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PRESS RELEASE

Concerning Russia's Ratification of the Vienna Convention on Civil Liability for Nuclear Damage

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On March 21 the President of the Russian Federation signed a Federal Law on Ratification of the Vienna Convention on Civil Liability for Nuclear Damage.

The Convention was adopted in 1963, and 1997 saw the adoption of the Protocol Amending the Vienna Convention. Not all of the amendments have turned out to be justified. Therefore Russia has ratified the Convention in its initial version.

This treaty is one of the fundamental documents determining the regime of civil liability and the procedure for reimbursement for damage resulting from incidents at civilian nuclear facilities. The principles set into the Convention lie at the base of numerous international treaties in this field, as well as of the national legislation of a whole array of states, including Russia.

Under the Convention the nuclear operator's liability is absolute (that is regardless of a presence of guilt) for nuclear damage inflicted as a result of accidents at the facility exploited by this operator. Furthermore, the Convention in its 1963 version grants states parties a right to provide in their legislation for the maximum amount of damage reimbursement. Russian legislation has not yet established such a maximum amount, but work is being conducted on an appropriate bill which will take into account the approaches recognized in international practice to this problem, and confirm the rules and procedures guaranteeing the rights of entities and individuals.

In addition, the 1963 Convention has at least two advantages over its subsequent version of 1997. First, it contains a more elastic definition of nuclear damage, which enables states parties by their legislation to expand the range of persons entitled to compensation. Secondly, it is also flexible where it concerns the statute of limitations for damage claims, which makes it possible, for example, not to fix a time limit for health damage claims.

The participation of Russia in the Convention is called upon to facilitate increasing the level of protection of the population in the event of natural or technogenic nuclear incidents.

March 31, 2005

