

10th
Anniversary

International School of Nuclear Law



Acknowledgements

Many thanks to Carlton Stoiber for his cartoons and to Juraj Rovny for a number of the photographs used in this brochure.

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In August 2010, the International School of Nuclear Law (ISNL) will hold its 10th anniversary session. It has already been a decade since the Nuclear Energy Agency, in co-operation with the University of Montpellier I in France, decided to establish a “summer university” programme to teach international nuclear law. The major impetus for doing so largely resulted from the fact that university law faculties at that time did not offer specialised courses in nuclear law, a situation that has not changed significantly over the years despite the recent and growing interest of the international community in nuclear energy production. The founders of the ISNL, Mr. Patrick Reyners formerly of the Nuclear Energy Agency and Professor Pierre Bringuier from the University of Montpellier I, embarked on this experiment as an attempt to fill this educational gap, at least at the international level, and they each obtained significant support for the project from their respective institutions.

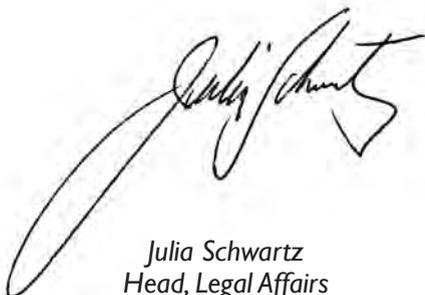
Nuclear law is one of the most highly technical and thus often difficult areas in the legal discipline. Yet, the highly regulated nature of nuclear activities, both at national and international levels, demands that legal practitioners develop both expertise in drafting and interpreting the large number and wide variety of associated legal instruments. At the start of the 21st century, comprehensive national and international legal frameworks covering virtually all aspects of nuclear activities existed in all developed countries without an equivalent educational programme to teach future generations.

Although the success of the school in its early days was difficult to predict, we can now proudly state that the ISNL has been, and continues to be, a great achievement with a reputation for excellence that spans six continents. The ISNL team is a professional collaboration, not only between the NEA and the University of Montpellier I, but between the organisers, lecturers and participants of each session. ISNL alumni now count more than 500 participants who come from all around the world, and represent various governmental and non-governmental institutions, different nationalities and cultures, different levels of education and experience and diverse age groups. They have all contributed to the further enhancement of the programme and today, the significant educational value of the ISNL is undisputed.

In addition to an intensive programme of lectures, case studies and discussion periods, participants benefit from the knowledge and enthusiasm of guest speakers and mentors, the link to the University of Montpellier I and its facilities, and an ideal location in the beautiful South of France. All these elements contribute to what can only be called a close community of ISNL members, most of whom remain in contact well beyond their two-week stay in Montpellier.

The ISNL's focus will remain on the professional needs of participants and will strive to provide the best possible education to help them understand the scope and complexity of international nuclear law.

We hope that the following information and illustrations will provide, in a relaxed and informal style, an overview of the past nine sessions.



*Julia Schwartz
Head, Legal Affairs
OECD Nuclear Energy Agency*



*Pascale Idoux, ISNL Director
Professor of Public Law
University of Montpellier I*

In France they say that at seven years old you reach the age of reason, but this is clearly premature when it comes to an institution such as the ISNL, all the more so because it has been established at one of the oldest law faculties in Europe. However, the 10th anniversary of the school is an opportunity to look back at this undertaking whose future seemed so uncertain at the beginning and whose success would have surprised even the most enthusiastic of its early supporters.

The plan to set up the school resulted from the coming together of many positive factors, some owing to circumstances and others to personal encounters.

Changes in the 1990s: an opportunity for the NEA

The decade of the 1990s began under most unfavourable auspices following the Chernobyl accident. Nevertheless it provided the OECD Nuclear Energy Agency (NEA) and its Legal Affairs Section with the opportunity to redeploy its activities in the nuclear law field, activities which, up until then, were principally dedicated to a programme of studies and of legal publications and to its role as the guardian of the Paris and Brussels Supplementary Conventions on nuclear third party liability.

The dissolution of the Soviet Union, the emancipation of its former “satellites” and the shocking revelation of the precarious state of nuclear safety in that region led to the mobilisation

of an important programme of technical and economic assistance by Western states. In this context, the NEA was invited, notably by the G-7, to contribute to this international effort by helping to reinforce nuclear legislation and to train the staff of nuclear regulatory bodies in these countries. This undertaking took the form of bilateral co-operation, particularly with the Russian Federation and the Ukraine, or a series of annual training seminars on the various aspects of nuclear law which benefited from the active co-operation of the International Atomic Energy Agency (IAEA) and the European Commission.

By the end of this series of seminars, in which dozens of future nuclear regulatory officials from Central and Eastern Europe participated, the NEA had acquired substantial expertise in providing training.

A noticeable absence

It is worth remembering that the end of the 1990s, when the idea of the ISNL was born, was a very different time from today given the current global renewal of nuclear generated electricity projects. Nuclear energy was still in a downturn and the trauma following the accident at Chernobyl had not dissipated.

Back then, the inevitable ageing of skilled personnel at nuclear organisations raised concern about its eventual impact on the safety of installations; although the problem was not of the same nature, this phenomenon was also experienced in connection with the replacement

of a generation of lawyers specialised in nuclear law, raising the issue of knowledge transfer in this recent discipline. The International Nuclear Law Association held up the flame but was at pains to attract young lawyers. This situation was exacerbated by the fact that education in nuclear law was, even in “active” nuclear countries, practically non-existent. Universities were largely disinterested and nuclear institutions, both public and private, did not have the vocation to fill the gap.

Intuition and encounters

In spite of these hardly encouraging perspectives, I had the intuition that there was a need to be satisfied, a case of the supply producing the demand principle so dear to economists. What was, at the beginning, no more than an impression had to be tested and shared, and amongst the colleagues to whom I spoke of the idea, I refer particularly to the members of the INLA Board of Management who, on the occasion of the Congress in Washington DC in 1999 encouraged me to explore this possibility.

Many encounters would prove to be decisive, first of all those with Katia Boustany and Odette Jankowitsch. Professor Katia Boustany, a Lebanese-Canadian with a charismatic personality who taught at the University of Québec, and who was on secondment to the IAEA, was always interested in legal issues relating to advanced technologies. Mrs. Odette Jankowitsch, an Austrian lawyer of European culture, a world citizen and heartfelt supporter of third world

countries, was herself at the point of completing an internationally distinguished career at the Agency in Vienna. They both showed a great deal of enthusiasm for this project, provided me with their advice and promised to co-operate.

For its part, the NEA Management agreed to support this doubtful initiative and allowed me to call upon the resources of the Agency. In this respect, I owe a vote of special gratitude to my colleagues at the NEA for their constant support and their dedication to this project. I would also pay tribute to Pierre Strohl, former Deputy Director-General of the NEA, who with his usual intellectual curiosity was interested in the idea of the School and committed himself from the beginning as part of the team.

Why Montpellier?

It had always been obvious to me that the implementation of a teaching programme in nuclear law had to be based – even if led by an international organisation such as the NEA – on the support of an academic institution in order to be fully legitimate. Various possibilities were envisaged during this short “incubation” period, both in France and abroad (notably in Budapest with a Foundation Soros university).

However, it was my encounter with Professor Pierre Bringuier from the University of Montpellier I which proved to be decisive. This internationalist was strongly interested in legal issues associated with hazardous activities and thus in nuclear activities. Another quality

was his remarkable ability to make the wheels of the university machinery turn and finally, he had the advantage of heading Dideris, the permanent training institute of Montpellier I which had experience with “summer universities”.

Dideris and Pierre Bringuier offered the location and the necessary logistical support for the future school. One visit convinced me that the future students and lecturers could not but appreciate the charm of this beautiful city and this impression has never been proved wrong.

During 2000, a decision in principle was taken and the statute of the International School of Nuclear Law (ISNL) was quickly adopted by the University of Montpellier I. The creation of the School would be accompanied by an agreement concluded in 2002 between the Management of the NEA and the President of the University of Montpellier I providing the framework for a co-operation which has continued smoothly ever since.

