

Procedure file

Basic information		
AVC - Assent procedure (historic) Decision	2006/0260(AVC)	Procedure completed
Nuclear energy: third-party liability, Protocol on the 1960 Paris Convention, ratification by Slovenia		
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		
Geographical area Slovenia		

Key players			
European Parliament	Committee responsible		Rapporteur
	JURI Legal Affairs		Appointed
			25/06/2007
			PPE-DE GARGANI Giuseppe
Council of the European Union	Committee for opinion		Rapporteur for opinion
	ITRE Industry, Research and Energy		Appointed
			The committee decided not to give an opinion.
European Commission	Council configuration		Meeting
	Justice and Home Affairs (JHA)		2827
	Justice and Home Affairs (JHA)		2807
	General Affairs		2799
European Commission	Commission DG		Commissioner
	Legal Service		BARROSO José Manuel

Key events			
13/12/2006	Initial legislative proposal published	COM(2006)0793	Summary
05/06/2007	Legislative proposal published	09453/2007	Summary
21/06/2007	Committee referral announced in Parliament		
04/10/2007	Vote in committee		Summary
09/10/2007	Committee report tabled for plenary, 1st reading/single reading	A6-0369/2007	
23/10/2007	Results of vote in Parliament		
	Decision by Parliament		Summary

23/10/2007		T6-0439/2007	
08/11/2007	Act adopted by Council after consultation of Parliament		
08/11/2007	End of procedure in Parliament		
13/11/2007	Final act published in Official Journal		

Technical information

Procedure reference	2006/0260(AVC)
Procedure type	AVC - Assent procedure (historic)
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3-a1/2; EC Treaty (after Amsterdam) EC 067; EC Treaty (after Amsterdam) EC 061-
Stage reached in procedure	Procedure completed
Committee dossier	JURI/6/43996

Documentation gateway

Initial legislative proposal		COM(2006)0793	13/12/2006	EC	Summary
Legislative proposal		09453/2007	05/06/2007	CSL	Summary
Committee draft report		PE392.160	21/08/2007	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0369/2007	09/10/2007	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0439/2007	23/10/2007	EP	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

Decision 2007/727 OJ L 294 13.11.2007, p. 0023 Summary

Nuclear energy: third-party liability, Protocol on the 1960 Paris Convention, ratification by Slovenia

PURPOSE: to authorise Slovenian ratification of the Protocol amending the Paris Convention on third-party liability in the field of Nuclear Energy.

PROPOSED ACT: Council Decision.

BACKGROUND: Decisions [2003/882/EC](#) and [2004/294/EC](#) authorise those Member States, who are Contracting Parties to the Paris Convention on 'Third Party Liability in the Field of Nuclear Energy?', to sign and ratify (or accede to) the amended Protocol. Denmark, Austria, Ireland and Luxembourg are not Contracting Parties to the Protocol. Of the new Member States, only Slovenia is a Contracting Party to the Paris Convention since it signed the Protocol in February 2004. However, Council Decision 2003/882/EC and 2004/294/EC do not bind the new Member States since it was addressed to 'all the present Member States' ? i.e. the EU-15.

CONTENT: the sole purpose of the proposed Decision is to place Slovenia on an equal footing with the Member States to whom Decision 2004/924/EC applies. The proposal is without prejudice to:

- the position of the other Member State, which are Parties to the Vienna Convention;
- the position of the other Member States, which are not Parties to any convention on third-party liability in the nuclear field; and
- the Commission's right of initiative.

Nuclear energy: third-party liability, Protocol on the 1960 Paris Convention, ratification by Slovenia

PURPOSE: to authorising the Republic of Slovenia to ratify, in the interest of the European Community, the Protocol of 12 February 2004 amending the Paris Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy.

PROPOSED ACT: Council Decision.

CONTENT: [Decisions](#) 2003/882/EC and 2004/294/EC authorise those Member States, who are Contracting Parties to the Paris Convention on Third Party Liability in the Field of Nuclear Energy, to sign and ratify (or accede to) the amended Protocol.

Austria, Ireland and Luxembourg, which are not parties to the Paris Convention, have not signed the Protocol.

