

The International School of Nuclear Law

S. Kus*

The International School of Nuclear Law (ISNL) was established in 2000 by the OECD Nuclear Energy Agency and the University of Montpellier 1. It benefits from the support of the International Nuclear Law Association (INLA) and the International Atomic Energy Agency (IAEA). The school offers a high-quality educational programme acknowledged for its intensive courses, professional lecturers, as well as its academic and practical balance. In the past seven years, the ISNL has been attended by approximately 400 participants from 78 countries around the world.

The NEA awards scholarships to enable certain meritorious students from its member countries to benefit from the course. The IAEA also awards a number of fellowships to participants from its member countries. This helps ensure broad representation from different countries and bestows the ISNL with the different views, experience and legal backgrounds of its participants. The applicants are mostly but not necessarily lawyers. Such diversity is welcomed as the interdisciplinary composition of classes contributes to the dialogue and mutual learning between lawyers and scientists or economists for example.

The programme

Each session of the ISNL consists in a two-week course, held exclusively in English. Lectures are complemented by case studies, group work and class discussions.

Participants enrolled in the ISNL programme have the possibility of applying for a University Diploma (*Diplôme d'université* – DU) in Interna-

tional Nuclear Law. The diploma is awarded based on assessments during the course, a take-home exam to be completed by the candidates over a period of approximately ten days, and a dissertation to be submitted on a subject of international nuclear law. The diploma represents 12 ECTS credits (European Credit Transfer System).

ISNL subjects

The international law governing the peaceful uses of nuclear energy is covered broadly during the course, bearing in mind its uniqueness and particular traits. The legal efforts by the international community to harmonise domestic legislation and regulations, especially in follow-up to the Chernobyl accident, is a focal point of the academic programme. The military origins of nuclear energy constitute another particularity, which has led to an exceptional regime of controls and restrictions upon international nuclear trade so as to prevent the proliferation of nuclear material for non-peaceful purposes. At the same time, nuclear energy law is in a constant state of evolution in order to adapt to technological and political developments and to better control the risks associated with the use of nuclear energy for peaceful purposes. The ISNL organisers and lecturers therefore tackle one of the most complex, challenging and sensitive subject areas of the legal discipline.

The course begins with presentations on the various international organisations under whose auspices an international legal framework has been developed. The OECD Nuclear Energy Agency (NEA), the International Atomic Energy Agency (IAEA) and European Atomic Energy Community (EURATOM) are represented by their respective experts who portray the history, status, structure, competencies and the main purposes of the international organisations. The international legal

* Ms. Selma Kus (selma.kus@oecd.org) works in the NEA Legal Affairs Section.

framework governing the peaceful uses of nuclear energy is then addressed in several lectures. The framework includes:

- **nuclear safety** (the Convention on Nuclear Safety, the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency);
- **non-proliferation and physical protection** (the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Physical Protection of Nuclear Material, the IAEA safeguards system, the physical protection and illicit trafficking of nuclear materials);
- **radioactive waste management** (the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, implementation of the Joint Convention into national law);
- **radiological protection** (the Basic Safety Standards, the recommendations of the International Commission on Radiological Protection, the European Community Urgent Radiological Protection Information Exchange (ECURIE) system, the International Nuclear Emergency Exercises (INEX) programme, philosophy and guiding principles in radiological protection);
- **safety of transport** (the International Law Governing the Safe and Secure Transport of Nuclear and Radioactive Materials);
- **nuclear trade** (EURATOM trade rules, nuclear trade rules in connection with general trade rules and competition rules);
- **liability and compensation for nuclear damage** (the Paris Convention on Third Party Liability in the Field of Nuclear Energy, the Brussels Convention Supplementary to the Paris Convention, the Vienna Convention on Civil Liability for Nuclear Damage, the Convention on Supplementary Compensation for Nuclear Damage, the Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention, third party liability insurance).

The interdisciplinary character of the nuclear energy domain is reflected in lectures and discussions which cover such aspects as the ethical, legal and financial issues surrounding radioactive waste and spent fuel management, the economics of nuclear energy in perspective, and technical questions (supported by videos on the transport of radioactive material and the nuclear fuel cycle). The

closing session of the ISNL is dedicated to guest speakers on current topics.

The seventh session of the ISNL

The seventh session of the ISNL was held from 27 August to 7 September 2007 in Montpellier, France, with 60 people from 35 countries and the European Commission participating. The different subjects of international nuclear law were taught by 23 lecturers in 35 presentations, each of which was followed by discussions. Participants shared their experiences and openly discussed challenges facing their domestic legal system. The aim of the ISNL to communicate and exchange experience was fully achieved. The lectures triggered extensive and interesting discussions, which demonstrated the complex and controversial elements of nuclear law. The courses on non-proliferation, the economics of nuclear energy, liability and compensation for nuclear damage, and the legal framework against terrorism clearly showed the vigilance of nuclear lawyers and their creativity to form a fair and reliable legal framework.

A technical visit to a nuclear power installation, which in the previous years was organised by the NEA, could not be offered to this year's participants. Instead, an information session on the nuclear fuel cycle with an overall introduction and an in-depth picture of the management of radioactive waste in France was given by Jean-Louis Tison from ANDRA, the French Radioactive Waste Management Agency.

The closing session of the ISNL featured guest speakers Dr. Walter Gehr, who spoke about "The Global Legal Framework against Nuclear Terrorism", and Dr. Pierre Goldschmidt, who addressed participants on the "Rule of Law, Politics and Nuclear Non-Proliferation".

Conclusions

The ISNL brings together various lecturers and speakers from regulatory bodies, international organisations, universities, industry and research institutions. In addition to the academic training obtained, participants are able to benefit from the expert network and to engage in a sharing of knowledge to help prepare their future commitments.

The ISNL is a well-known institution in the international nuclear community and can be of particular benefit to students and young professionals considering a career in the nuclear law field. ■