1.html> ; <http://www.whitehouse.gov/infocus/energy/>