

## ABSTRACT

In the development of international law relating to liability, nuclear energy sector represents an alternative approach to transboundary liability regime. Building on this foundation and following Chernobyl accident - international consensus was sought for a stronger transboundary legal regime in the event of a nuclear disaster. However, after sixty years of the existence of international nuclear liability laws and twenty five years after Chernobyl, the primary objective of the Conventions –harmonisation and a global regime remains unfulfilled. Further, many countries are expanding or introducing nuclear programs, 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. In South Asia, with its rapidly expanding nuclear energy footprint is in a unique position to adopt a regional mechanism.

The methodology adopted for the study is doctrinal and non-doctrinal. The study brings out clearly the difficulties that lie ahead in achieving 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 is 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 thesis argues that a regional approach is certainly possible in South Asia, under the structure of SAARC, and the expert opinion confirms this proposition. The result gives a basic framework for decision makers in SAARC on implementing measures that addressing the nuclear energy risk concern.

***Keywords:***

Nuclear liability, compensation, transboundary pollution, international legal regime, South Asia, SAARC, nuclear risk community, risk mapping, risk perception