

BIBLIOGRAPHY AND NEWS BRIEFS

BIBLIOGRAPHY

OECD Nuclear Energy Agency

Compendium of Nuclear Safety Related Co-operation Agreements, Paris 1999, 137 pages

During this decade a number of bilateral agreements were concluded with the Russian Federation and Ukraine, to facilitate the setting up of specific assistance projects on nuclear safety through appropriate provisions dealing with nuclear liability exoneration and indemnity protection of the western contractors as well as states and international organisations. Some of these agreements also contain provisions on tax and customs duties exemption.

This compendium of selected bilateral agreements is an unofficial document prepared by the NEA. Its purpose is to serve as a source of information and reference for those involved in the administration of nuclear safety assistance programmes. Anyone interested in obtaining a copy of this compendium may write directly to the Secretariat of the NEA.

Netherlands

Contemporary Developments in Nuclear Energy Law: Harmonising Legislation in CEEC/NIS, Kluwer Law International, 1999, 697 pages

This book provides an insight into recent legislative developments in the fields of nuclear safety and third party liability within the countries of Central and Eastern Europe and in the New Independent States. It also examines national and international programmes of a legal, financial or technical nature, which have been established to assist these countries. The editor of this publication, Nathalie L.J.T. Horbach, is currently Director of the Centre for Transboundary Damage and Compensation; she obtained her doctoral degree in public international law with a thesis entitled “Liability versus responsibility under international law: Defending strict State responsibility for transboundary damage”. This book was sponsored by Urenco Ltd.

The principal aim of this book is to assemble information gathered from the experiences of experts from academic, governmental and industrial circles, both in the East and the West, in order to

provide a comprehensive analysis of the current situation. Emphasis has been put on the efforts undertaken by the international community with a view to improving the safety of Soviet-style nuclear installations. The improvement of safety levels in these countries has in fact proven to be a key question during discussions on enlarging the membership of international organisations like the European Union, the OECD and NATO.

The book is divided into four parts. The first section deals with international conventions adopted during recent years in the field of the peaceful uses of nuclear energy; the second examines nuclear legislation in several Eastern European States (Croatia, Hungary, Lithuania, Russian Federation, Slovenia and Ukraine) together with nuclear insurance and the decommissioning of nuclear installations. The third part examines the assistance granted to these countries by the European Union, the European Bank for Reconstruction and Development, the IAEA and the OECD Nuclear Energy Agency. The final section reproduces the texts of the three legal instruments adopted in 1997, namely the Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage, the Convention on Supplementary Compensation for Nuclear Damage and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

A bibliography, which lists the legislative instruments in force in the countries of Central and Eastern Europe and an index are included at the close of this book.

International Atomic Energy Agency (IAEA), Supplement to the *International Encyclopaedia of Laws: Intergovernmental Organizations*, Nathalie L.J.T. Horbach, October 1998, Kluwer Law International, 172 pages.

This monograph in English provides a comprehensive description of the structure and activities of the International Atomic Energy Agency, a specialised agency of the United Nations. The author of this publication, Nathalie L.J.T. Horbach, is currently Director of the Centre for Transboundary Damage and Compensation. The book is divided into four main chapters: the first chapter is entitled “Genesis and Historical Development”; the second covers agreements concluded by the IAEA with inter-governmental organisations and specialised agencies. The third chapter, which sets out the activities and projects of the Agency, describes the role which this body plays in relation to, *inter alia*, the receipt of nuclear materials; technical assistance; research activities; food and agriculture; safeguards and verification; health and safety; nuclear power, the nuclear fuel cycle and waste management and the distribution of information. Chapter Four is entitled “Legal Matters” and describes the particular legal rules which apply to the Agency as a result of its status as an intergovernmental organisation.

Uruguay

***El Derecho Nuclear y el MERCOSUR*, by Diva E. Puig, Ed. Fundacion de Cultura Universitaria, 1998, 103 pages.**

El Derecho Nuclear y el MERCOSUR is a publication in Spanish which examines the nuclear situation in those countries party to the MERCOSUR Regional Agreement: Argentina, Brazil, Paraguay and Uruguay. This Agreement, concluded on 26 March 1991, established a common market in the region of Latin America where these four countries are situated.

