

## REVISITING THE INTERNATIONAL CIVIL LIABILITY REGIMES FOR TRANSBOUNDARY POLLUTION BY NUCLEAR, OIL AND HAZARDOUS WASTE

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### ABSTRACT

In international environmental law, the introduction of a civil liability regime offers a more comprehensive approach to address the consequences of transboundary environmental damage caused by the activities termed as 'ultra-hazardous'; e.g. oil-pollution, hazardous waste disposal, operating nuclear power plants, etc. This existing civil liability regime is proved comparatively effective to provide redress for damage caused by ultra-hazardous activities. However, there is a strong argument that major civil liability treaties that have been signed since 1960 are usually sectoral, targeting specific industrial activities rather than addressing environmental damage regardless of cause. It is argued that the sectoral nature of the treaties often leaves gaps in coverage for certain types of environmental damage. In this context, the aim of this article is to re-examine the existing civil liability regime by analysing the general aspects of present civil liability laws and the limitations associated therewith. Considering the present sectoral civil liability regime as appropriate approach, this article concludes with a view that a balanced mechanism needs to be developed to uphold the interest of the injured and to facilitate industrial development.

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