Establishing the school

In a rather short period of time, the parameters of the school were defined: a two-week intensive introductory programme alternating traditional courses and practical sessions, covering all aspects of nuclear law and taking place every year during the same period of time (last week of August and first week of September). Teaching would be done in English by a small group of lecturers and would focus particularly on international nuclear law. The capacity of the school was fixed

at 50 to 60 participants in order to ensure better mentoring.

It is worth noting that these decisions, which were taken in a relative hurry and were partially dictated by practical considerations such as the availability of premises, duration of the course or the use of English only, proved to be so right that the functioning of the school has changed very little over the years. Only the programme has changed, as explained below.

First session – first experience

The first session, in the summer of 2001, took place on boulevard Henri IV close to the university district, in the Écusson, the name by which the citizens of Montpellier call the old city. Even if participants from Eastern Europe were relatively numerous, thanks notably to financial assistance from the European Commission, the 50 participants came from all around the world, giving the school a truly international character. Several members of the Office of Legal Affairs at the IAEA agreed to come and deliver lectures in their personal capacity, heralding a commitment which would only be enhanced during the years to come. The three “nuclear agencies” were hence present and collaborating right from the first year. Another stroke of luck for the school: apart from the representatives of these international organisations, other lecturers chosen from amongst the best experts in the nuclear law world responded to my request positively. Without naming them individually, I would like to

pay homage to their talent, their generosity and their loyalty to this project.

Besides the courses which took place during the intense heat of the Mediterranean summer, a technical visit was organised to the nuclear research centre of Marcoule, and a tradition was inaugurated which would become a must – a visit to cultural sites and vineyards of the region, followed by wine tasting, for many a real discovery.

The diploma in international nuclear law

The idea that an exam would be a logical extension of this training and would give it credit occurred to the founders of the school very early on in the process. However, for many students it would have been impossible to extend their stay in Montpellier in order to sit an exam as they came from far away and were often under time pressure to return to their professional or academic activities. This led to the implementation of a remote, open-book, “take-home exam”, combined with the drafting of a dissertation on a subject of choice and evaluation of the quality of participation during the course. This idea was submitted to the university which agreed to create an official diploma in international nuclear law, approved by a “*Jury d’examen*” which sits in Montpellier and to which credit is given by European universities (ECTS credits).

The diploma process was put on trial for the first time following the summer session in

2003, and since that time an increasing number of students opt for this challenge, attesting to its validity.

The adjustment to change: a necessity

Over the years, the school has enjoyed an ever increasing success, taking advantage of “word of mouth” publicity ensured by the students themselves. This success does not, however, take away from the need to evolve both in terms of teaching methods and subject matter. It was in this vein that following the events of September 2001, an important place was reserved for nuclear security issues. More recently, a decision was taken to deal with the impact of environmental laws on the regulation of nuclear activities. In so doing, new lecturers joined the team. Another tradition was established: namely to invite at the end of every session, well-known speakers to talk about interesting and topical subjects in the nuclear world.

In the meantime, the school left the old law faculty building and moved to the new university site at Richter to take advantage of enhanced facilities. On the other hand, the tightening of security measures at nuclear sites, linked to the enactment of the plan “Vigipirate”, led to the suspension of the technical visits, hopefully only temporarily. Finally, Professor Pascale Idoux replaced Pierre Bringuier in his capacity of Director of the ISNL.

Future perspectives

Since the establishment of this programme, some 500 students have passed through Montpellier

and many of them are active today in the nuclear sector which, of course, is a source of great satisfaction. In reality, the school is also a victim of its success since its limited capacity to accommodate participants makes it unable to satisfy all demands to participate.

In this respect, I have always believed that once legitimised, this programme could expand to other regions of the world and result in co-operation arrangements, as was the case a few years ago with the University of Dundee

(CEPMLP) in Scotland. The future will tell if this possibility will come true, given the increasing demands for legal training within the perspective of the nuclear “renaissance”.

At the moment, as I am about to entrust the school to other hands, I am happy to see that it has reached its initial objectives and I am no less confident about its future success.

Patrick Reyners, Paris, 19 February 2010.

Today, virtually all activities involved in the nuclear fuel cycle are subject to national and international regulation. The current international framework consists of a variety of legally binding treaties, conventions, agreements and resolutions supplemented by numerous non-legally binding codes, guidelines and standards. The ISNL aims to provide a high quality course of education on all



aspects of international nuclear law. The programme includes ten days of classes based on the following subjects:

- Origins of nuclear law;
- Protection against ionising radiation;
- Nuclear safety and nuclear accident management;
- Non-proliferation of nuclear weapons and international safeguards;
- Nuclear security, physical protection and illicit trafficking;
- Transport of nuclear material and fuel;
- Management of spent fuel and radioactive waste;
- Liability, compensation and insurance of nuclear damage;
- International trade in nuclear material and equipment;
- Environmental protection in nuclear activities.

I would like to congratulate the ISNL on its 10th anniversary. I participated in the 2002 session. The training at the ISNL strengthened my capabilities in addressing important issues relating to all areas of nuclear law. The training in the various areas of nuclear law, such as nuclear safety, security, safeguards, nuclear non-proliferation and civil liability for nuclear damage, increased my skills and experience when participating in the upgrading of the Egyptian nuclear legal framework. During the ISNL, I had the opportunity to discuss, with the ISNL lecturers, many issues related to nuclear law in order to strengthen the legal framework in my country. These discussions expanded and enhanced my knowledge in many important legal issues. In 2008, I participated in drafting the harmonized Egyptian nuclear law which is now under parliamentary consideration. I hope that the ISNL will always play a key role in promoting the role of nuclear law in nuclear science and technology.

– Dr. Adhel Mohamed Ali, Nuclear Law and Regulations Department, National Center for Nuclear Safety and Radiation Control, Egypt, 2002.

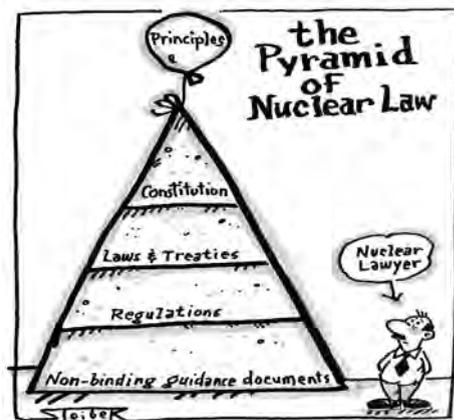
Programme

Classes include traditional lectures combined with extensive discussion periods and case studies. The question and answer period after each lecture is vital to the course as it allows participants and speakers to interact, to clarify and reinforce the messages contained in the lectures and avoid misconceptions. During the several case studies, participants have the opportunity to discuss a practical situation in small groups within a limited period of time.



They can thereby test and deepen their knowledge in the given field; it also ensures active participation by all and often leads to lively discussions.

As classes take place in English, all participants are required to have an advanced level in the language.



Personally, the knowledge gained at the ISNL was also very useful to pursue academic studies in nuclear nonproliferation allowing me to write papers and prepare presentations addressing legal aspects related to, for example, nuclear safeguards and nuclear security. Moreover, participation at the ISNL has also helped me in my current professional work. The information gained during the course has contributed to my awareness of several legal matters involved in the development of nuclear energy and, therefore, it has helped me to better understand and analyse key political and legal events in the nuclear fuel cycle market. Finally, because the course offered the opportunity to meet other professionals it has been possible for me to contact them to discuss a number of issues related to nuclear energy development.

– Christian Rengifo Valdez, Director, Non-proliferation Programs,
The Ux Consulting Company, LC, Peru, 2006.

Lectures are delivered by renowned specialists in nuclear law, particularly from specialised international organisations, government agencies, academic circles and the nuclear industry including the insurance sector.

The list on page 13 comprises current lecturers, but the ISNL has also benefited from invaluable presentations delivered by other experts, such as Luis Echávarri (NEA Director-General), Pierre Goldschmidt (former Deputy Director General of the IAEA), Peter Riley (De Montfort University, UK), Philip Sands (University College of London), Pierre Strohl (former NEA Deputy Director-General).