The author, Ms. Diva E. Puig, is the Chairperson of the Uruguayan Association for Protection against Ionising Radiation. In her study, she underlines the importance of harmonising these countries' legislation in the field of the peaceful uses of nuclear energy. The main section in this publication consists of a comparative study of the respective regulations and legislation in the following fields: regulatory authorities; third party liability; physical protection and nuclear safety; radioactive waste management; and environmental protection.

Through her analysis of the current situation in the MERCOSUR region, the author highlights the differences between these four countries in respect of their nuclear technology. While Argentina and Brazil both have an electronuclear programme, Paraguay and Uruguay do not operate nuclear power plants. They do, however, apply nuclear technology in the medical field, in agriculture and in industry. These underlying differences may therefore affect the future harmonisation of nuclear legislation.

NEWS BRIEFS

OECD Nuclear Energy Agency

International Symposium on the Reform of Civil Nuclear Liability (1999)

Governmental experts, nuclear industry representatives, specialists from international organisations, nuclear risk insurers and academics from over fifty countries met in Budapest from 31 May to 3 June, 1999, for an International Symposium on the Reform of Civil Nuclear Liability. This event, organised by the OECD Nuclear Energy Agency in co-operation with the International Atomic Energy Agency and the European Commission, provided a forum for discussion within the nuclear community on the national and international regimes which guarantee equitable compensation to all potential victims of a nuclear accident. The Symposium was hosted by the Hungarian Atomic Energy Authority and the Institute for Legal Studies of the Hungarian Academy of Sciences.

The primary purpose of this Symposium was to review nuclear liability and compensation issues in the context of the recent revision of the Vienna Convention on Civil Liability for Nuclear Damage, the adoption of the Convention on Supplementary Compensation for Nuclear Damage and the current negotiations on the amendment of the Paris Convention on Third Party Liability in the Field of Nuclear Energy and the Brussels Supplementary Convention

The Symposium provided an opportunity to evaluate progress already made in the international nuclear liability regime and to discuss those challenges which lie ahead. Working Sessions focused on the prospects of implementation of the new global regime, transport issues, and the equitable distribution of compensation to nuclear accident victims.

The Symposium also served as a forum for examining the difficulties faced by Central and Eastern European countries (CEEC) and by the New Independent States (NIS) in joining an international regime. The importance of their adherence to such a regime was reflected in the invitation of specialists from 14 of these countries to attend this event.

Proceedings of the Symposium will be published by the OECD Nuclear Energy Agency during the latter half of 1999. They will include full texts of all papers in their original language (English or French), a record of the discussions and a list of participants.

1998 Update of the Analytical Study on Nuclear Legislation in OECD countries

The third Update of the Analytical Study on Nuclear Legislation in OECD countries, published by the Nuclear Energy Agency in 1995, is now available from the NEA Secretariat. As with the original publication and the 1996 and 1997 Updates, it is organised on the basis of a standardised format for all countries, thus facilitating the search for and comparison of information. The 1998 Update consists of replacement chapters for Austria, Belgium, Germany, Japan, Spain and the United

States. In addition, there are completely new chapters for Iceland and New Zealand, which were not previously covered by this publication.

International Nuclear Law Association

Nuclear Inter Jura 1999

The International Nuclear Law Association (INLA) will hold its 14th Congress from 24 to 29 October 1999 in Washington, USA.

These Congresses, organised on a two-yearly basis, provide the INLA Members, together with other interested persons, with an opportunity to review recent developments in nuclear law, and serve as a forum to discuss legal questions concerning the peaceful uses of nuclear energy.

As in the past, the Congress will be divided into five sessions based on the following well-known themes: licensing and decommissioning; radiological protection; international nuclear trade; third party liability and insurance; and management of radioactive waste. A special session will be dedicated to the effects of privatisation and de-regulation on the future of nuclear energy. The presentations will close with observations on nuclear legislation of the 21st century.

Further information may be obtained from the Technical Secretariat of INLA by writing to the Chairman, Mr. Manning Muntzing, Morgan, Lewis & Bockius LLP, 1800 M Street, N.W. Washington D.C. 20036. Fax : +202 467 7176. E-mail: munt7474@mlb.com

