

Nuclear liabilities: What next after UK accession to Convention on Supplementary Compensation?

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The UK's accession to the Convention on Supplementary Compensation for Nuclear Damage ("CSC") on 1 January 2026 has now connected the UK nuclear liabilities regime with those of existing CSC members - including the US, Canada, India, Japan and the UAE.

Amendments to the UK's Nuclear Installations Act 1965 have already been made to implement CSC requirements in UK law. Those amendments are set out in the Energy Act 2023 (Schedule 22) and the Nuclear Installations (Compensation for Nuclear Damage) (Amendment) Regulations 2025, which came into force on 1 January 2026.

The CSC establishes a regime for members to contribute to a fund providing supplementary compensation in the event of a nuclear incident in a member country. Crucially, CSC members also agree that if a nuclear incident occurs in a member country the courts of that country have exclusive jurisdiction over resulting compensation claims.

Exclusive jurisdiction is particularly important for industry participants operating internationally. Without mutual recognition of exclusive jurisdiction, there is a risk that claims may be brought in different jurisdictions under different law. If this happens, expected allocation of nuclear liability risks and financial limits on liability are unlikely to apply, re-creating the very uncertainties and risks that nuclear liabilities conventions were intended to remove. UK accession to the CSC should therefore eliminate a significant area of risk for industry participants working between an existing CSC member country and the UK.

UK accession to the CSC is significant both in facilitating investment into the UK's nuclear sector and also as the first example of a Paris Convention member joining the CSC. Simultaneous recognition of both the CSC and Paris Convention is however not new. Currently, six Vienna Convention countries (Romania, UAE, Morocco,

Benin, Ghana and Montenegro) are members of both the CSC and the Joint Protocol linking the Vienna and Paris Conventions. This means that the courts of those countries should already respect jurisdiction of other CSC, Vienna Convention and Paris Convention countries in relation to a nuclear incident in those countries.

We are now hopefully seeing slow but steady progress towards fulfilment of the CSC objective of establishing a global regime, bringing together countries that are party to the Vienna, Paris and Brussels Conventions or that have their own stand-alone liabilities regime meeting threshold requirements for CSC membership.

Unless and until CSC membership becomes pervasive, the Joint Protocol will remain important in providing certainty if cross border nuclear liabilities issues arise between Paris Convention and Vienna Convention countries. Membership of the Vienna Convention and the Joint Protocol is also growing, with notable additions of Spain and Belgium to the Joint Protocol in the last two years.

Despite progress in joining the CSC, the UK remains an outlier as one of just two Paris Convention countries not to have joined the Joint Protocol, and the only one of those countries to have a significant nuclear industry (the other being Portugal). The UK nuclear liabilities regime still has no connection with liabilities regimes in Vienna Convention member countries other than those that are fellow CSC members.

The logical next step for the UK should be membership of the Joint Protocol, removing an unnecessary hindrance to investment and cooperation between the UK and other Vienna Convention countries. There is however no discernible progress in this direction, with the possibility of UK ratification of the Joint Protocol remaining no more than a future option.



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