

JOINT STATEMENT ON LIABILITY FOR NUCLEAR DAMAGE

Recognizing the importance of the nuclear liability principles, including channeling all liability for nuclear damage exclusively to the operator on the basis of strict liability, embodied in the Paris Convention on Third Party Liability in the Field of Nuclear Energy, the Vienna Convention on Civil Liability for Nuclear Damage and the Convention on Supplementary Compensation for Nuclear Damage (CSC);

Recognizing the value of recent enhancements to the nuclear liability principles that are embodied in the revised Paris Convention, the revised Brussels Convention Supplementary to the Paris Convention, the revised Vienna Convention and the CSC (the enhanced international nuclear liability instruments), which provide for increased compensation to victims of a nuclear accident, broader definition of nuclear damage, and jurisdiction over accidents in the exclusive economic zone;

Acknowledging that the Joint Protocol related to the Application of the Vienna Convention and the Paris Convention was developed to link the Paris Convention and the Vienna Convention and has resulted in treaty relations among a number of countries, which provide a contribution to the development of a global nuclear liability regime, and that France views a system based on the revised Paris Convention (together with the revised Brussels Convention Supplementary to the Paris Convention), the revised Vienna Convention and the Joint Protocol as providing an appropriate basis for the compensation of nuclear damage;

Acknowledging that the CSC was designed to provide a basis for establishing a global nuclear liability regime by allowing adherence by countries that adhere to the Paris Convention or the Vienna Convention, including those countries that are linked by the Joint Protocol, and by countries with national laws that fully comply with the nuclear liability principles embodied in the Annex to the CSC and that the United States views the CSC as the only existing international nuclear liability instrument to which the United States can adhere;

Acting in support of the IAEA Action Plan on nuclear safety, including in particular the call for establishing a global nuclear liability regime that addresses the concerns of all the States that might be affected by a nuclear accident with a view to providing appropriate compensation for nuclear damage;

Desiring to closely work together and with other countries for establishing such a global nuclear liability regime,

The UNITED STATES and FRANCE hereby declare that they:

Are committed to:

- * Promote efforts to achieve a global nuclear liability regime based on treaty relations among France, the United States and other countries that might be affected by a nuclear accident;
- * Coordinate their actions in encouraging adherence to the enhanced international nuclear liability instruments, including, as appropriate, the revised Paris Convention (together with the revised Brussels Convention) or the revised Vienna Convention, which may be linked by the Joint Protocol, and the CSC, with an initial step being the entry into force of the CSC:
- * Urge countries to adopt national laws that incorporate:
 - the nuclear liability principles and recent enhancements to those principles;
 - and
 - the best practices of ensuring that:
 - a) liability limits and financial security requirements are sufficiently high to make adequate funds available to compensate all victims of a nuclear accident, without discrimination;
 - (b) compensation is available for nuclear damage wherever suffered, including countries with no nuclear installations;
 - c) compensation is available in the event of an accident directly due to a grave natural disaster;
 - (d) compensation for latent injuries is available over a period of at least thirty years;
 - (e) all claims resulting from a nuclear accident are dealt with in a single forum, and in a prompt, equitable and non-discriminatory manner, with a minimum of litigation, and with only one court being competent to hear claims arising from the accident;
- * Continue to work together in this area and welcome the participation of other countries in achieving these objectives; and

Believe such actions by them and other countries will ensure adequate and equitable compensation for victims of nuclear damage arising from a nuclear accident, and will create the worldwide trust necessary for the development of nuclear energy and associated industrial activities.

Mr. Ernest Moniz, Secretary of Energy



Washington
August 13, 2013

Mr. Philippe Martin, Minister of Ecology,
Sustainable Development and Energy

Paris
August 28, 2013