I was very fortunate to be one of the candidates selected to attend the ISNL in Montpellier. The ISNL programme involved both lectures on virtually all aspects of nuclear law and practical exercises under the supervision and guidance of renowned experts in the field of nuclear law. The exercises allowed me to meet with colleagues around the world who practice in the field of nuclear law and who share the same passion for the study of the international legal framework. It was particularly interesting to be able to understand the interaction between a number of international conventions and agreements and the importance of controlling access to nuclear technology and substances in the context of non-proliferation. I was very impressed by the dedication and professionalism of the outstanding people involved in the ISNL when it comes to respect for international law and a common desire to ensure that nuclear energy is used for peaceful purposes and is also accessible to developing countries. This programme has greatly helped me in my current responsibilities by increasing my awareness and knowledge of the utmost importance for every country involved in the development of nuclear energy to ensure that nuclear safety, safeguard and non-proliferation measures are taken into consideration in the complex world that we live in. Attending the ISNL allowed me to better understand the work that is being conducted under the auspices of international organisations such as the OECD and the IAEA. It also made me aware of the importance of international co-operation when it comes to the protection of the environment, the health of people, national security and international obligations to which states have agreed.

– Jacques Lavoie, Senior General Counsel, Canadian Nuclear Safety Commission, Canada, 2009.

Reflections on the ISNL by C. Stoiber

Having lectured at all ISNL sessions since the founding of the School in 2001, I feel somewhat qualified to provide a few insights on the significance of the institution.

What strikes me as fundamentally important is that the organisers of the ISNL have taken care to select a body of participants of broad diversity. Not only have participants been drawn from all the world's geographic regions, but they represent a diversity of professional backgrounds and interests: law students, government officials, nuclear industry professionals, academics and others. This not only produces a rich exchange of views during the sessions, but helps ensure that the educational benefits of the ISNL are felt across the nuclear community and beyond.

In my frequent travels on nuclear-related missions around the globe, I very regularly come into contact with Montpellier alumni who are doing important work – not always directly in the nuclear field – but in many areas of public policy significance. The networking between participants and with lecturers has also contributed to enhanced attention to legal issues and approaches in the nuclear field. And the friendships and personal relationships in what may properly be called “the Montpellier community” have been a great source of satisfaction for me and, I know, many others. We share more than just a couple of weeks in the beautiful and historic French city of Montpellier. We share a vision that law must contribute positively to ensuring that the benefits of nuclear energy and ionising radiation are achieved in a safe, secure and environmentally sound manner.

As the Montpellier community continues to grow and prosper, I look forward to maintaining contact with a group of outstanding individuals who are making a constructive difference in the world.



Director of the ISNL

Pascale IDOUX, Professor, University of Montpellier I, France

Chairman of the ISNL Supervisory Board

Patrick REYNERS, Consultant and Secretary-General of the International Nuclear Law Association

Current lecturers

Brian AHIER, Administrator, OECD/NEA, France

Jorma AURELA, Chief Engineer, Ministry of Trade and Industry, Finland

Alec BAER, Professor, Switzerland

Stanley BERGER, Assistant General Counsel, Nuclear Ontario Hydro, Canada

Evelyne BERTEL, Advisor, Former Senior Officer at the OECD/NEA, France

Stephen BURNS, General Counsel, US Nuclear Regulatory Commission, United States

Gerardus DICKE, Transport of Radioactive Material Consultant, Netherlands

Sam EMMERECHE, Legal Adviser, OECD/NEA, France

Walter GEHR, Project Coordinator United Nations Office on Drugs & Crime, Austria

Abel J. GONZÁLEZ, Member of UNSCEAR, Argentina

Lars HÖGBERG, Advisor, Former Director General of Sweden's Nuclear Power Inspectorate, Sweden

Odette JANKOWITSCH-PREVOR, Former Senior Lawyer at the IAEA, Austria

Roland KOBIA, Ambassador, Head of Delegation of the European Union, Azerbaijan

Edward Nicolas LAZO, Principle Administrator, OECD/NEA, France

Quentin MICHEL, Professor, University of Liège, Belgium

Norbert PELZER, Retired Academic, University of Göttingen, Germany

Christian RAETZKE, Lawyer, E.ON Kernkraft GmbH, Germany

Sebastiaan REITSMA, Manager, Insurance Pool for Nuclear Risks, Switzerland

Patrick REYNERS, Consultant, Secretary-General of INLA, France

Laura ROCKWOOD, Section Head for Non-Proliferation and Policy-making Organs, IAEA, Austria

Julia SCHWARTZ, Head of Legal Affairs, OECD/NEA, France

Carlton STOIBER, Consultant, Former Director of the Office of International Programs, US NRC

Mark TETLEY, Managing Director, Nuclear Risk Insurers, United Kingdom

Wolfram TONHAUSER, Section Head of Nuclear and Treaty Law, IAEA, Austria

Photo album: 2001 session

Nazneen Ara AFSARY, Bangladesh
Alan ALDRIDGE, United Kingdom
Yoshio BABA, Japan
Maria BARDINA, Russian Federation
Lenka BUDINOVA, European Commission
Anna BUTENKO, Russian Federation
Aurélien COSTE, France
Milena DIMITROVA, Bulgaria
Houcem Eddine EZZOUCH, Tunisia
Betsy FORINASH, United States
Damien GAILLARD, France
Edouard GEVORKYAN, Russian Federation
Wisnu HADI, Indonesia
Suyati HARIYANTO, Indonesia
Krisztina HORVATH, Hungary
Hiroshi ISONO, Japan
Arshaluys KARMIRMIRUKYAN, Armenia
Sangwon KIM, Republic of Korea
Youri KOT, Ukraine
Olivier LAJOINIE, France
Zhaohui LI, People's Republic of China
Régis MAHIEU, France
Rafal MAJDA, Poland
Ayman Mohamed Soliman MAREI, Egypt
Revocatus Isesagula MASALU, Tanzania
Arnaldo MEZRAHI, Brazil
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Martin POSPISIL, Slovak Republic
Biruté PURLIENĖ, Lithuania
Adel RIAHI, Tunisia
Alexander SANDUL, Ukraine
Emmanuelle SANZ, France
Igor SIRC, Slovenia
Una SPRULE, Latvia
Naree TANTASATHIEN, Thailand
Julie TAVERNIER, France
Lyudmila TRENOZHNIKOVA, Kazakhstan
Ionela Ramona TUDORANCEA, Romania
Daiga VILKASTE, Latvia
David VINCENT, United Kingdom
Khin Maung WIN, Myanmar
David ZABLOCKI, France
Louise ZHANG, France



Photo album: 2002 session

Mindaugas ABRAITIS, Lithuania
Ucheoma AGBAROJI, Nigeria
Addel Mohamed Ahmed ALI, Egypt
Gilles ARBELLOT DU REPAIRE, France
Djamila BADAOU, France
Roula BAHO, Syria
Maegon Elizabeth BARLOW, United States
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Edmund CARROLL, Ireland
Caroline CIUCIU, France
Thibaud COSTEPLANE, France
Wolfgang DIETZE, Germany
Makungu DLOMU, South Africa
Bah Auguste Théo DOH-DJANHOUNDY,
Côte d'Ivoire
Ruslan DUBAS, Ukraine
Emmanuel Thierry ELA, Cameroon
Marie-Dominique FURET, France
Indra GUNAWAN, Indonesia
François HÉQUET, France
Awatif IBRAHIM, Sudan
Mihaela IGNAT, Romania
Andrea IRSAKOVA, Slovak Republic
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Fatih Sukru KURHAN, Turkey
Ryoko KUSUMI, Japan
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Adrian LEYVA OLVERA, Mexico
Harriet LWABI, Uganda
Thandi MALI, South Africa
Claes MÅRTENSSON, Sweden
José R. MARTÍN, Spain
Vi NGUYEN, United States
Delphine Sieh NKWI, Cameroon
Mwjarubi NYARUBA, Tanzania
Martin Oshof OGHARANDUKUN, Nigeria
Lada ONICHTCHIK, Russian Federation
Alison PEARSALL, United States
Mélinda PERERA, France
Georgia QUICK, United Kingdom
Saleh REZAIE PISHROBAT, Iran
Sara RODRIGUEZ MARTINEZ, Spain
Zhong Jing RUAN, People's Republic of China
Maria Concepcion RUIZ, Spain
Dwihardjo RUSHARTONO, Indonesia
Leo SAGA, Malaysia
Isabelle SALAMON, France
Katri Maria SILFVERBERG, Finland
Sheila Kaur SINGH, United Nations
Luc SINTAT MPOUMA, Cameroon
Branka SNOJ, Slovenia
Timur SUPATAEV, Russian Federation
Albert TONDU, France
Sophie UONG, United Kingdom
Aihong WU, People's Republic of China
Marc-Gabriel YANA, France
Zsolt ZOMBORI, Hungary



