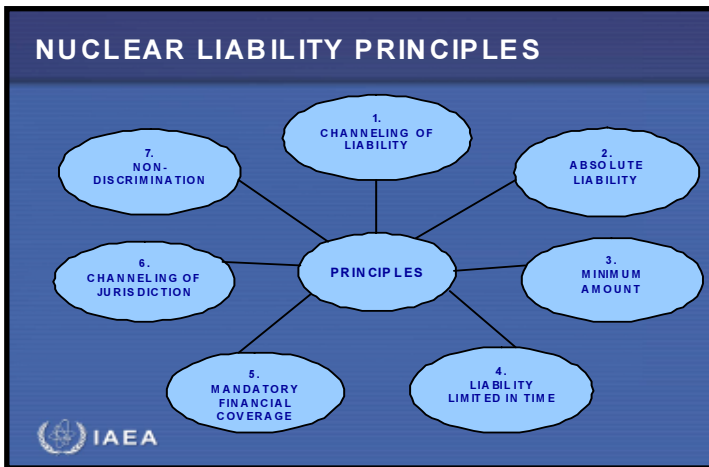
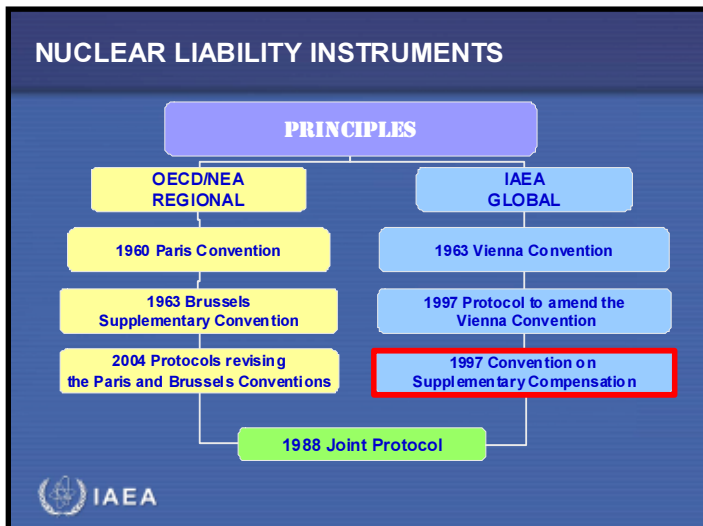


## Panel Session: Liability & Insurance

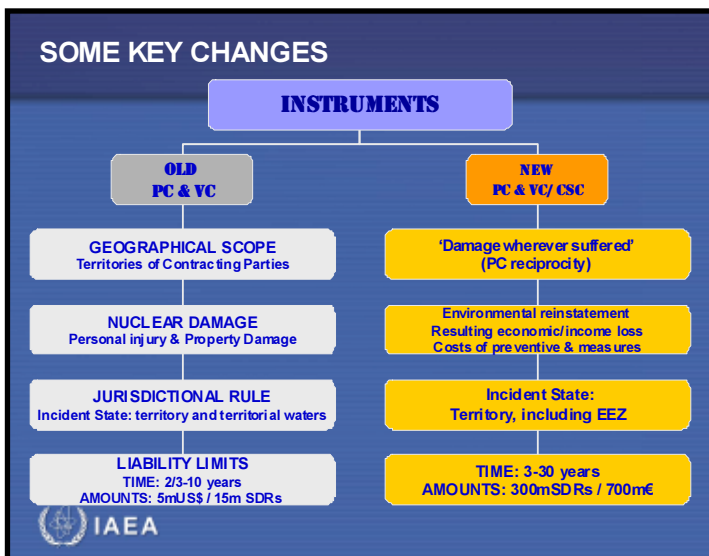
### – Introduction to Civil Liability for Nuclear Damage –



