Draft Resolution on the exclusion of small quantities of nuclear material from the application of the nuclear liability conventions - Introductory Remarks

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Relevant Conventions on nuclear liability

- 1963 Vienna Convention
- 1997 Convention on Supplementary Compensation for Nuclear Damage (CSC).
Scope of application of the liability conventions

Nuclear incidents:

1) At a nuclear installation, including a nuclear reactor and other installations associated with the nuclear fuel cycle

2) In the course of transport of nuclear material to or from a nuclear installation.

Definition of nuclear material includes nuclear fuel and radioactive products or waste.
Background

• 1963 Vienna Convention, 1997 Vienna Convention, Article I.2,
• CSC , Annex, Article 1.2
provide that:
A Contracting Party within whose a territory a nuclear installation is situated or by which or under the authority of which that installation is operated may, if the small extent of the risks involved so warrants, exclude any small quantities of nuclear material from the application of the Convention provided that:
(a) maximum limits for the exclusion of such quantities have been established by the BoG;
(b) any exclusion by a Contracting Party is within such established limits.
The maximum limits shall be reviewed periodically by the BoG.
• **First Resolution** establishing maximum limits for the exclusion of small quantities of nuclear material from the application of the Vienna Conventions adopted in September 1964, updated in 1978 and 1997.

• **Current Board’s Resolution of 11 September 1997**
  - establishes new limits in line with 2005 Edition of the Agency’s Regulations for the Safe Transport of Radioactive Material,
  - establishes limits with respect to the 1997 Vienna Convention and CSC.
Draft Resolution to be established by the BoG

- 2012 Revision of the Agency’s Regulations for the Safe Transport of Radioactive Material
  - Presentation by NSRW on the 2012 revision of the transport Regulations,
  - Decision by INLEX that the 2007 Board Resolution should be updated.
- Draft Resolution prepared by the Secretariat and submitted to TRANSSC and RASSC to ensure technical adequacy.

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