Photo album: 2003 session

Zaiella AISSAOUI, France
Julien BABEY, France
Tamara BURJACHOK, Ukraine
Jens BÜRKLE, Germany
Isabelle CRETENET, France
Chloée DEGROS, Belgium
Michelle DIZON GO, Philippines
Cristina DOMINGUEZ, Argentina
Yasser Abd EL-MEGUID, Egypt
Tatiana FAIZOULLINA, Russian Federation
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Petra HANSMERSMANN, Germany
Tufan HOBEK, Turkey
Kazuki KATO, Japan
Gintautas KLEVINSKAS, Lithuania
Nagantie KONE, Republic of Mali
Hidekazu KONISHI, Japan
Darinka KORDELIC, Slovenia
Dariusz LASOCKI, Poland
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Agathe MANCEAUX DEMIAU, France
Jeffrey A. MILLER, United States
Mohamed NABIL, Morocco
Arthur NEIMOLLER, United States
Giovanni PALEOLOGO, Italy
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Marc POPPE, Germany
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Eugénie VIAL, France
Jussi VIHANTA, European Commission
Xiao Qing WANG, People's Republic of China
Anthony WETHERALL, IAEA
Khalil YASSO, Egypt
Roland ZEYEN, European Commission



Photo album: 2004 session

Jocelyn ALVARADO, Philippines
Airi ANDRESSON, Estonia
Ekaterina ARJANNIKOVA, Russian Federation
Sandra BAUSER-POIRSON, France
Vlad CHIRIPUS, Romania
Materneau CHRISPIN, Haiti
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Jean Marie ROUSSEAU, France
Manabu SAKUMA, Japan
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Judit SILYE, Hungary
Iyu Lin TENG, Malaysia
Eva THELISSON, France
Mamangana Patrick THEMA, South Africa



Photo album: 2005 session

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Sophia ANGELINI, United States
Valentina BAINI, Italy
Tamás BARSÍ, European Commission
Maïlis BENAÏZET, France
Amélie BERGERON, France
Shaheed BHAIKARALLY, Mauritius
Peter BRAZEL, Ireland
Hugo BRISO, Chile
Nataly BUMÜLLER, Germany
Welky Lineth CARCAMO, Honduras
Nelly CASTILLA, France
Gun Hyun CHANG, Republic of Korea
Fateh CHENNOUFI, Algeria
Oumarou CHINMOUN, Cameroon
Marina ČOJBAŠIĆ, Republic of Serbia
Maria CORFANENCO, Republic of Moldova
Viviane DA SILVA SIMÕES, Brazil
Kurt FRANCK, Belgium
Alicia GARCÍA SOTO, Chile
Victoria GIL, European Commission
Paola GIULIANI, Italy
Karuna GUNESH-BALAGHEE, Mauritius
Anna GWIAZDA, Poland
Wu HENG, People's Republic of China
Melissa HOLZBERGER, Australia
Zuzana HOVADÍKOVÁ, Slovak Republic

Valentina IONESCU, Romania
Slobodan JOVANOVIĆ, Montenegro
Chang-Bum KIM, Republic of Korea
Bonginkosi MFUSI, South Africa
Hamrah MOHD ALI, Malaysia
Phoibe Elsie MONALE, South Africa
Nathan NHLAPHO, South Africa
Kazuki NII, Japan
Lindie NIKLAAS, South Africa
Chang Ho PARK, Republic of Korea
João RODRIGUES, Portugal
Tom RYAN, Ireland
Andrea SARMENTERO, Spain
Pauline SAUZE-LACLEF, France
Yvonne SCHEIWILLER, Switzerland
Aurélie SCHLICK, Cameroon
Tania SCHRÖTER, European Commission
Jo Anna SELLEN, United States
Daniela SIMIONESCU, European Commission
Miguel SOUSA FERRO, Portugal
Camilla STEINHOFF, Brazil
Anup SURENDRANATH, India
Junji TODA, Japan
François TOUCHAIS, France
Alexey UTENKOV, Russian Federation
Shuji YONEDA, Japan
Ammar ZAABAT, Algeria



Photo album: 2006 session

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Ivo ALEHNO, European Commission
Paloma ALVAREZ HIDALGO, European Commission
Cristina AMUNDARAIN, Argentina
Maria-Alexandra ANDREI, Romania
Mark ARONOFF, IAEA
Eva ASPE, OECD
Elleni ASRAT, Ethiopia
Mohammed Munim AWAIS, Pakistan
Maud BAILLAT, France
Roxana BANU, Romania
Pierre-Guillaume BOUM BISSAI, Cameroon
Anne BRASPENNINCX, Belgium
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Celia CALDERON-ALNER, France
Jaime CASANOVA, Spain
Maureen CHAGNON, France
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Emmanouil DARDOUFAS, Greece
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Delphine DEHASSE, Belgium
Elisaveta DERENKOVSKAYA, Russian Federation
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Vincenzo FERRAZZANO, Italy
Stefano GALVAN, European Commission
John HAFFNER, Canada

Rebecca HARVEY, United Kingdom
Rebecca HAUSLER, United Kingdom
Celestin HITIMANA, Canada
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Marius KAMBAJI LUMU, Democratic Republic of Congo
Renata KARALIUTE, Lithuania
Stefanos KARDARAS, European Commission
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Simon OEHLMANN, Germany
Yurdagul ONAL, Turkey
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Stephanie Crescenda RAMUSHU, South Africa
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Christian RENGIFO VALDEZ, Peru
Anri Analdi RIDWAN, Indonesia
Gregor von RINTELEN, European Commission
Velija SABLJIC, Bosnia & Herzegovina
Asif SALAHUDDIN, Pakistan
Andrius SIMKUS, Lithuania
Slavica SKRACIC, Croatia
SURACHMAT, Indonesia
Kirill TIBENKO, Russian Federation
Engelbrecht von TIESENHAUSEN, United States
Alexander VLASOV, Russian Federation
Xiaofeng XU, People's Republic of China



Photo album: 2007 session

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Satyajit BOOLELL, Mauritius
Willen Nicolas BOS, Netherlands
David Neil BURDEN†, Australia
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Baozhi CHENG, People's Republic of China
Mihaela Daniela CHIRIPUS, Romania
Damla CIHAN, Turkey
Iuliana CORMOS, Romania
Elisa DALLE MOLLE, European Commission
Veerle DEDOBBELEER, Belgium
Marie Sabrina DHOORAH, France
Julia Helena DNISTRIANSKI, Australia
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Bernhard FEICHTNER, Germany
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Marco FRANZA, Italy
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Mónika GANCZER, Hungary
Biljana GEORGIEVSKA, Former Yugoslav
Republic of Macedonia
Assaf GRAUER RODOY, Spain
Maryse GUIDONI-BERIEL, France
Jakub HANDRLICA, Slovak Republic
Kuniharu HASHIDA, Japan
Robert HAVEL, Sweden
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Gábor KECSKÉS, Hungary
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Greet MAENHOUT, European Commission
Yash Thomas MANNULLY, India
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Santiago Rafael MARTINEZ IGLESIAS, European
Commission
Riccardo MELANDRI, Italy
Oskar Franco MELLIGER, Switzerland
Masahide MORI, Japan
Valentin MUSABA MALUKATA, Democratic
Republic of Congo
Nivashnee NARAINDATH, South Africa
Jeremiah NDOMBI, Kenya
Philip O'KEEFE, United Kingdom
David OMOM, Kenya
Jean-Paul PALMA, France
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Tzvetelina PANOVSKA, Bulgaria
Iveta STEHLIKOVA, Slovak Republic
Bashir SUFYAN, Nigeria
Natapat TAWANYAPOTE, Thailand
Vincent THOMAS, France
Adorine TOUMOUN, France
Eulinia M.VALDEZCO, Philippines
Christopher WHITE, United Kingdom
Mark ZITZMANN, Germany



