

## Abstract

This dissertation on nuclear law discussing the availability of international legal instruments on safety and civil liability concern in relation to the nuclear power plants driven by the private funds in future Sri Lanka. This study is divided in to six chapter for its inherent purpose in deriving the real meaning to it.

This dissertation containing scientific understanding in nuclear science supported by legal concepts used in international nuclear law. In this context this study is shaping up a new scientific legal interface in the Sri Lankan legal literature.

Sustaining safety measures on nuclear power plants is a technological co-work supported by lots of scientific findings. Giving it a legal assurance is also a quite different exercise than making of an ordinary law by covering a normal socio – economical factor in private law like tenant. Nuclear safety is sustained by various technical measures based on nuclear science. Giving a legal authorization to these technical precautions is a new realm in public international law named as nuclear safety law. This new interface is shaped up by the 1994 convention on Nuclear Safety. Sri Lanka is already ratified states to it, but still unable to enact a new local law covering the issues regard nuclear safety. By this academic research aiming to facilitate policy makers on preparing new law for concluding safety issues under nuclear law.

The other legal aspect is to be adhered in this research is civil liability concerns with regard to a nuclear power plants accident. In general, according to the ordinary legal literature liability is discussed under tort law or law of delict under common law traditions or civil law traditions respectively. However civil liability regarding the nuclear law field is a different legal aspect confined the compensation to the victims of a nuclear hazard. With the dawn of the nuclear age since early 1960's international legal culture is enriched with liability legal instruments such as Paris convention and Viena convention. By the strident experience in Chernobyl and Three –Mile- Island nuclear accidents new concepts were adopt on old ones and empowered for facing modern demands. In 1990's there after promulgated advance legal regimes for covering modern issues.

Taking these legal apparatus nuclear safety and civil liability in to the local legal literature is another exercise under the scope of this research. It is apparent that a vacuum was create in local legal culture of Sri Lanka according to both nuclear safety and liability concerns. Filling this gap for the future needs is also a academic exercise to this research. In this regard it is adhered in existing nuclear liability instruments in other selected jurisdictions such as India as a model for selecting a proper model for upcoming local laws in this field. And it has suggested to ratify relevant liability conventions by giving effect as local laws.

In this research it is employed mostly philosophical or library surveys with primary and secondary sources for gathering data facts and informations. Empirical survey for collecting data are used in limited manner other than interviewing few expert of this field.

In light of these facts, informations and data gatherings are analyzed on research problem to have a viable solution to it. Finally it is evident that Sri Lankan local law on nuclear law field can be nourished with relevant international laws on nuclear safety and civil liability sustaining the objectives of facilitating the forthcoming private enterprise nuclear power plants.