



The Abdus Salam
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The International Legal Framework for Civil Liability for Nuclear Damage

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THIRD PARTY LIABILITY FOR NUCLEAR DAMAGE

P.REYNER

WHY A SPECIAL CIVIL NUCLEAR LIABILITY REGIME ?

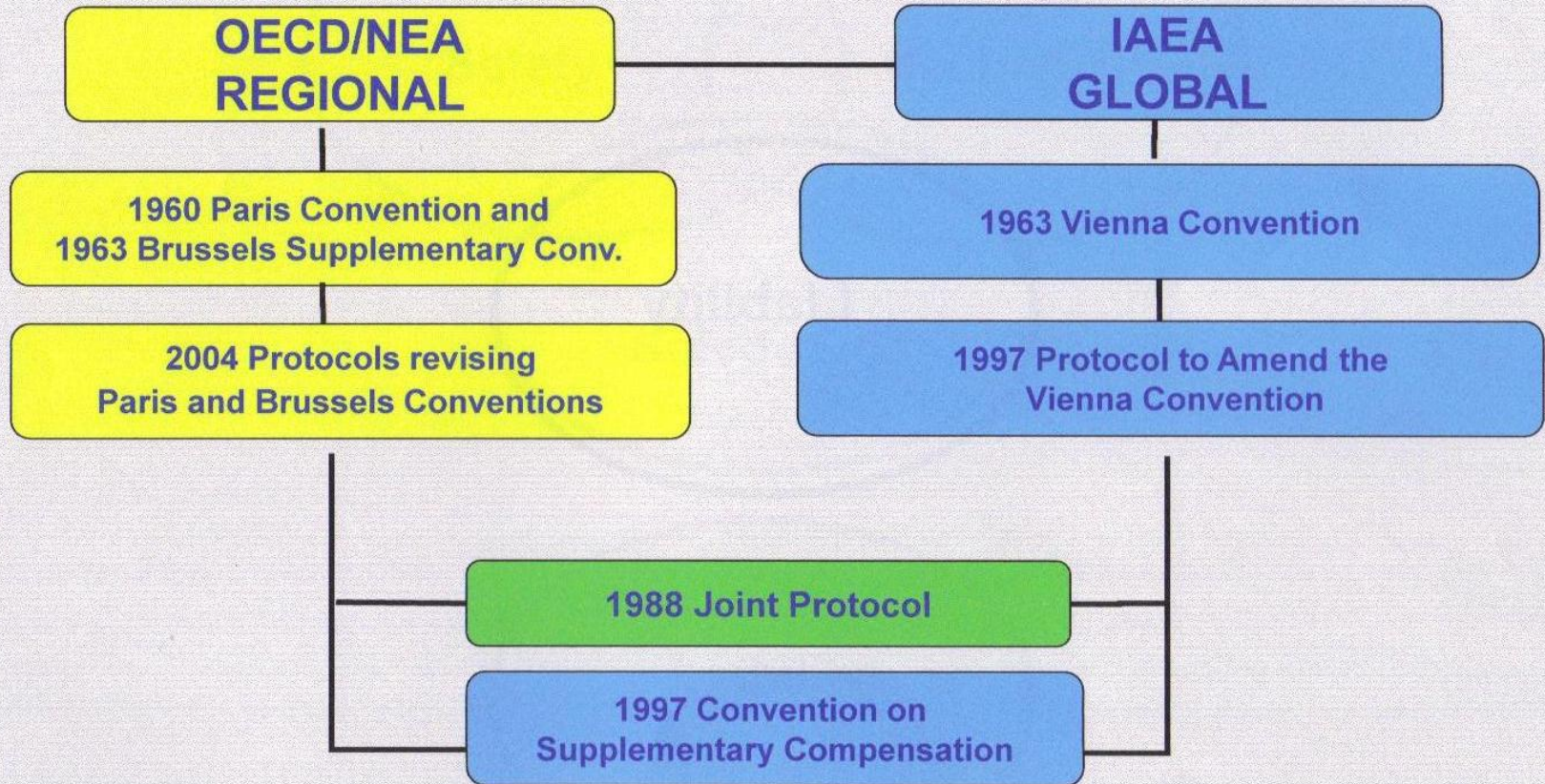
IN THE CASE OF A NUCLEAR ACCIDENT IN A NUCLEAR INSTALLATION OR DURING A TRANSPORT OF NUCLEAR MATERIAL CAUSING

- **Injuries to persons**
- **Damage to properties**
- **A release of radioactivity in the environment**

