

Siemens and Rosatom will co-operate at any cost

The European Commission at the beginning of June launched an investigation into the breach of the European competition law by the joint venture of Areva and Siemens, which builds nuclear reactors. The investigation was launched upon a motion from Siemens, which thus wants to eliminate the clause which imposes a ban on any competitive action until 2020 from the co-operation agreement with Areva and thus become able to start co-operation with Rosatom in the nuclear sector. This sector is becoming yet another area in which Germany and Russia are tightening economic co-operation at the expense of French-German business contacts.

Areva NP, a joint venture of Siemens and Areva, was established in 2001. Due to a dispute over the distribution of profits for 2009 not being settled, Siemens used the clause which allowed it to sell its shares (34%) to Areva. Siemens is trying to accelerate the lengthy process of its withdrawal from Areva NP by submitting the case to a court of arbitration in Switzerland. Furthermore, Siemens started talks with Russia's Rosatom on the establishment of a joint venture which would be competitive to Areva. However, German-Russian co-operation is being blocked by Areva on grounds of the non-competition clause included in the memorandum of association of Areva NP. Reporting the case to the EC (in practice a self-denunciation) may be found as a way of eliminating a ban on competition as contrary to EU law. A fast and favourable ending of co-operation with Areva would allow Siemens to take part together with Rosatom in tenders for building nuclear power plants to be announced in the EU in the next few years. <ŁAN>