

# BIBLIOGRAPHY AND NEWS BRIEFS

## BIBLIOGRAPHY

### **OECD Nuclear Energy Agency**

#### *2001 Update of the Analytical Study on Nuclear Legislation in OECD Member Countries*

The OECD Nuclear Energy Agency published in 2001 the first update of the 1999 Edition of the *Analytical Study on Nuclear Legislation in OECD Member Countries*. As with the former Edition, it is organised on the basis of a standardised format for all countries, thus facilitating the search for and comparison of information. The 2001 Update consists of replacement chapters for Australia, Canada, Hungary, Italy, Japan, Luxembourg, Norway and Spain. In addition, there is a completely new chapter for the Slovak Republic, which became a member of the OECD on 14 December 2000, and which was not previously covered by this publication. An Information Note is also provided on Poland, pending revision of this chapter upon adoption of legislation to implement the new Polish Atomic Law. This publication, which is also available in French, may be ordered from the OECD Online Bookshop at the following address: <http://www1.oecd.org/scripts/publications/bookshop/redirect.asp?662002071P1>

### **International Nuclear Law Association**

#### *Rechtsfragen des Umgangs mit abgebrannten Brennelementen und radioaktiven Abfällen – Legal Implications of the Management of Spent Nuclear Fuel and Radioactive Waste, Nomos Verlagsgesellschaft, Baden Baden, 2002, 352 pages*

This publication contains the papers presented at the 8<sup>th</sup> Regional Meeting of the German branch of the International Nuclear Law Association, held in Potsdam on 7 and 8 December 2000. The theme of this Meeting was “The Legal Implications of the Management of Spent Nuclear Fuel and Radioactive Waste”. The four working sessions addressed respectively the transportation of spent nuclear fuel and radioactive waste, the reprocessing and conversion of spent nuclear fuel, the on-site storage of spent nuclear fuel and final disposal of radioactive waste. More than 130 participants from 23 countries and 3 international organisations participated in the discussions under the chairmanship of Dr. Norbert Pelzer.

## Russian Federation

*Environmental Protection and the International Regulation of Peaceful Nuclear Activities, by Elena Molodtsova, Moscow, 2000, 224 pages (in Russian)*

The author of this book, Elena Molodtsova, is Senior Researcher at the Institute of State and Law in Moscow. The main purpose of the book, which is of a combined informational and analytical character, is to identify within the body of international nuclear law – both “hard” and “soft” – those norms and recommendations which are aimed at the protection of the environment during the pursuit of nuclear activities, and to analyse them from the point of view of environmental safety.

Chapter I provides a philosophical and ethical basis for the subsequent legal study. The principal themes explored in this chapter are environmental safety and protection of the biosphere. The author emphasises the fact that environmental safety cannot be restricted to any one discipline but rather should underlie all regulatory activities in the legal, economic and technological fields. At the same time, there exists a body of law within international law where most of the environmental principles as well as other legal tools are to be found, i.e. international environmental law. These principles aim to prevent or reduce environmental damage and to ensure reversal of any damage accidentally caused to the environment.

Chapter II of the book is devoted to the regulation of environmentally safe uses of nuclear energy by two major international organisations – the International Atomic Energy Agency (IAEA) and Euratom. Both organisations employ standards to implement their regulatory activities, thus facilitating a comparative analysis of their respective roles in this domain.

The material in Chapter III demonstrates that the international regulation of environmentally safe uses of nuclear energy has progressed to a higher level due to the fact that the “soft” law of the international organisations, in particular the IAEA, is gradually transformed into the “hard” law of international treaties. The recent Convention on Nuclear Safety, adopted in 1994, and Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, adopted in 1997, both of which were concluded under the auspices of the IAEA, deal, *inter alia*, with certain environmental issues within the context of nuclear activities and provide for standards, environmental impact assessments and consultations.

Chapter IV describes and analyses the regime of liability for nuclear damage.

The book concludes that although certain international environmental principles are taken into account in the regulation of environmentally safe nuclear activities, principles such as those of precaution, intergenerational equity and respect of all life forms should be more consistently and fully applied within the regulation of nuclear activities. Due to their inherent danger, nuclear activities should be governed by the principle of precaution which should constitute an essential starting-point for the regulatory process in this area.

## **United Kingdom**

*Energy Law and the Environment, by Patricia D. Park, published by Taylor and Francis, London, 2002, 266 pages*

The author of this book, Patricia Park, is Professor of Environmental Law and Chair of the Law Research Centre at Southampton Institute in the United Kingdom. Her book is aimed at persons working in the energy sector, whether from academic circles or industry, in order to draw their attention to the increase in environmental legislation which will affect their activities.