Photo album: 2008 session

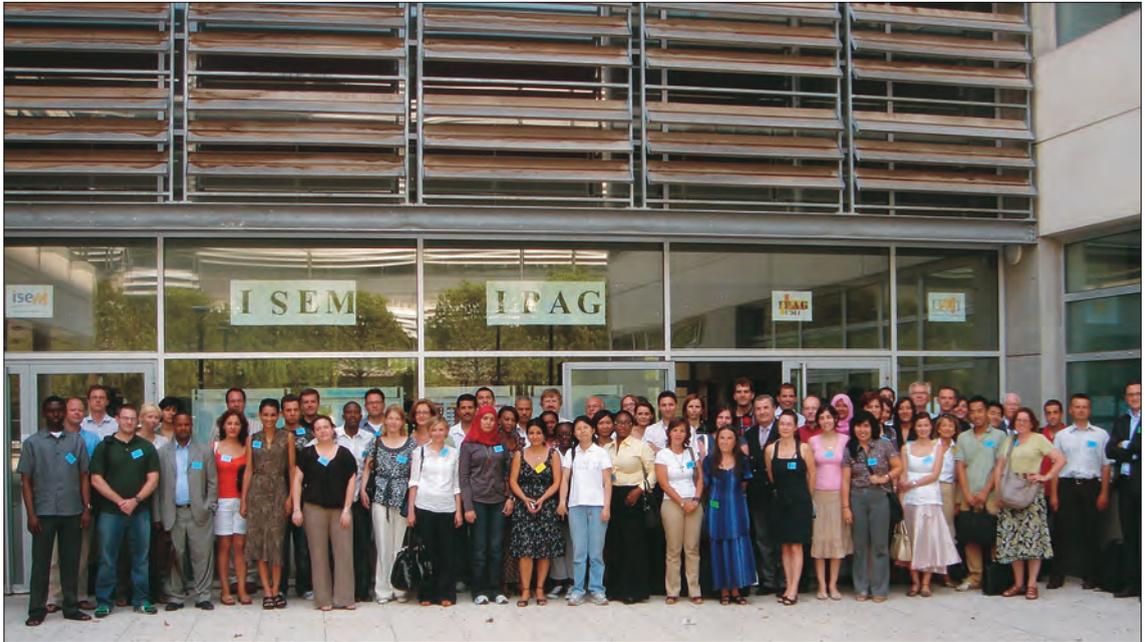
John D. ADAMU, Nigeria
Margaret AHIADKEKE, Ghana
Rachel ALEMU, Uganda
Shonagh ANDERSON, United Kingdom
Zafer ATEŞ, Turkey
Mathieu AURY, France
Albena BELYANOVA, Bulgaria
Stefano BETTI, United Nations
Aurore BOSIO, France
Hélène CADET, IAEA
Stéphane CELESTIN, Belgium
Mohamed Kamel EMAD ELDIN, Egypt
Yanti FRISTIKAWATI, Indonesia
Issaka GARBA ABDYOU, Niger
Adriana Maria GASPARIANI, Brazil
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Louise HANSEN, Sweden
Romeo Romain HOUNKPONOU, Benin
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Michal KOC, Poland
Konstantin KOSORUKOV, Russian Federation
Blanche KOUASSI, Côte d'Ivoire
Rasa KRAZAUSKIENE, Lithuania
Yulia LEBEDEVA, Russian Federation
Irène LEGER, France
Dorcus Makosha LEKGANYANE, South Africa
Maria Isabel LEON ANES, IAEA
Grant LOPATRIELLO, Canada
Nicolas MACHIAVELO, Mexico
Benjamin MAQUESTIEAU, Belgium
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Eliwako MJEMAH, Tanzania
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Juraj ROVNY, Slovak Republic
Sidonie ROYER, France
Junli SHU, People's Republic of China
Caroline Cornelia STOLTE, Germany
Lisa TABASSI, CTBTO
Jenni Rea Johanna TAKALA, Finland
Godelieve VANDEPUTTE, Belgium
Alexis VASMANT, IAEA
Yu YANG, People's Republic of China
Jia YU, People's Republic of China
Velislava ZHIVKOVA, Bulgaria



Photo album: 2009 session

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Francesca ANDRIAN, Italy
Mariana Cristina ARIAS, Argentina
Bashillah BAHARUDDIN, Malaysia
Véronique BERTHOU, European Commission
Aurélie Nadia BILIE, Gabon
Louis-Victor BRIL, European Commission
Jalloul CHELBI, Tunisia
Amelia Paula CHIRTEȘ, European Commission
Marie CLETIENNE, OECD/NEA
Géraldine CURZI, France
Venesiana DEWI, Indonesia
Hui DUAN, People's Republic of China
Oksana ELKHAMRI, United States
Micaela Soledad FIGUEREDO, Argentina
Michael FINK, United States
Wessam HINDY, Egypt
Outi Annika Sofia HYVÄRINEN, Finland
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Hanne KOFSTADMOEN, Norway
Nanou KONDI TUBI, Democratic Republic of the Congo
Paligwendé Roger KONOMBO, Burkina Faso
Laurent KUENY, France
Jacques LAVOIE, Canada
Pascal LE NORMAND, France
Olga LIAVAS, Australia

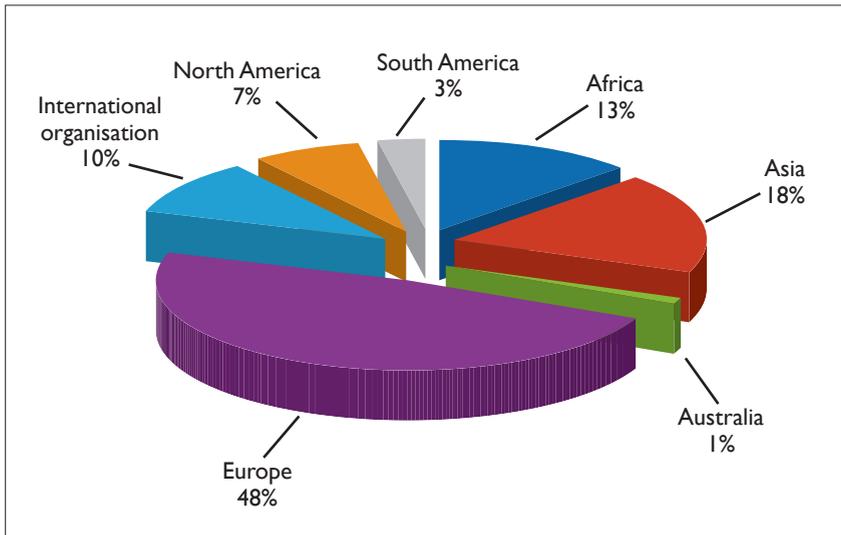
Tomas LIUKAITIS, Lithuania
Nannan LU, People's Republic of China
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Kibru YILMA, Ethiopia
Esmail ZABIBA, Yemen
Gloria Alejandra ZARATE PÉREZ, Chile
Karl Philipp ZIMMERMANN, Germany
Jason ZORN, United States



ISNL in figures

At each session, the ISNL brings together approximately 55 to 60 participants from both developed and developing countries. Since 2001, it has trained more than 500 participants from all around the world creating a network of young lawyers and scientists working in government ministries, at regulatory bodies and in the private sector.

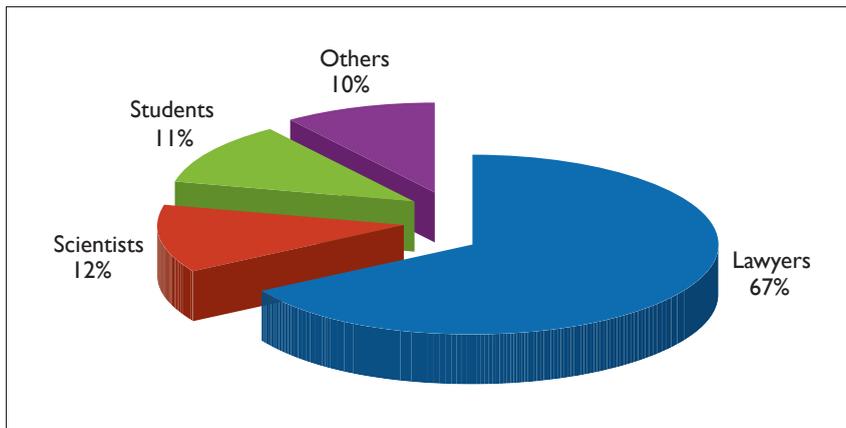
**Geographical area of the ISNL participants
(2001-2009)**



The majority of ISNL participants come from **Europe**. The International Atomic Energy Agency awards grants to professionals from amongst its member states which ensures representation from many developing countries.

