

Preface

In the development of international law relating to liability, the nuclear energy sector represents an alternative approach to transboundary liability regime. Building on this foundation and following the Chernobyl accident—international consensus was sought for a stronger transboundary legal regime in the event of a nuclear disaster. However, after 60 years of the existence of international nuclear liability laws and 25 years after Chernobyl, the primary objective of the Conventions—harmonisation and a global regime remains unfulfilled. Further, many countries are expanding or introducing nuclear programmes, without adequate transboundary legal protection. On account of these issues, a regional approach to nuclear risk framework appears more promising than the non-achievable global regime. South Asia, with its rapidly expanding nuclear energy footprint is in a unique position to adopt a regional mechanism.

This study undertaken during the period 2009 to 2014, brings out the difficulties that lie ahead in achieving an overarching global nuclear liability architecture. In the case of South Asia—a densely populated region, the existing legal regime and legal arrangements which are under consideration are unlikely to secure a transboundary liability remedy. The technical risk assessment study points to the likely transboundary impact in case of a nuclear accident. There has not been any attempt in forging a regional consensus on the issue of nuclear energy risk to date. The book argues that a regional approach is certainly possible in South Asia, under the structure of SAARC, and the expert opinions confirm this proposition. The result gives a basic framework for decision-makers in SAARC on implementing measures that address the transboundary nuclear energy risk concern.

Keywords: Nuclear liability, Compensation, Transboundary pollution, International legal regime, South Asia, SAARC, Nuclear risk community, Risk mapping, Risk perception

<http://www.springer.com/978-81-322-2342-9>

Nuclear Energy and Liability in South Asia
Institutions, Legal Frameworks and Risk Assessment
within SAARC

M.P., R.M.

2015, XIX, 142 p. 11 illus. in color., Hardcover

ISBN: 978-81-322-2342-9