

Legal Affairs

Nuclear Law Committee (NLC)

The NLC fosters the harmonisation of national legislation governing the peaceful uses of nuclear energy, and in particular contributes to the modernisation of the international nuclear liability regime and the strengthening of treaty relations among interested countries in the area of liability and compensation for nuclear damage. Under the supervision of the NLC, the NEA also compiles, analyses and disseminates information on nuclear law through regular publications and organises the International School of Nuclear Law educational programme.

Civil liability for nuclear damage

The NEA continues to serve as a forum for the examination of legal issues in the nuclear field with particular emphasis on civil liability and compensation for nuclear damage. Its strategic objective of modernising the international nuclear liability regime was met in 2001 through two activities.

The first activity was to provide support to the Contracting Parties to the Paris and Brussels Supplementary Conventions in their negotiations to revise both Conventions. Those negotiations advanced to the point where a final meeting to approve the texts of both amending Protocols was scheduled for early 2002, and it was expected that both amending protocols would be adopted by year-end. The revision of the Conventions will provide greater protection to victims of a nuclear incident and will ensure continued compatibility of the Conventions with other international nuclear liability instruments, including the 1988 Joint Protocol on the Application of the Vienna and Paris Conventions, the 1997 Protocol to Amend the Vienna Convention and the 1997 Convention on Supplementary Compensation for Nuclear Damage.

The second activity was the organisation with the French authorities of a three-day "Workshop on the Indemnification of Damage in the Event of a Nuclear Accident", held in November 2001 as part of the International Nuclear Emergency Exercise (INEX) 2000. For the first time, it was decided to incorporate third-party liability aspects into the INEX programme, which has been carried out by the NEA since 1993. The technical exercise, during which a nuclear accident was simulated, took place on 22 and 23 May 2001 at the Gravelines nuclear power plant, located near Dunkerque in the north of France. It was followed by this specialised workshop on third-party liability, which aimed to test the mechanisms that apply to the compensation of potential victims of such an accident, both in France and in neighbouring countries.

The workshop was organised in three main stages: the alert phase (grave and imminent danger of a nuclear accident); the accident phase (effective releases, possible danger); and the post-accident

Contracting Parties to the Paris Convention on Third Party Liability in the Field of Nuclear Energy		
Belgium	Greece	Slovenia
Denmark	Italy	Spain
Finland	Netherlands	Sweden
France	Norway	Turkey
Germany	Portugal	United Kingdom

Contracting Parties to the Convention Supplementary to the Paris Convention (Brussels Supplementary Convention)		
Belgium	Germany	Spain
Denmark	Italy	Sweden
Finland	Netherlands	United Kingdom
France	Norway	

phase (triggering of procedures to identify and compensate damage). The following aspects were examined in particular: intervention of the nuclear operator's insurer, dissemination of information concerning the rights of potential victims and compensation claims, emergency assistance payments, compensation claims handling, and the interface between the accident State and the international nuclear third-party liability regime, including the manner in which the Paris Convention on Third Party Liability in the Field of Nuclear Energy and the Brussels Supplementary Convention would be applied.

As a matter of interest, Slovenia acceded to the Paris Convention on 16 October 2001. This is the first time that a non-OECD member country has applied for accession to that Convention, raising the number of Contracting Parties to fifteen.

Information on nuclear law

Issues No. 67 and 68 of the *Nuclear Law Bulletin* were published in June and December 2001, along with their respective Supplements which reproduced new nuclear legislation adopted in the Republic of Korea, Latvia, Norway and Poland. This periodical, issued twice a year, provides up-to-date information on recent developments in the field of nuclear law at the national and international levels. The Bulletin has proved to be an invaluable tool over the past thirty years for those in government, regulatory, academic, industry and international circles that work closely with nuclear law.

The 2001 Update to *Nuclear Legislation: Analytical Study – Regulatory and Institutional Framework for Nuclear Activities* in OECD Member countries was also prepared. This loose-leaf publication, which provides a systematic analysis of nuclear legislation and nuclear institutions in 30 countries, is a useful source of information for those interested in the regulation of nuclear activities. This year's update introduced amendments into nine of the existing country chapters and also includes a new chapter on the Slovak Republic, which became a Member of the OECD in December 2000.

Students and professors at the 2001 Session of the International School of Nuclear Law.



- The Contracting Parties to the Paris Convention on Third Party Liability in the Field of Nuclear Energy and to the Brussels Convention Supplementary to the Paris Convention advanced their negotiations on the revision of both Conventions, with a final meeting to approve the texts of both amending Protocols scheduled to take place in early 2002.
- The first session of the International School of Nuclear Law was held in the summer of 2001 at the University of Montpellier 1, with 50 participants from 33 countries in attendance.
- A "Workshop on the Indemnification of Damage in the Event of a Nuclear Accident" was co-organised by the NEA and the French authorities in order to explore the mechanisms that apply to the compensation of potential victims of a nuclear accident.

International School of Nuclear Law

The first session of the International School of Nuclear Law (ISNL) was held at the University of Montpellier 1, France, in August/September 2001. The ISNL is jointly managed by the University of Montpellier 1 and the NEA. The International Nuclear Law Association, the European Commission and the International Atomic Energy Agency also provided sponsorship or support to the organisation of the first session.

Fifty law students and young professionals from 33 countries participated in this session, which covered all the essential aspects of the law governing the uses of nuclear energy: radiation protection, nuclear safety, radioactive waste management, transport of nuclear materials, physical protection, non-proliferation, regulation of trade and nuclear third-party liability and insurance. Further information on the 2002 session and application forms are available on the NEA website at www.nea.fr/html/law/isnl/index.html.



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