The majority of participants are young **lawyers**. However, the course is also very popular amongst **scientists**. Their representation is vital for mutual learning and the exchange of knowledge and information. The NEA awards grants to students from its member countries.

**ISNL Professions
(2001-2009)**

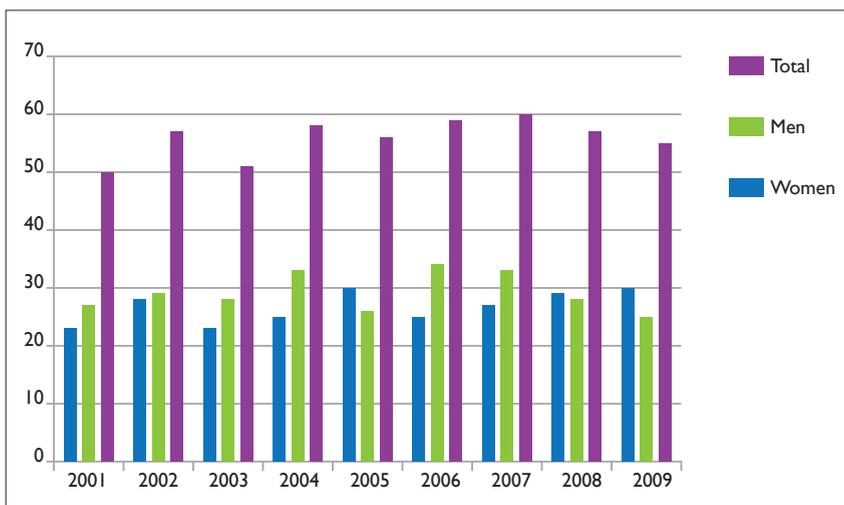


The reason I initially decided to participate in the ISNL was due to my ambition to complement my scientific background with a legal perspective. In spite of their differences, lawyers and engineers have in common their precise, structured way of thinking, and the fact that they develop their actions on solid grounds. The complementarities between legal and scientific methods is, in my opinion, particularly valuable to agents working in public structures that enact regulations dealing with technical matters, an activity at the crossroads of law and science. In this view, I believe that competency in both engineering and law may confer a real added value, and facilitate the dialogue between technical and legal services.

– Pierre Perdiguier, State Engineer, Ministry of Industry, France, 2009.

During the selection process, attention is given to the broad geographical diversity of the class. Organisers also try to ensure an **equal** representation of both men and women in each session.

Breakdown of ISNL participants by gender



Number of ISNL participants: 2001-2009

	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Women	23	28	23	25	30	25	27	29	30	240
Men	27	29	28	33	26	34	33	28	25	263
Total	50	57	51	58	56	59	60	57	55	503

Following my participation in the ISNL in 2004, I came to the conclusion that, in fact, the school addresses in a general manner a lot of issues for various professionals working directly or indirectly in the nuclear field:

For the specialists in international nuclear law in either the public or the private sector, (...as I proudly like to consider myself), the ISNL is a very good opportunity to study the whole picture of the international nuclear law framework since we have to admit that even we, the specialists in international nuclear law, do not work on all subjects of nuclear law on a day-to-day basis. For students the ISNL is a good opportunity to immerse themselves into the details of “the big picture”. Finally, there is a big and undefined category of those who work for various state entities and authorities and who are from time to time exposed to international nuclear law matters, for example those who implement the provisions of international treaties and conventions in the nuclear law field adopted into their national legislation. They definitely need a general picture of the international nuclear framework, and the ISNL is the best opportunity for them to acquire such specialised knowledge in an organised and very well-structured manner.

Hence, what is somehow amazing is that the ISNL succeeded over the years to attract an audience originating from various areas of activity, with very different levels of knowledge in the nuclear field, but with a common denominator that they all need, for their professional activities, a clear and well structured picture of the international nuclear law framework.

The ISNL has already fulfilled and continues to fulfil its role to promote international nuclear law. On the occasion of the 10th anniversary, I want to sincerely congratulate all those who initiated the ISNL and those who carry on the difficult task of organising the ISNL every year. More simply: congratulations to the Legal Affairs Section of the OECD Nuclear Energy Agency for this accomplishment.

*– Vlad Chiripus, Attorney at Law, SN Nuclearelectrica SA,
INLA President, Romania, 2004.*

Diploma

All participants enrolled in the ISNL programme may apply for a **University Diploma (Diplôme d'université) in International Nuclear Law**. From 2003 to 2009, the University of Montpellier awarded 212 participants with the Diploma in International Nuclear Law.

The **requirements** to obtain the diploma are threefold:

- **Ongoing participation** during the session.
- **Take-home exam (THE)** which is a written examination to be completed by the candidates over a period of nine days after the session.
- Submission of a **dissertation** on a subject of international nuclear law. The best dissertations may be selected for publication in the *NEA Nuclear Law Bulletin*.

Although classes take place in English, candidates may submit both the dissertation and the THE in either English or French.

The University Diploma in International Nuclear Law represents 12 credits within the European Credit and Transfer and Accumulation System.



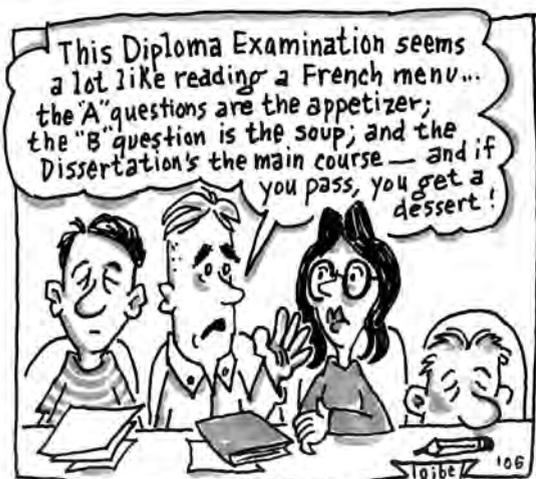
I am one of the first graduates of the 2001 session. At that time, I had already been working for the Nuclear Regulatory Authority of the Slovak Republic for five years and was dealing mostly with national legislation concerning the peaceful uses of nuclear energy. Thanks to both the IAEA and the OECD/NEA, I was given a chance to participate in the ISNL. In my view, the studies on international aspects of the peaceful uses of nuclear energy are very enriching for young professionals and help to better understand the details of nuclear law. Participating in this educational activity significantly helped me to deepen my knowledge of international treaties concerning nuclear law, a knowledge which has been useful to me since then. These studies might even have helped me to become the Director of the Division of Legislation and Legal Affairs of the Nuclear Regulatory Authority of the Slovak Republic and a member of the NEA Nuclear Law Committee. Besides the studies, I should also mention the opportunity to get to know wonderful young people and create long-lasting friendships and co-operation. It was in Montpellier when it crossed my mind to organise a big workshop on civil nuclear liability for nuclear damages in the Slovak Republic. This idea became a reality in 2005 and the workshop, including professionals from around the world, was very well received. It is really necessary to thank the fathers of the idea of the ISNL, its organisers, propagators and financial supporters and to wish them all the best for the upcoming years so that the nuclear law family can grow bigger and bigger.

– Martin Pospíšil, Director, Legislation and Legal Affairs Division,
Nuclear Regulatory Authority, Slovak Republic, 2001.