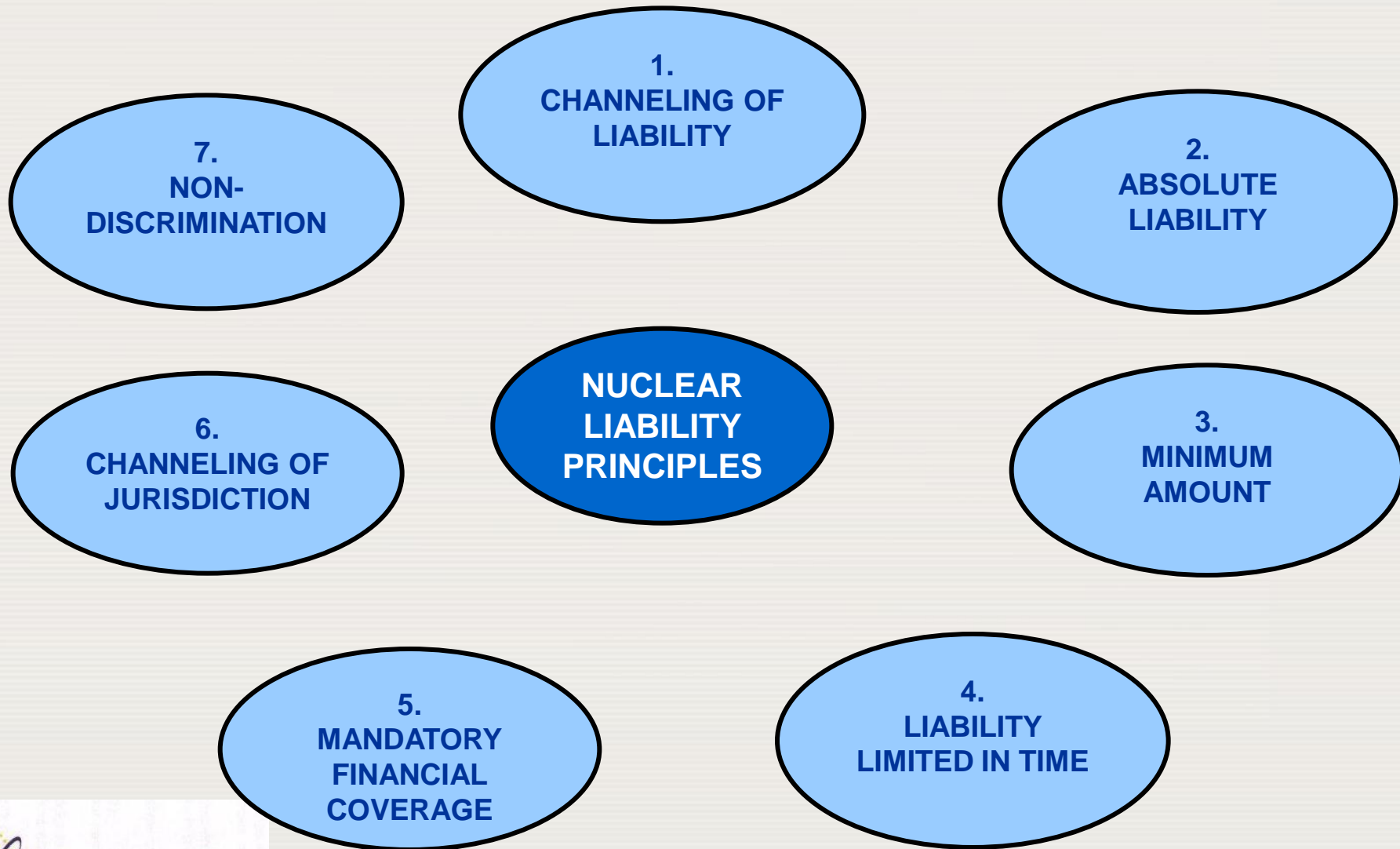
QUESTIONS:

- **Who is liable for the damage ?**
- **How such liability is to be established ?**
- **Which court will be competent ?**
- **Which law will be applicable ?**
- **And for compensating what kind of damage ?**
- **Over which period ?**
- **For the benefit of which victims ?**

NUCLEAR LIABILITY INTERNATIONAL INSTRUMENTS



NUCLEAR LIABILITY PRINCIPLES



**1.
CHANNELING
OF LIABILITY**

2. ABSOLUTE LIABILITY

**3.
MINIMUM
AMOUNT**

**4.
LIABILITY
LIMITED IN
TIME**

**5.
MANDATORY
FINANCIAL
COVERAGE**

6. CHANNELING OF JURISDICTION

7. NON- DISCRIMINATION

POINTS TO REMEMBER

- The liability regime was created with the dual objective of assuring adequate compensation for victims and facilitating nuclear energy development
- The international instruments are relevant for both nuclear power and non-nuclear power countries
- 1997 CSC provides the basis for a global nuclear liability regime - but not yet in force
- Post Fukushima Action Plan on Nuclear Safety with the aim of working towards establishing a global nuclear liability regime
- The IAEA International Expert Group on Nuclear Liability (INLEX) to recommend actions to facilitate achievement of such a regime.