EFELA NUCLEAR CONGRESS

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COMPARISON OF EUROPEAN AND NON-EU REGULATORY EXPERIENCES IN THE FIELD OF NUCLEAR ENERGY LAW

"In recent years, discussion has often focused on the transformation of the legal profession, on technological challenges, and on the need to preserve, even in the context of innovation, the centrality of human judgment and legal responsibility. Today's initiative stands in full continuity with that path, while expanding it into a sector in which law, technology, industrial policy, safety, and public regulation are intertwined in a particularly intense manner.

The Congress organized by the European Federation of Energy Law Associations constitutes, from this standpoint, an occasion of the highest importance. As the programme shows, the sessions of 3 and 4 September 2026 at Palazzo Edison, Foro Bonaparte 31, Milan, are devoted to a comparison of European and non-European regulatory experiences in the field of nuclear energy law, with presentations addressing safety, safeguards, civil liability, the Euratom framework, licensing, regulatory authorities, supply chain issues, the Italian regulatory context, and perspectives on Small Modular Reactors, or SMRs.

This topic is highly timely. The debate on a possible return to nuclear power in Italy now takes place within a broader reflection on energy security, decarbonisation, the resilience of critical infrastructure, and European strategic autonomy—issues expressly identified in the pre-event paper as key interpretative

frameworks for this initiative. In that context, nuclear energy is examined not merely as a technological option, but as a field that requires a rigorous, multi-level, and coherent legal framework.

For this reason, it is particularly significant that the first session of the Congress is devoted to the general framework of nuclear energy law, with specific reference to the international framework governing safety, security, and civil liability for nuclear damage, the role of the IAEA, the safeguards system in Euratom countries, and the legal framework of the European Union, including the Euratom Treaty and the applicable secondary legislation. This is a particularly sound approach, because it reminds us that any serious and credible discussion of nuclear energy must begin, first and foremost, with rules, safeguards, and structures of responsibility.

Alongside environmental sustainability and the reduction of emissions, the most sensitive issues naturally remain central: plant safety, radioactive waste management, licensing procedures, public oversight, investment costs, social acceptability, and the robustness of industrial supply chains. From this perspective as well, the programme of the Congress appears especially well designed, as it devotes specific sessions both to licensing approaches and models of regulatory authorities in the principal European countries, and to supply chain strategies across different jurisdictions.

Of particular interest for an Italian audience is the session on 4 September devoted to the Italian legal framework: its current state and the level of preparedness for the possible development of a nuclear programme, with the participation of representatives of the Ministry of the Environment and Energy Security, ISIN, and ARERA. This is an essential step, because the matter cannot be addressed in the abstract: it is necessary to examine whether the legal system is capable of establishing clear rules, competent authorities, reliable procedures, effective supervisory mechanisms, and appropriate instruments for institutional coordination.

Equally important is the session devoted to SMRs, which the programme appropriately places within a comparative European and international perspective, addressing both the role of the European SMR Industrial Alliance and licensing procedures and regulatory developments in jurisdictions such as the United States and Canada. Here again, the central issue

is not only technological innovation, but also the capacity of the law to govern it through adequate, proportionate, and forward-looking instruments.

For the Milan Bar Council, initiatives of this kind deserve particular attention and support, because they offer the legal community the opportunity to engage with issues that require not only legal expertise in the strict sense, but also comparative, regulatory, and institutional competence. Energy law, and nuclear energy law in particular, is today one of the fields in which the need for a legal profession capable of understanding technical complexity, engaging with institutions, and contributing to the quality of decision-making processes is most clearly apparent.

I therefore wish to express my appreciation for the organisation of this Congress, which brings together representatives of institutions, academia, and the sector's operators in a high-level exchange, open also to the international and comparative dimension, as demonstrated by the presence of speakers from numerous European countries and from important supranational bodies.

I therefore extend my thanks to EFELA, AIDEN, Edison, and to all those who have contributed to the organisation of this initiative, as well as to the speakers and participants, with the hope that these days may provide a serious, well-informed, and useful exchange from both a scientific and professional standpoint, in a field destined to assume growing importance in legal, energy, and European debate."

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