I had the chance to attend the 2005 Session of the ISNL, thanks to an OECD/NEA grant. A young student with a strong focus on competition law, I was excited at the prospect of exploring an area of law that was completely unknown in my home country – Portugal. To me, Montpellier will forever mean Patrick Reyners’ impeccable courtesy, Odette Jankowitsch’s incisive analysis, Carlton Stoiber’s inspired hand, and the pleasant lectures that they and so many others delivered. Not all was positive, of course. Typically continental in my legal approach, I was unhappy with what I deemed an excessive focus on soft-law and non-enforceable provisions. And I left with the feeling that I still knew very little. That, of course, was a gap that only time could fill. As far as I’m concerned, the School did exactly what it was supposed to do. It provided me with a basis to start from, the incentive to continue, and the contacts to ask for help when needed. After a couple of more years in European law and competition law, I worked as an advisor to an Independent Commission in Portugal dealing with radiological protection and nuclear safety. I have now returned to a law firm, and the opportunities for legal work in the nuclear field are still limited in Portugal – but this will soon change, I suspect. Whatever comes my way, I’ll be prepared for it largely because of that application I once sent to the OECD out of curiosity.

– Miguel Sousa Ferro, Counsel SÉrvulo & Associados, Portugal, 2005.





Independent of its teaching role, the School serves as a forum for participants to meet colleagues from all around the world in a convivial atmosphere. Each session brings together approximately 55 to 60 participants representing different continents, countries, disciplines, experiences and backgrounds.

The ISNL Organisers are keen to promote social encounters within the group through various activities outside the academic programme all of which are optional. Participants may enjoy:

- a guided tour of Montpellier;
- a dinner;
- a guided visit of an exhibition in the Musée Fabre of Montpellier;
- a full day excursion on Saturday to cities and villages in the region, including, of course, wine tasting at the exquisite vineyards in the South of France;
- free programme on Sunday during which participants may explore the region, visit beaches etc.



The ISNL is an excellent forum for lawyers and industry professionals to acquire advanced legal knowledge in all aspects of nuclear law. The School's faculty, comprised of eminent academics, renowned industry experts, and senior officials from governments and international organisations, ensures that the quality of education delivered is second to none. The lectures, assignments and exams are thought-provoking and encourage students to think critically, not only about the law but also the social and economic impacts of nuclear activity. While the programme of study is rigid, it is tempered with extracurricular activities, set against the backdrop of scenic Montpellier. I would recommend the ISNL to any professional wishing to bolster both their knowledge and standing within the international legal community.

– Grant LoPatriello, Law student, Osgoode Hall Law School, Toronto, Canada, 2008.

Social programme



In the sweltering heat of one of the hottest European summers on record we set-out in August 2003 on our two-week long course on nuclear law. Back then I was already working in the Nuclear and Treaty Law Section, Office of Legal Affairs of the International Atomic Energy Agency (IAEA). I was still keen though to hear from recognised experts such as Patrick Reyners, Odette Jankowitsch, Carlton Stoiber, Norbert Pelzer and many more. I was not to be disappointed. From one lecturer, I even recall learning just how much money is to be made (...and no doubt to be lost) from trading uranium. Somewhat disappointingly mind you, to this day I still haven't managed to apply that particular gem of information to any degree of success... For as much as the day was long, it was typically followed by us all going for dinner and importantly some after hours socialising in a far corner of the city. By day, Montpellier is a fantastic place to explore with the Place de la Comédie, the Place Jean-Jaurès and the Cathédrale de Saint Pierre to name but a few. Currently at UK lawfirm Burges Salmon LLP, I provide advice to clients on various legislative, regulatory and commercial aspects of continuing operations, decommissioning and waste management, and international nuclear new-build. I recently completed a secondment in the legal office of the Nuclear Decommissioning Authority and soon I will be rejoining the IAEA Office of Legal Affairs where I will be focusing on nuclear security and safeguards matters. Participating in the school certainly helped to put me in good stead in this field, if not just by leading to my joining of the International Nuclear Law Association (INLA). It also encouraged me to pursue further my participation in a number of industry activities which now includes being the co-Chair of the Task Force on Nuclear Liability of the World Nuclear Association.

– Anthony Wetherall, Legal Officer, Office of Legal Affairs, IAEA, 2003.

Montpellier and the South of France

The medieval city of Montpellier is located in the Languedoc-Rousillon region in the South of France, close to the international airport. It is famous for its cultural richness, its historic and contemporary architecture as well as its scientific and business centres.



The town has a strong university tradition, counting approximately 70 000 students. It hosts the oldest medical school in the Christian world, founded in the 13th century.

The historical centre offers many restaurants, cafés, bars, movie theatres, the Fabre museum, etc. for a sociable evening programme.



The Place de la Comédie is the main focal point of the city of Montpellier.

Montpellier and the South of France

The South of France guarantees warm temperatures, a rich sandy coastline, charming villages and listed architectural sites. In the past, excursions have been organised to various cities and villages in the region and participants may explore the area outside the academic programme. Popular destinations include, for example, Nîmes, Arles, Pézenas, Carcassonne, Sète and the Camargue.



On the occasion of the 10th anniversary of the ISNL, I wish to express my congratulations on its great achievements. The ISNL has trained a large number of legal personnel from different countries. It even helped them to become experts in this field and to better establish or improve their national legislation. It is my privilege to be one of the participants of the ISNL's first year. I really benefited a lot from this training programme. First, it was my first time to attend such a systematic training course in international nuclear law although I have been working in the nuclear law field for more than twenty years. Second, the ISNL increased my knowledge and deepened my understanding of international institutions in the nuclear field, such as the OECD/NEA and the IAEA, which play a very positive role in promoting international nuclear law and international cooperation. In addition, the ISNL provided a good opportunity to let me know more people in the same field from different countries, and communicate with them, which help me to expand the scope of information exchange. On behalf of my fellow colleagues from China, I would like to extend our hearty thanks to the OECD/NEA for providing the opportunity for us. We hope the ISNL will play much more important roles in the future.

– Zhaohui Li, Chief Legal Counsel, China National Nuclear Corp, P. R. of China, 2001.

2001 to 2010: The ISNL and the changing focus of nuclear law

It is a great pleasure for me to contribute a few thoughts to this Alumni-brochure. I realise how lucky I am to have been associated for ten years with this unique institution, the International School of Nuclear Law. The ISNL represents for me the best of academia without all its rigors and pomposity, without bureaucracy and, ever since session one, a truly international adventure. For those of us who spontaneously followed Patrick's "millennium initiative", the School never lost the fascination of a continuously renewed project of learning and teaching, of keeping an open mind to change.

Since joining the initial team in 2001 I have given lectures on different subjects of nuclear law and served as a "tutor". To be the tutor of the ISNL meant to make sure that I met everyone from the very beginning of the course and that during the entire session, I would find out, without asking, whether participants had questions on their mind, which they had not wished, dared or cared to ask during the course, but whose answers they may really need to know. It also implied remaining available to alumni after the session, in "real life" for questions of nuclear law, international institutions and sources of information.

One of my early concerns was that the non-English mother tongue participants would not in any way feel marginalised. As a "francophone" (a person educated early in the French school system, speaking French without a foreign accent and *nolens volens* francophile-for-life.) I felt particular empathy with participants whose normal working language is French and who have to communicate in English at a French university. Language matters for a lawyer. Not to be able to use the right words to ask or to reply to a question of law feels like a major handicap. Even the best legal mind is usually not accustomed to translate simultaneously from one language into the other. Studying law – nuclear law for that matter – is also learning a new coded language, each term having a well-defined meaning.

However, the question of exclusive use of the English language in the course was soon perceived as an asset rather than a challenge. Much of this attitude is due to the acceptance by, indeed pride of, the University of Montpellier to host an international course held in English. Moreover, participants from all origins regardless of their language background have increasingly been exposed to international meetings conducted in English only. As one French lawyer said in this context, "C'est un cours d'anglais en plus". Studying nuclear law plus the English language in sunny Montpellier is no hardship.¹

1. Since 2001, the weather continues to be perceived as a real hardship: I admit that for me and colleagues, August 2001 was the hottest summer in our lives. Over the years this has become true for everybody, every summer; but hot summer "vacation weather" contributed to the highly informal character of the classes and dress "code" (i.e. no code).

Ten years after its foundation, the ISNL remains “work in progress”

What really makes this School so special? “Work in progress” would normally not be considered to be a positive characteristic, an asset or a “success”; indeed, this is not the usual approach to organised teaching. Schools normally are proud to repeat over a long period, regardless of who enrolls, or sometimes even who teaches, the same message, the same lessons and in the same form.