Slovenia is a Contracting Party to the Paris Convention and signed the Protocol on its own behalf on 12 February 2004. Since Decision 2004/294/EC was addressed only to certain Member States, the Republic of Slovenia could not upon its accession to the European Union on 1 May 2004 be considered an addressee thereof by virtue of Article 53 of the Act of Accession of 2003.

Bulgaria, The Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia are not Contracting Parties to the Paris Convention but are Parties to the Vienna Convention on Civil Liability for Nuclear Damage of 21 May 1963 (the Vienna Convention). Cyprus and Malta are not parties to any international convention on third-party liability in the nuclear field.

In the light of the above, the sole purpose of this Decision is to place Slovenia on an equal footing with the Member States addressed by Decision 2004/294/EC. Denmark will not participate in the adoption of this proposal for a decision and will not be bound by it or subject to its application. The United Kingdom and Ireland are bound by Council Regulation (EC) No 44/2001 and will therefore participate in the adoption of the proposal for a decision.

The Council requests the assent from the European Parliament on the proposed decision.

Nuclear energy: third-party liability, Protocol on the 1960 Paris Convention, ratification by Slovenia

By adopting the report by Giuseppe GARGANI (EPP-ED, IT), the Committee on Legal Affairs recommended that the Parliament give its assent on the proposal for a Council decision authorising the Republic of Slovenia to ratify, in the interest of the European Community, the Protocol of 12 February 2004 amending the Paris Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy.

Nuclear energy: third-party liability, Protocol on the 1960 Paris Convention, ratification by Slovenia

The European Parliament adopted a resolution drafted by Giuseppe GARGANI (EPP-ED, IT), and gave its assent on the proposal for a Council decision authorising the Republic of Slovenia to ratify, in the interest of the European Community, the Protocol of 12 February 2004 amending the Paris Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy.

Nuclear energy: third-party liability, Protocol on the 1960 Paris Convention, ratification by Slovenia

PURPOSE: authorise Slovenia to ratify the Protocol amending the Paris Convention of 1960 on third-party liability in the field of nuclear energy.

LEGISLATIVE ACT: Council Decision 2007/727/EC authorising the Republic of Slovenia to ratify, in the interest of the European Community, the Protocol of 12 February 2004 amending the Paris Convention of 29 July 1960 on third-party liability in the field of nuclear energy.

CONTENT: the Council adopted a decision aiming to authorise Slovenia, the only new Member State which is part of the Paris Convention of 29 July 1960 on third-party liability in the field of nuclear energy, to ratify the Protocol of 12 February 2004 amending the Convention.

The ratification or accession to the Protocol are as much the responsibility of Member States as the European Community. The Community has an exclusive competence regarding the amendment of Article 13 of the Paris Convention in as far as it is concerned about the provisions of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction, the recognition and enforcement of judgments in civil and commercial matters. Member States retain their jurisdiction on matters covered by the Protocol which are not included in Community law.

Through two Decisions, Decision 2003/882/EC of 27 November 2003 and Decision 2004/294/EC of 8 March 2004, the Council authorised the Member States who are Contracting Parties to the Paris Convention to sign the Protocol in the interest of the European Community, as well as ratifying or acceding to it. Austria, Ireland and Luxembourg, who do not take part in the Paris Convention, did not sign the Protocol.

Slovenia signed the Protocol of the Paris Convention on 12 February 2004. Since Decision 2004/294/EC was addressed only to certain Member States, the Republic of Slovenia could not, upon its accession to the European Union on 1 May 2004, be considered an addressee thereof by virtue of Article 53 of the Act of Accession of 2003. Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia are not Contracting Parties to the Paris Convention, but are to the Vienna Convention of 21 May 1963 on Civil Liability for Nuclear Damage. Cyprus and Malta do not take part in any international convention concerning civil liability in the nuclear sector.

The only objective of the Decision is to place Slovenia on the same level as Member States addressed by Decision 2004/294/EC. Denmark does not take part in the adoption of this Decision and is not to be bound by it or subject to its application. The United Kingdom and Ireland are bound by Regulation (EC) N° 44/2001 and are therefore taking part in the adoption of this Decision.

