



Manual of European Environmental Policy

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This section is the text of the Manual as published in 2012. It is therefore important to note the following:

- The contents have not been updated since 2012 and no guarantee is given of the accuracy of the contents given potential subsequent developments.
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International Conventions and Cooperation: Chemicals (Radioactivity)

Convention on Early Notification of a Nuclear Accident

Place of signature	Vienna
Date of signature	26.09.1986
Date of entry into force	27.10.1986
Secretariat	International Atomic Energy Agency (IAEA)
Website	http://www.iaea.or.at/Publications/Documents/Conventions/cenna.html
Date of Commission Decision on accession	25.11.2005
Date of entry into force for EAEC	14.12.2006
Reference of Commission Decision	2005/844/EURATOM

The Convention was adopted in 1986 following the Chernobyl nuclear plant accident. It establishes a notification system for nuclear accidents which have the potential for international transboundary release of radioactive materials. It requires States to report the accident's time, location, radiation releases and other data essential for assessing the situation. Notification is to be made to affected States directly or through the IAEA, and to the IAEA itself. The European Atomic Energy Community (EURATOM) acceded to The Convention on 14 November 2006.

Convention on Assistance in the Case of Nuclear Accident or Radiological Emergency

Place of signature	Vienna
Date of signature	26.09.1986
Date of entry into force	26.02.1987
Secretariat	International Atomic Energy Agency (IAEA)
Website	http://www.iaea.or.at/Publications/Documents/Conventions/cacnare.html
Date of Commission Decision on accession	25.11.2005
Date of entry into force for EAEC	14.12.2006
Reference of Commission Decision	2005/845/EURATOM

The Convention was adopted in 1986 following the Chernobyl nuclear plant accident, together with the above-mentioned Early Notification Convention. It sets out an international framework for cooperation among States Parties and with the IAEA to facilitate prompt assistance and support in the event of nuclear accidents or radiological emergencies. It requires States to notify the IAEA of their available experts, equipment, and other materials for providing assistance. In case of a request, each State Party decides whether it can render the requested assistance as well as its scope and terms. The European Atomic Energy Community (EURATOM) acceded to The Convention on 14 November 2006.

Convention on Nuclear Safety

Place of signature	Vienna
Date of signature	17.06.1994
Date of entry into force	24.10.1996
Secretariat	International Atomic Energy Agency (IAEA)
Website	http://www.iaea.org/Publications/Documents/Conventions/nukesafety.html
Date of Commission Decision on accession	16.11.1999
Date of entry into force for EAEC	30.04.2000
Reference of Commission Decision	1999/819/EURATOM

The aim of this Convention is to promote a high level of safety at nuclear installations worldwide. It lays down general principles of nuclear safety which contracting parties are to integrate into their national regulatory systems. The Convention covers some areas for which there is Community competence under the EURATOM Treaty, for example, in relation to basic safety standards for protecting workers and the general public from the dangers of [ionizing radiation](#) (see section on safety standards for radiation). Under Article 101 of this Treaty, international agreements are formally concluded by the Commission with the approval of the Council. In its Decision authorizing the accession, the Council had formulated a declaration of competence which gave an unduly restrictive interpretation of the powers of the EAEC in the field of nuclear safety. The Commission successfully pursued partial annulment of this Decision by the ECJ ([Case C-29/99](#)). As a result of the Court's judgment, the Council was forced to revise the declaration of competence, and the Commission subsequently deposited an amended version of the declaration with the IAEA. This case-law has significant implications for the declarations of competence of the EC which are routinely attached to Council decisions on the conclusion of multilateral environmental agreements.

Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (Joint Convention)

Place of signature	Vienna
Date of signature	05.09.1997
Date of entry into force	18.06.2001
Secretariat	International Atomic Energy Agency (IAEA)
Website	http://www.iaea.or.at/Publications/Documents/Conventions/jointconv.html
Date of Commission Decision on accession	14.06.2005
Date of entry into force for EAEC	04.10.2005
Reference of Commission Decision	2005/510/EURATOM

The aims of the Joint Convention are to achieve and maintain a high level of safety world-wide in spent fuel and radioactive waste management; to ensure that during all stages of spent fuel and radioactive waste management there are effective defences against potential hazards so that individuals, society and the environment are protected from the harmful effects of ionizing radiation; and to prevent accidents with radiological consequences, and mitigate their consequences. It covers spent fuel and radioactive waste from civil nuclear operations and disused sealed sources of radioactivity.

The Commission originally proposed that both the EC and the EAEC accede to The Convention, as regards matters falling within the competencies of these two Communities. Its proposal ([COM\(2001\)520](#)) stressed that in the area of radioactive waste management, the Joint Convention covers aspects of environmental protection that go beyond the scope of the EURATOM Treaty but fall within the scope of EC environmental policy. The Council, however, only approved the accession of the EAEC. Although the European Parliament approved the proposal on the accession of the EC, that proposal was withdrawn by the Commission in 2005.

Energy Charter Treaty

Place of signature	Lisbon
Date of signature	17.12.1994
Date of entry into force	16.04.1998
Secretariat	Energy Charter Secretariat
Website	http://www.encharter.org
Date of Council Decision on conclusion	23.09.1997
Date of entry into force in EC	17.12.1994
Reference of Council Decision	98/181/EC, ECSC, EURATOM

Amendment to the Trade-Related Provisions of the Energy Charter Treaty

Place of adoption	Brussels
Date of adoption	24.04.1998
Date of entry into force	24.04.1998
Date of Council Decision on accession	13.07.1998
Date of entry into force in EC	24.07.1998
Reference of Council Decision	98/537/EC

Protocol on Energy Efficiency and Related Environmental Aspects (PEEREA)

Place of adoption	Lisbon
Date of adoption	17.12.1994
Date of entry into force	16.04.1998
Date of Council Decision on signature	23.09.1997
Date of entry into force for EC	16.04.1998
Reference of Council Decision	98/181/EC, ECSC, EURATOM

The 1994 Energy Charter Treaty focuses on five broad areas: the protection and promotion of foreign energy investments; free trade in energy materials, products and energy-related equipment; freedom of energy transit through pipelines and grids; mechanisms for the resolution of disputes; and energy efficiency and related environmental aspects. Environmental aspects are dealt with in Article 19 which states that parties ‘shall strive to minimise in an economically efficient manner harmful Environmental Impacts ...’ The stated objective of the separate Protocol on

Energy Efficiency is to define policy principles for the promotion of energy efficiency and for consequently reducing adverse environmental impacts of energy.

The Treaty was developed on the basis of the European Energy Charter of 1991 that was first proposed at the 1990 Dublin European Council. The Prime Minister of the Netherlands, Mr Ruud Lubbers, had suggested this as a way of supporting economic development in Eastern Europe and the then USSR. There was also great interest in the West gaining access to energy sources, notably natural gas from the USSR. The Energy Charter was a declaration of political intent to promote East-West energy cooperation, and after three years of negotiation, the Charter was turned into a legally binding Treaty in December 1994.

The Treaty relates to all three European Communities (the European Community, the European Coal and Steel Community – ECSC – and EURATOM). The Treaty and its Protocol were concluded by the Council in May 1997 on behalf of the EC, and by the Commission in September 1997 on behalf of the ECSC and EURATOM (Decision 98/181/EC, ECSC, EURATOM). It should be noted here that the ECSC ceased to exist in 2002, and that the Russian Federation has not ratified the Energy Charter Treaty and Protocol.