Devoted to energy law, this book considers the interrelationship between energy law and the legal environment imperatives for the industrial sector. Reflecting the state of the law as of September 2000, the author deals with the following topics: the regulation of the energy sector and the environment; the regulatory bodies in the UK; international environmental law issues; European energy law and policy; trade, competition and the environment; the regulation of the coal, oil, gas and nuclear industries; the electricity supply industry; and the future of energy in the perspective of sustainable development.

## **Uruguay**

*Responsabilidad Civil Por Daños Nucleares y Radiologicos, by Ms Diva Puig, Uruguay, 2001, 109 pages*

The author of this book devoted to nuclear third party liability teaches nuclear law at the Law Faculty of Montevideo and is the Chairperson of the Uruguayan Radiation Protection Association. After its introductory chapter, this study examines one-by-one the issues of nuclear damage, the nature and basis of liability for such damage, the various Conventions underlying the international nuclear third party liability regime, the system providing for limited liability of the nuclear operator and the situation of Latin American countries vis-à-vis these Conventions. It also contains a chapter setting out a case study of an accident involving a radioactive source, namely the Goiânia accident in Brazil in 1987. In the annex, the reader will find the Spanish language texts of various international Conventions on third party liability for nuclear damage, including the consolidated text of the Vienna Convention as amended in 1997.

## **NEWS BRIEFS**

### **OECD Nuclear Energy Agency**

#### *2002 Session of the International School of Nuclear Law*

The second session of the International School of Nuclear Law (ISNL), a teaching programme organised by the OECD Nuclear Energy Agency (NEA) and the University of Montpellier 1, will take place from 26 August to 6 September 2002 in Montpellier, France. This session will cover the main aspects of nuclear law: radiation protection, safety, third party liability, radioactive waste

management, non-proliferation, trade of nuclear materials, etc. Lectures will be delivered in English by renowned specialists in nuclear law, particularly from academic circles, specialised international organisations, the nuclear industry and insurance sector, and other nuclear experts.

The teaching programme of the ISNL is aimed more particularly at law students pursuing their studies at doctoral or masters level, who wish to follow an introductory course on nuclear law and familiarise themselves with career opportunities open to them in this field, and also young professionals who are already active in this sector and who wish to develop their knowledge.

Further information on the organisation of the ISNL and its programme may be obtained from the NEA Secretariat, Legal Affairs, 12 boulevard des Iles, 92130 Issy-les-Moulineaux, France, or on the NEA website at the following address: <http://www.nea.fr/html/law>.

## **International Nuclear Law Association**

### ***9<sup>th</sup> INLA Regional Meeting of the German Branch***

The German Branch of the International Nuclear Law Association will hold its 9<sup>th</sup> regional meeting on 26 and 27 September 2002 in Wiesbaden. The theme of the conference will be “Nuclear Law Problems in Focus”. Subjects discussed under this general theme shall be addressed from the point of view of national, comparative and international law and shall cover the ongoing revision of the Convention on Physical Protection of Nuclear Material, including consequences of large-scale acts of terrorism, final disposal of radioactive waste, new developments in nuclear liability law, e.g. the revision of the nuclear liability regime established by the Paris Convention on Third Party Liability in the Field of Nuclear Energy and the Brussels Supplementary Convention, and claims handling costs, as well as selected issues on the new German Atomic Energy Act.

The meeting will take place in German and English with simultaneous translation.

Further information on this conference may be obtained from Dr. Norbert Pelzer, Institut für Völkerrecht, Platz der Göttinger Sieben 5, 37073 Göttingen, Germany.

## **Morocco**

### ***Establishment of the Moroccan Radiation Protection Association***

The Moroccan Radiation Protection Association (*Association marocaine de radioprotection – AMR*) was established pursuant to Royal Decree No. 1-58-376 of 15 November 1958 regulating the right of association in Morocco, as amended and completed.

The establishment of this Association results from:

- the interest in setting up, outside administrative and official channels, a framework for discussion and exchange of information between the different actors in the field of radiation protection and to work towards, where appropriate in liaison with other national or foreign associations, the strengthening of radiation protection in different sectors, through the organisation of seminars, conferences etc.;

- the idea to establish an African Radiation Protection Association, whose actions would be facilitated by the existence of active national associations;
- the proposal of the French Radiation Protection Society (*Société française de radioprotection*) to assist with the establishment and activities of a radiation protection association in Morocco, working towards similar goals.

Established on 30 January 2002, the governing body of the Moroccan Radiation Protection Association is composed of eleven members representing all sectors concerned: the National Centre for Nuclear Energy, Science and Techniques, and also the industrial, university and medical sectors.

The Association aims to:

- encourage activities and information exchange in the field of radiation protection and related areas;
- assist in informing both the public and the professionals concerned about the problems and requirements related to radiation protection for the protection of man and the environment;
- promote professional training in radiation protection.

The Association may co-operate with any other body or association, at national or international level, which has similar goals.