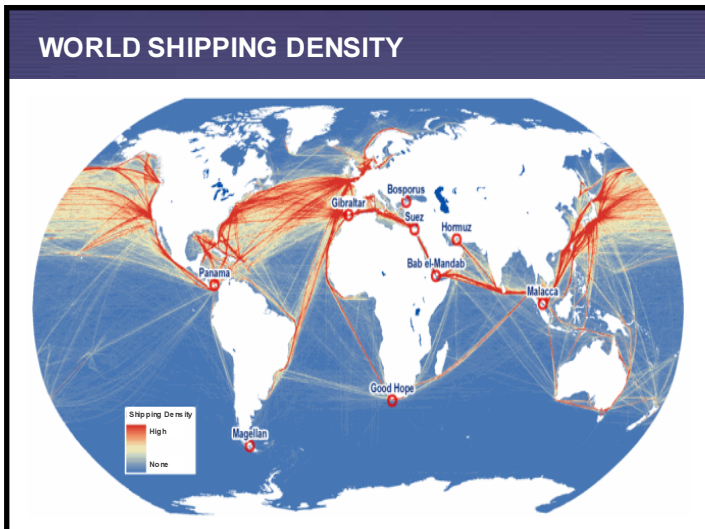
1. Channelling of liability to the operator: no liability outside the regime or by anyone else
2. Operator liable regardless of fault
3. Limitation of liability in amount but a higher amount or even unlimited liability can be imposed
4. Limitation of liability in time
5. Operator must maintain financial security (insurance) corresponding to his liability
6. Exclusive jurisdiction is granted to the courts of one country, to the exclusion of the courts in other countries
7. Applied without discrimination based upon nationality, domicile or residence



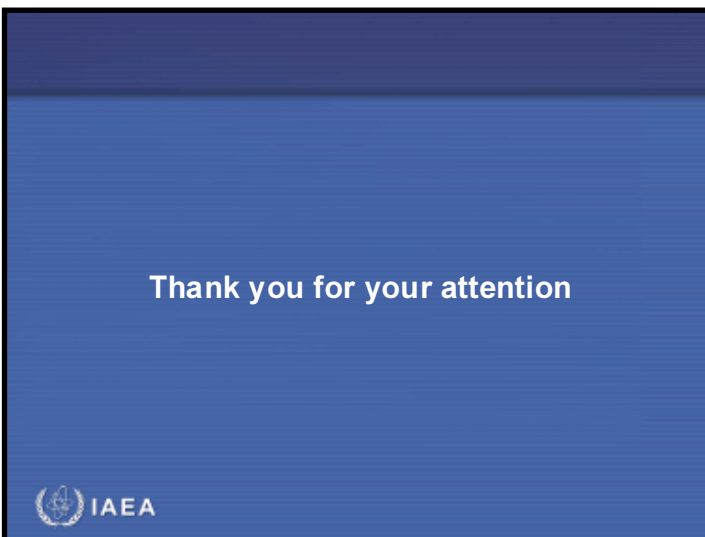
- Two nuclear liability regimes consisting until recently of two important conventions: the 1960 Paris Convention and the 1963 Vienna Convention
- IAEA is the depositary of the four major international legal
- Regional level: open to Member States of the OECD and to other States if all Parties consent
- Global level concluded under the auspices of the IAEA and is open to all States
- 1988 Joint Protocol was the first attempt to establish a treaty link between the Paris and Vienna Conventions



- The aim of the new and revised instruments is to offer much better protection to potential victims by:
  - enabling more potential victims to claim under the nuclear liability regime for compensation;
  - providing a wider range of damage to be compensated; and increasing the amounts of compensation
- One of the important features is the establishment of a single competent forum to deal with all actions for compensation



- Nuclear transports are international
- There is a renewed interest in nuclear energy and increasing international trade and economic relations in the nuclear field
- Need to strengthen the global nuclear liability regime



Anthony Wetherall  
Legal Officer, IAEA Office of Legal Affairs  
< [a.wetherall@iaea.org](mailto:a.wetherall@iaea.org) >

Dr. Nathalie Horbach  
Member, IAEA International Expert  
Group on Nuclear Liability (INLEX)  
< [n.horbach@dundee.ac.uk](mailto:n.horbach@dundee.ac.uk) >