

REFLECTIONS ON THE INTERNATIONAL NUCLEAR LAW ASSOCIATION CONGRESS IN ABU DHABI (PART 7 OF 7): NUCLEAR TRANSPORT

Prospect has been invited to attend the bi-annual meeting of the International Nuclear Lawyers Association (INLA) in Abu Dhabi from 4-8 November 2018 – [click here to see further information about the event](#)

On 6th November 2018, The International Nuclear Law Association congress in Abu Dhabi held important sessions on Nuclear Transport.

The following is a sample of the topics covered by the Nuclear Transport section of the International Nuclear Law Association congress in Abu Dhabi on 6 November 2018. We hope to be reporting more fully on this topic on a future occasion.

Tracy Murray, Sellafield Ltd, UK, described *‘Consignor Duties/Obligations During Transport Outside Transport Contracts’*.

Khalil Bukhari, International Nuclear Services, UK spoke on the *‘Recovery of Nuclear Material During a Transport Incident – Risk, Liability and Insurance’*.

He discussed the particular transport risks inherent in loading/unloading, entering/exiting ports, canals and high seas, and the strategies for addressing and limiting these risks. He gave one example of a canal authority requiring shipowners to use the canal authority’s pilot, but still subjecting them to unlimited liability for any damage done to the canal. He showed a video of best and worst practice of loading/unloading.

He went on to discuss nuclear transport contracts, when liability passes, liability limits, exclusions and excesses and some of the day to day headaches of nuclear transport in practice. Residual liability issues such as salvage could be very significant. The key lay in careful preparation, and he advocated a focus on avoiding incidents.

Jean-Dennis Treillard, ELINI, France discussed the application of different liability conventions, and their impacts on the practical risks described by Khalil Bukhari. For a nuclear incident, responses would depend whether there was or was not radioactivity leakage. He reviewed the detailed implications set out in the different conventions for a radioactivity release for liability and applicable law. Both the Paris and Vienna Convention were silent about matters such as salvage liability and costs.

Ben Whittard, International Nuclear Services, UK had presented in an earlier session on *‘Cyber Security in Nuclear Transport’*.

Prospect Law
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About the Author

William Wilson is a specialist environmental, regulatory and nuclear lawyer with over 25 years experience in government, private practice and consultancy. He worked as a senior lawyer at the UK Department of the Environment/DETR/Defra, and helped to build up the environmental and nuclear practices at another major law firm, as well as running his own environmental policy consultancies. William has experience of all aspects of environmental law, including water, waste, air quality and industrial emissions, REACH and chemicals regulation, environmental protection, environmental permitting, litigation, legislative drafting, managing primary legislation, negotiating EU Directives and drafting secondary legislation.

Prospect Law is a multi-disciplinary practice with specialist expertise in the energy and environmental sectors with particular experience in the low carbon energy sector. The firm is made up of lawyers, engineers, surveyors and finance experts.

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