Basic information

2003/0150(AVC) AVC - Assent procedure (historic)	Procedure completed
Nuclear energy : third party liability, Protocol on the 1960 Paris Convention **Subject** 2.50.05 Insurance, pension funds 3.60.04 Nuclear energy, industry and safety 7.40.02 Judicial cooperation in civil and commercial matters	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs and Internal Market	MACCORMICK Professor Sir Neil (V/ALE)	01/10/2003

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, External Trade, Research, Energy	The committee decided not to give an opinion.	
ENVI Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2548	2003-11-27
Transport, Telecommunications and Energy	2568	2004-03-09

European Commission

Commission DG	Commissioner
Energy and Transport	

Key events

Date	Event	Reference	Summary
09/07/2003	Initial legislative proposal published	COM(2003)0409	Summary
19/11/2003	Legislative proposal published	14305/2003	Summary

15/12/2003	Committee referral announced in Parliament		
27/01/2004	Vote in committee		Summary
27/01/2004	Committee report tabled for plenary, 1st reading/single reading	A5-0036/2004	
26/02/2004	Decision by Parliament	T5-0105/2004	Summary
08/03/2004	End of procedure in Parliament		
09/03/2004	Act adopted by Council after consultation of Parliament		
01/04/2004	Final act published in Official Journal		

Technical information

Procedure reference	2003/0150(AVC)
Procedure type	AVC - Assent procedure (historic)
Procedure subtype	International agreement
Legal basis	EC Treaty (after Amsterdam) EC 067-p5 EC Treaty (after Amsterdam) EC 061
Stage reached in procedure	Procedure completed
Committee dossier	JURI/5/19819

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0036/2004	27/01/2004	
Text adopted by Parliament, 1st reading/single reading		T5-0105/2004 OJ C 098 23.04.2004, p. 0018-0123	26/02/2004	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	14305/2003	19/11/2003	Summary

European Commission

Document type	Reference	Date	Summary
Initial legislative proposal	COM(2003)0409	09/07/2003	Summary

Additional information

Source	Document	Date

Final act

Decision 2004/0294
OJ L 097 01.04.2004, p. 0053-0054 Summary

Nuclear energy : third party liability, Protocol on the 1960 Paris Convention

2003/0150(AVC) - 08/03/2004 - Final act

PURPOSE : to improve compensation for victims of damage caused by nuclear accidents. LEGISLATIVE ACT : Council Decision 2004/294/EC authorising the Member States which are Contracting Parties to the Paris Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy to ratify, in the interest of the European Community, the Protocol amending that Convention, or to accede to it. CONTENT : the Council adopted this Decision authorising the Member States which are Contracting Parties to the 1960 Paris Convention on Third Party Liability in the Field of Nuclear Energy to ratify or accede to the Protocol amending that Convention, in the interest of the European Community. The Protocol amending the Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy, amended by the Additional Protocol of 28 January 1964 and by the Protocol of 16 November 1982 ("Paris Convention") was negotiated with a view to improving compensation for victims of damage caused by nuclear accidents. It provides for increasing liability amounts and extending the system of nuclear third party liability to environmental damage. Member States which are Contracting Parties to the Paris Convention shall take the necessary steps to deposit simultaneously their instruments of ratification of the Protocol, or accession to it, with the Secretary-General of the Organisation for Economic Cooperation and Development within a reasonable time and, if possible, before 31 December 2006. Member States which are Contracting Parties to the Paris Convention shall exchange information with the Commission within the Council before 1 July 2006 on the date on which they expect their parliamentary procedures required for ratification or accession to be completed. The date and arrangements for simultaneous deposit shall be determined on that basis.

Nuclear energy : third party liability, Protocol on the 1960 Paris Convention

2003/0150(AVC) - 19/11/2003 - Legislative proposal

PURPOSE : to authorising the Member States which are Contracting Parties to the Paris Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy to ratify, in the interest of the European Community, the Protocol amending that Convention, or to accede to it. PROPOSED ACT : Council Decision. CONTENT : the Protocol amending the Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy, amended by the Additional Protocol of 28 January 1964 and by the Protocol of 16 November 1982 ("Paris Convention") was negotiated with a view to improving compensation for victims of damage caused by nuclear accidents. It provides for increasing liability amounts and extending the system of nuclear third party liability to environmental damage. In accordance with the Council's negotiating directives of 13 September 2002, the Commission negotiated the Protocol of amendment to the Paris Convention for matters falling within the jurisdiction of the European Community. However, the Council's negotiating directives did not provide for negotiating a clause allowing the accession of the Community to the Protocol. As a result, the Community is not in a position to sign or ratify the Protocol, or to accede to it. Under these circumstances, it is justified, on a very exceptional basis, that the Member States ratify or accede to the Protocol in the interest of the Community. However, three of the Member States, namely Austria, Ireland and Luxembourg, are not Parties to the Paris Convention.

Nuclear energy : third party liability, Protocol on the 1960 Paris Convention

2003/0150(AVC) - 09/07/2003 - Initial legislative proposal

PURPOSE : to strengthen international cover for nuclear risk. CONTENT : the European Commission approved the extension of the international cover for nuclear risk. To do this, it has adopted two proposals for decisions authorising the Member States which are Parties to the Paris Convention to sign and ratify, in the interest of the Community, the Protocol amending the Paris Convention on third party liability in the field of nuclear energy. This Convention, which was concluded in 1960, lays down requirements concerning the third party liability of nuclear operators and the rules for the compensation of victims in the event of an accident. The new Protocol will make it possible to increase compensation for the victims of nuclear accidents and to broaden the scope of the Convention. It will supplement the Community environmental liability regime which is in the process of being adopted. It should be recalled that in order to improve the system of compensation for nuclear damage, the Contracting Parties to the Paris Convention started negotiations in 1998 to revise the Convention. The aim of the revision is to ensure that more funds are available to compensate a greater number of victims on the basis of a wider definition of damage. The final text of a proposal for a Protocol amending the Paris Convention was approved by the Contracting Parties in February 2002 and was accepted by the OECD's Steering Committee for Nuclear Energy in May 2002. The most notable amendments relate to extending the geographical scope of the Convention to nuclear damage occurring on the territory or in the maritime area of States which are not Contracting Parties to the Convention, and extending the concept of indemnifiable damage to non-material damage and to the cost of preventive measures and measures to restore the environment. The most significant improvement is the increase in the liability amounts for operators of nuclear installations. The operator's liability is increased from a maximum amount of 15 million SDR in the current Convention to a minimum reference amount of EUR 700 million, with national governments then being free to set a higher amount or to provide for the unlimited liability of the operator. This increase also concerns low risk installations, where the liability of the operator is increased from 5 million SDR to a minimum of

EUR 70 million and for accidents during the transport of nuclear substances, where the liability of the operator is increased from 5 million SDR to a minimum of EUR 80 million. This increase in the amounts for which operators of nuclear installations are liable is accompanied at the same time by an increase in the amount of supplementary funds provided for by the Brussels Supplementary Convention, which is also being revised.

Nuclear energy : third party liability, Protocol on the 1960 Paris Convention

2003/0150(AVC) - 26/02/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution drafted by Sir Neil MacCORMICK (Greens/EFA, UK) and gave its assent to the proposal.