



HARMONISATION OF NUCLEAR LIABILITY REGIMES IN EUROPE

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After we have learned about the current discussions concerning the Paris Convention revision exercise and the open matters relating to the liability limits and insurance for nuclear damages, prescription period, definition of nuclear damage etc. and different approaches in some PCC in adopting their legislation as well as about the adoption of the Protocol to Amend the Vienna Convention and Convention on Supplementary Compensation for Nuclear Damage, within the Vienna Convention countries, during the obtained Session 9 of this Conference we will focus our attention on the matters which has been discovered from the moment when the reports has been written till the date of this Conference.

It is obvious that the ongoing process of adopting the Nuclear Liability legislation within the Paris/Brussels Convention countries will go on for the next few years. The revised Paris Convention will be the first step before any changes in the national legislations within these countries could be foreseen.

As concern the Vienna Convention countries the adoption of the Protocol to Amend to Vienna Convention of 1997, based on the accession and/or ratification of this Protocol doesn't give to much optimism that the implementation of this Protocol in the national legislation of the countries concern could be realised soon. The same relates to the ratification/accession to Convention on Supplementary Compensation for Nuclear Damage of 1997, which was adopted at the Diplomatic Conference together with the a.m. Protocol.

Beside the problems mentioned in the reports of: P. Reyners, G.C. Warren, D. Harbrücker, A. Stanislas and especially N. Horbach, which put more emphasis on the comparative studies in Central and Eastern European countries, from the national reports given during this Session we could also learn about some tendencies concerning possible movements by the Vienna Convention Countries toward the Paris/Brussels Convention system and therefore departure from the Vienna Convention regime. This process could be foreseen based on the recent political development within Europe and the expressed desire by many CEE countries to join the EU in the years to come.

Finally, if for PCC and VCC from Europe the Convention on Supplementary Compensation for Nuclear Damage doesn't give more benefits compared to the Brussels Convention system which works for decades it could be foreseen that these countries (neighbouring each other), would prefer to expand the membership by accepting in the Brussels Convention system the VCC rather than to become parties to CSS aiming to become a global system.