



РОСЭНЕРГОАТОМ

ЭЛЕКТРОЭНЕРГЕТИЧЕСКИЙ ДИВИЗИОН РОСАТОМА

Nuclear liability: international cooperation issues

IX International Scientific -Technical Conference

«Safety, efficiency and economics of nuclear engineering » ISTC 2014

Section «International cooperation aimed at NPP safety assurance»

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Moscow, May 21-23, 2014

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IAEA Safety Standards

(NGSR Part 1 «Governmental, Legal and Regulatory Framework for Safety»)

Section «The global safety regime»

- ❑ International cooperation has its contribution to the development of a global safety regime;
- ❑ The government fulfills its retrospective international obligations, participating in the relevant international arrangements, including international peer reviews and promote international cooperation to enhance safety globally;
- ❑ The features of the global safety regime include:
 - ⇒ International conventions that establish common obligations and mechanisms for ensuring protection and safety;
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 - ⇒ Multilateral and bilateral cooperation that enhances safety by means of harmonized approaches as well as increased quality and effectiveness of safety reviews and inspections.

Nuclear Energy Agency, OECD, Mission

To assist its member countries in maintaining and further developing, through international cooperation, the scientific, technological and legal bases required for a safe, environmentally friendly and economical use of nuclear energy for peaceful purposes

IAEA Action Plan on Nuclear Safety; INLEX Recommendations

- Strengthening of the international nuclear safety regime:
 - Join Conventions;
 - Increase efficiency of Conventions compliance;
- Global regime of nuclear responsibility establishment :
 - Join International tools;
 - Adoption of national laws;
 - Establishment of contractual relations

International nuclear safety regime

- ❑ Convention on nuclear safety
- ❑ Convention on early notification of a nuclear accident
- ❑ Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management
- ❑ Convention on assistance in case of nuclear accident or radiological emergency situation

International conventions in the field of nuclear indemnity

⇒ Under the umbrella of Organization for Economic Co-operation and Development

- Paris convention on nuclear third party liability, 1960.
- Brussels supplementary convention, 1963.
- Protocols amending Paris convention and Brussels supplementary convention, 2004. (not yet in force)

⇒ Under the umbrella of IAEA

- Vienna convention on civil nuclear liability for nuclear damage, 1963.
- Protocols amending Vienna convention on civil nuclear liability for nuclear damage, 1997.
- Convention on supplemental compensation for nuclear damage, 1997. (not yet in force)

⇒ Joint Protocol relating to the Application of the Vienna Convention and Paris Convention, 1988.



Nuclear Liability (1)

- Principles of nuclear liability in international conventions:
 - Absolute and exclusive liability of a nuclear installation operator;
 - Liability limitation for the nuclear installation operator regarding compensation amount and time during which actions for damages can be submitted to the operator;
 - Mandatory financial provision of the operator responsibility (financial guarantee of compensation for nuclear damage);
 - Unity of jurisdiction and lack of discrimination.
- Specifics of nuclear damage:
 - Potential scope
 - Transboundary character
 - Probability of consequences development within long time period



! Specific character of civil liability regime (legal framework)

! Insurance as a mechanism of compensation for damage (financial instruments)

Nuclear Liability (2)

- ☐ Development of Paris, supplementary Brussels and Vienna conventions;
- ☐ Establishment of the global nuclear liability system;
- ☐ Provisions of Russian legal framework on compensation for nuclear damage

Nuclear Liability (3)

- Specifics of nuclear insurance»:
 - Small quantity of nuclear installations
 - Low probability of insurance case
 - Big amounts of indemnity for loss
 - Long time period during which insurers shall be under obligation for insurance payments



! Does not allow commercial insurance companies to apply traditional approach

! «Nuclear insurance» patterns:

- International pooling system;
- Mutual insurance societies;
- «Captive» insurance companies;
- «New» commercial insurance companies.

Practical activities

- ❑ Cooperation «Rosenergoatom - EDF»
- ❑ International insurance pools at Russian NPPs



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