

BIBLIOGRAPHY AND NEWS BRIEFS

BIBLIOGRAPHY

OECD Nuclear Energy Agency

Indemnification of Damage in the Event of a Nuclear Accident, OECD/NEA, Paris, July 2006, 150 pages

These Proceedings from the Second International Workshop on the Indemnification of Nuclear Damage, held in Bratislava, Slovak Republic, from 18 to 20 May 2005, will be available in July 2006. The workshop was co-organised by the OECD Nuclear Energy Agency and the Nuclear Regulatory Authority of the Slovak Republic. It attracted wide participation from national nuclear authorities, regulators, operators of nuclear installations, nuclear insurers and international organisations.

The purpose of the workshop was to assess the third party liability and compensation mechanisms that would be implemented by participating countries in the event of a nuclear accident taking place within or near their borders. To accommodate this objective, two fictitious accident scenarios were developed: one involving a fire in a nuclear installation located in the Slovak Republic and resulting in the release of significant amounts of radioactive materials off-site, and the other a fire on board a ship transporting enriched uranium hexafluoride along the Danube River. The first scenario was designed to involve the greatest possible number of countries, with the second being restricted to countries with a geographical proximity to the Danube. These proceedings contain the papers presented at the workshop, as well as reports on the discussion sessions held.

International Nuclear Law in the Post-Chernobyl Period, Joint publication between the OECD/NEA and the IAEA, Paris, July 2006, 241 pages

The accident which took place on 26 April 1986 at the Chernobyl nuclear power plant in Ukraine was to have a decisive influence on the development of international nuclear law over the following two decades.

Within six months of the accident, a convention on early notification of a nuclear accident and a convention on assistance in the event of a nuclear accident or radiological emergency were negotiated and adopted under the auspices of the International Atomic Energy Agency. In 1988, a joint protocol forming a bridge between the two existing international nuclear liability regimes was established. 1994 saw the adoption of a convention establishing international benchmarks for nuclear safety, followed by a convention on the safety of spent fuel and radioactive waste management in 1997. The existing international regimes governing liability for nuclear damage have been significantly reinforced and a new global regime created.

The purpose of this compendium, jointly produced by the OECD Nuclear Energy Agency and the International Atomic Energy Agency, is to provide thoughtful analysis on each of the above instruments, demonstrating the extent to which progress has been made and identifying areas in which further improvement would be desirable. It reproduces a number of articles which have been published in the OECD/NEA *Nuclear Law Bulletin*, accompanied by some previously unpublished works. It also summarises the practical steps taken by the respective international organisations that support the international legal framework.

International Journal of Nuclear Law (IJNL)

The first issue of a new journal on international nuclear law has recently been issued by Interscience Publishers. It describes itself as aiming “to provide a forum for thoughtful analysis focusing on issues of concern to nuclear law and regulations, to arrange for and promote studies and the knowledge of legal problems related to the peaceful use of nuclear energy under the special aspects of the protection of people and the environment, to help promote the exchange of information and to contribute to the development of legislation governing the peaceful uses of nuclear energy”.

The Editor-in-Chief of the IJNL is Professor Dr. André Maisseu of WONUC, the World Council of Nuclear Workers. Four issues of the IJNL are to be published per year.

NEWS BRIEFS

Cooperative Arrangement Between US Department of Energy and OECD Nuclear Energy Agency

On 10 April 2006, the US Department of Energy (DOE) and the OECD Nuclear Energy Agency (OECD/NEA) signed an Arrangement for Cooperation in the Field of Nuclear Data and Computer Programs. Assistant Secretary for Nuclear Energy in the DOE, Denis Spurgeon, and Director General of the NEA, Luis Echávarri, signed this arrangement which extends and supports the exchange of nuclear data and related information as well as computer programs pertinent to civilian nuclear, science and technology initiated under the previous Cooperative Arrangement adopted on 15 December 1985. The new arrangement runs for five years, automatically renewable.

Euratom Joins Generation IV Framework Agreement

On 12 January 2006, the European Commission approved the European Atomic Energy Community's (Euratom) participation in the Framework Agreement for International Collaboration on Research and Development of Generation IV Nuclear Energy Systems (see *Nuclear Law Bulletin* No.75). Euratom will join the Generation IV International Forum, a platform for international cooperation between researchers and nuclear industry experts from Argentina, Brazil, Canada, France, Japan, Republic of Korea, South Africa, Switzerland, the United Kingdom and the United States, who are working together to lay the groundwork for the fourth generation nuclear reactor - Generation IV. The OECD Secretary-General is Depositary of the Generation IV Framework Agreement.

Nomination of Judges to the European Nuclear Energy Tribunal

On 24 May 2006, the OECD Council adopted a Resolution concerning the appointment of the judges of the European Nuclear Energy Tribunal. This Tribunal was initially established in 1957

pursuant to the Convention on the Establishment of a Security Control in the Field of Nuclear Energy. Since the application of the security control system (non-proliferation of nuclear weapons) was suspended in the 1970s in order to avoid duplication with similar systems established by Euratom and the IAEA, and since the winding up of Eurochemic in 1990, the jurisdiction of the Tribunal has been limited to resolving differences concerning the interpretation or application of the 1960 Paris Convention on Third Party Liability in the Field of Nuclear Energy and the 1963 Brussels Supplementary Convention. There have been no cases so far.

Seven independent judges are appointed every five years by the OECD Council upon proposals submitted by countries party to the 1957 Convention according to a procedure of rotation. The judges appointed for this term of office, commencing 24 May 2006, are Dr. Peter Baumann (Austria), Ms. Mia Wouters (Belgium), Mr. Olivier Talevski (Denmark), Ms. Marie-Claire Guyader (France), Prof. Armin von Bogdandy (Germany), Mr. E.A. Maan (Netherlands) and Prof. Vaughan Lowe (United Kingdom). An inaugural session of the Tribunal will be held over the coming months.