At the ISNL, however, “work in progress” means that none of its teaching has been engraved in stone, standardised or perpetuated. In fact, any nuclear subject of legal relevance that has emerged on the international agenda since 2001 was noted by one or several lecturers, often discussed and as far as possible included in the current curriculum. Each of us feels compelled to add a fact or a thought to the previous year’s presentation, reviewing it, and suggesting a paper or document to be included in the background material.

The management of the School that in the first years was quite a shoestring operation has become increasingly efficient and well-organised over the years. Sessions are prepared according to established forms, structures and deadlines. But, probably due to working in a small, informal, closely knit team now directed hands-on by Julia Schwartz, every lesson learned is taken into account and evaluated on an “honest mistakes – made-and-to-be-avoided-in-the-future” basis.

As concerns its legal substance, it is the particularity of the ISNL that no session is ever quite the same as any of the preceding ones. Over the decade, these adjustments, additions and modifications of the programme that appear each year as a change were regularly passed on and, in my observation, amount to a real evolution of teaching nuclear law in an international perspective.

There have been in my opinion two essential agents of change

Participants who enrolled in the course 2001 had different expectations and needs than those of the 2009 session. These needs, knowledge and work of each session’s group of participants left a specific mark on the ISNL. Indeed, regardless of the lectures, nothing characterises the success of any session as much as its participants. In this informal setting, it is the meeting of legal minds over that intense, short period of two weeks which “makes” each session a special event. This is the direct result of the communication between the lecturers and the participants, and, at least equally important, the interaction among the participants. Nuclear law is not like dental medicine, a generic profession. The nuclear lawyers participating in the ISNL do not necessarily work in a comparable manner or on the same subjects. Participating lawyers are either concerned with the domestic side of nuclear law in law offices, radiation protection authorities or other governmental bodies, or they belong to entirely different governmental authorities, ministries of foreign affairs, embassies or intergovernmental organisations, and deal exclusively with the international and intergovernmental aspects of nuclear law. One group tends to be more knowledgeable about civil liability,

national laws and regulations, the other feels at home in the international treaties side of the profession. But, apart from professional interests, sometimes it is the “summer-school” side that takes over. I find it always amusing to watch how during the first days of the course groups are bonding – not on the basis of national origin or international organisation – though the tendency to quickly establish a French-German “axis” has always been part of the initial choreography.

The number of participants has not changed much. The overall professional level, maturity and knowledge base has however continuously increased, which may be due to the introduction of a recognised diploma. Moreover, in recent sessions, a majority of participants have already been exposed to some aspect of nuclear law or nuclear regulation. As a notable result, over the years, less and less time is available for the shy participant to put his/her question at the Q&A sessions after a lecture and, I am guessing, there are invariably too many legal opinions for each studied case.

With hindsight, our initial motivations for establishing this School, though quite modest, were driven like any good business venture by both the supply and the demand side: The first reason to launch a teaching programme was that nuclear law did not figure in any standard curriculum of any university known to us. In fact in the beginning of the decade, not even nuclear technology and engineering were taught in the standard curricula at technical universities in Europe. Those were the dark anti-nuclear ages. Thus, there was a clearly perceived gap in legal education that, in our view, could for some time at least be covered by a short comprehensive and independent university level course.

At the same time, since the late 1990s, new international instruments of nuclear law had been negotiated and adopted during a short codification “spell” of the IAEA. All member states of the IAEA were strongly encouraged to adhere to these new instruments and to apply their provisions in their respective domestic law. Government or academic lawyers who had not personally participated in the drafting process did not easily understand the mix of technical and legal provisions characteristic of, for example, the “nuclear safety regime”. These provisions needed a lot of explanation.

In this particular context, I had acquired some experience in organising *ad hoc* courses on specific topics of nuclear law – the nuclear safety conventions,² in particular, for lawyers from states of Eastern and Central Europe and, for the first time in 1992, for lawyers from African States,³ a region to which I have long been personally committed.

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2. From 1992 to 1997, I served as legal secretary of the open-ended working group of technical and legal experts mandated by the IAEA Board to draft a Convention on Nuclear Safety and in a second effort a Joint Convention on the Safety of Waste Management and Spent Fuel Management.
 3. I had organised the first workshop on nuclear law for IAEA member states in Nairobi, Africa in 1992.

Conclusion by O. Jankowitsch

Two groups of potentially interested candidates for such a course emerged: junior lawyers from national authorities dealing with nuclear issues and graduate students of international law interested in this technoscientific field. However, the number of target candidates did not seem to be infinite; indeed, it seemed plausible that the number of participants would shrink after two or three years, leaving possibly some post doc students brave enough to face a doctoral thesis on a topic of nuclear law.

The new place of nuclear law

There is however, a second reason why the ISNL had to evolve over these past ten years, a reason more objectively traceable than the evaluation of participants: it is the huge change that occurred in the practical relevance of nuclear law in the conduct of the international relations of states. A major factor contributing to this evolution was the changed orientation of the nuclear debate now conducted in the OECD world and much beyond.

In 2000/2001, it was not foreseeable that within the decade nuclear power would dramatically re-enter the politically correct energy mix. The legal basis of the nuclear renaissance and the legal *sine qua non* became a most attractive topical issue. Within a short time this helped to overcome continuing, though muted, anti-nuclear sentiments among the young generation in a number of European states and coincided with the banner of anti – (nuclear) terrorism that was to haunt all international activities during the current decade.

The ISNL was indeed fast to understand these developments as they relate to the subjects of the course. The arguments in the environmental debate had changed: the safety of nuclear installations and of nuclear applications certainly remained a serious concern for the environment, but international/regional instruments and national nuclear laws had taken these concerns into consideration. The ISNL prominently added as a subject to the curriculum what was to be the new alliance between nuclear and environmental law – unthinkable in the early 1990s.

The “discovery” of the nuclear option by a growing number of states triggered new approaches and an ensuing surprisingly strong call for the promotion of nuclear law worldwide. The IAEA having painstakingly explained over decades that it was not “promoting” nuclear power, but rather promoting the “peaceful uses” only of nuclear technology and its applications, now openly went out in new well-financed programmes to assist the potential newcomers in the nuclear power group with following the right path, which of course, necessarily includes a solid foundation of nuclear law and related government authorities. The role of the nuclear industry in promoting the rule of nuclear law had to be acknowledged and assisted. Indeed, “new build” became everyone’s fascination.

This “push” for nuclear law is also due to the other side of the nuclear equation – i.e. the necessity of strengthening the non-proliferation regime, safeguards, and nuclear security as well as to the UN Security Council’s new use of its powers to issue binding “advice” on the ratification of nuclear law instruments such as the CPPNM.

To remain abreast of these topical developments at the ISNL, lectures on nuclear safeguards and on the strengthened norms regarding physical protection of nuclear material were continuously updated and a new lecture was introduced on the UN’s global legal framework against nuclear terrorism. The dangerous side of the nuclear renaissance and the concomitant globalised expansion of nuclear power and nuclear technology also played a role in the evolution of the Schools programme: notably the new international norms to suppress acts of nuclear terrorism.

Safeguards, the Additional Protocol and intensified verification demands could not stand alone. Conceptual breakthroughs by the IAEA provided the foundation by connecting in a rare doctrinal mode the legally unequal and even antagonistic concepts of safety, security, safeguards and civil liability. Nuclear safety had been internationally harmonised by the 1990s Conventions as far as was politically acceptable; security had emerged as the number one “lesson learned” of the 9/11 attack – though in legal terms remaining under the exclusive sovereign authority of the state. Safeguards became the strictest legally binding obligation under international law and the new profile of civil liability for nuclear damage became a condition *sine qua non* for the now realistic expansion of nuclear industry worldwide.

Having looked back, it would be nice to be able to look forward; but, this is an anniversary publication, and not the place for futurology: nuclear law is here to stay. It may soon be part of the standard international and national law curricula. Nuclear law may also be further integrated with other legal domains. The ISNL will remain at the forefront of coming changes of nuclear law.

A wish for the future is that the approximately 500 alumni of the ISNL realise the networking potential of their group and use it for their professional needs and intellectual satisfaction thereby strengthening the understanding for nuclear law and its continuing evolution worldwide.

Odette Jankowitsch-Prevor, Vienna, 25 January 2010.

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