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CIVIL LIABILITY OF THE NUCLEAR OPERATOR
PURSUANT TO FEDERAL DECREE-LAW NO. 4 OF 2012 ON CIVIL LIABILITY FOR
NUCLEAR DAMAGE AND THE 1997 VIENNA CONVENTION ON CIVIL LIABILITY FOR
NUCLEAR DAMAGE
(A COMPARATIVE STUDY)

By

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Abstract

Due to the extent of the serious consequences of the damage of the nuclear accident in terms of the enormity, breadth and speed of its spread and its hidden nature, and the lax results to the future and the negative effects resulting from these damages may rise to a tragic degree, which the UAE legislator has developed a legal system and an exceptional civil liability For nuclear damage depends on objective liability as the basis for compensation Therefore, this study aimed to identify what is harmful to the nuclear operator and the provisions of the law regulating this responsibility, which is decree Federal Law No. 4 of 2012 on civil liability for nuclear damage and the principles laid down by jurisprudence and the law in order to estimate the nuclear error and its eligibility for compensation and the amount of such compensation in the light of discretion To the judge. The importance of researching the legal nature of civil liability of the nuclear operator for the damages of this nuclear accident, and to determine this legal nature, requires research and analysis of the provisions of Decree-Law No. 4 of 2012 on civil liability for nuclear damage and comparing it with the general legal provisions relating to civil liability. It also requires the identification of the concept of nuclear damage through the Paris Convention of 1960 and its amended protocols, then the Vienna Convention of 1963 and its amended protocols, Egyptian nuclear law and Jordanian nuclear law and compared with UAE nuclear law in order to provide greater protection for those affected by nuclear accidents. The Nuclear Law for Compensation for Nuclear Damage also stipulated the existence of a nuclear facility that was a direct cause of the nuclear accident resulting in damage through interference of nuclear material with its radioactive characteristics. The study reached a number of results, the most important of which is that the responsibility of the nuclear operator is an absolute, unconventional objective, which is outside the responsibility recognized in the civil law .For this responsibility of the nuclear operator.

Keywords: Nuclear Damage, Nuclear Legislation, Substantive Liability Nuclear Facility, Nuclear Incident, Nuclear Damage, Nuclear Civil Liability Principle.