

CIL

CENTRE FOR INTERNATIONAL LAW
National University of Singapore

Virtual Training Course

NUCLEAR LIABILITY CONSIDERATIONS FOR SOUTHEAST ASIA



20 & 21 August 2025

PROGRAMME

DAY 1: Wednesday, 20 August 2025

(SGT)

14:30 – 14:50 Introductory/ Opening Remarks

Nilufer Oral (Centre for International Law)

Philippe Rose (International Energy Agency)

Session 1: Nuclear Liability – A Multi-level Approach

14:50 – 15:40 A: Nuclear Liability at the International Level

Denise Cheong & Ximena Vásquez-Maignan

This session begins by exploring the rationale for having an international framework for nuclear liability. This framework was developed to cater specifically to the nature of nuclear damage caused by a nuclear accident, while addressing both the concerns of potential victims and the needs of the nuclear industry. The session focuses on the basic nuclear liability principles that underpin this framework. It provides an overview of the conventions and protocols comprising this framework, focusing on those most directly relevant to the Association of Southeast Asian Nations (ASEAN). Despite the plurality of international legal instruments that form part of the international framework, the session highlights the common features of these instruments, drawing the link between this commonality and the basic principles of nuclear liability.

Discussion

15:40 – 15:45 Comfort Break

15:45 – 16:35 B: Nuclear Liability at the ASEAN level

Denise Cheong & Nivedita S

Within Southeast Asia, only the Philippines is a party to the international framework for nuclear liability, having ratified a nuclear liability convention. This presents an opportunity to explore the ways in which ASEAN could benefit from having a harmonised approach towards participation in this framework (harmonised ASEAN approach) and what this might entail. This session introduces CIL's research on the governance frameworks for civilian nuclear energy within the context of the ASEAN Plan of Action for Energy Cooperation (APAEC), ASEAN's rolling 5-year regional blueprint for the energy sector. In particular, it discusses ASEAN's approach to nuclear energy governance and considers its implications for the way forward for ASEAN in the area of nuclear liability.

Discussion

16:35 – 16:40 Comfort Break

16:40 – 17:30 C: Nuclear Liability at the National level

Helen Cook & Ximena Vásquez-Maignan

The Philippines is the only ASEAN Member State that is a party to the international framework for nuclear liability. For the purposes of discussion, this session considers the choice of legal instruments made by the Philippines to date, reflecting on the extent to which these choices align with a harmonised ASEAN approach. It provides an overview

of the Bill introduced into the House of Representatives in the 19th Congress and considers the Bill introduced into the House of Representatives in the 20th Congress, against the backdrop of the Philippines' plans for nuclear power. It discusses how national legislative efforts can and should reflect best practices for the national implementation of the relevant international instruments, using the Philippines as a case study.

Discussion

17:30 – 17:50 **Open Forum**

This session provides a recap of key takeaways from the day's sessions, bringing together the international, ASEAN and national dimensions of the multi-level approach (towards nuclear liability) which this course advocates for. It also provides a forum for further questions and discussion as participants reflect on the day's discussions.

END OF DAY 1

DAY 2: Thursday, 21 August 2025
(SGT)

14:30 – 14:45 **Recap of Day 1**

Session 2: Implementing and Operationalising Nuclear Liability

14:45 – 15:30 **A: The Role of Insurance**

Alain Quéré

The international framework for nuclear liability requires operators of nuclear power plants to maintain insurance and/or other financial security covering the liability of the operator in the event of a nuclear accident. The session provides an overview of the main insurance considerations relevant to implementing this key obligation. It takes a closer look at different insurance mechanisms such as insurance pools and mutuals to understand the roles they play in helping to optimise available insurance capacity, while sharing the nuclear risk. The session also considers what Southeast Asia could do to develop nuclear insurance capacity as part of a harmonised ASEAN approach.

Discussion

15:30 – 15:35 ***Comfort Break***

15:35 – 16:25 **B: The Role of Transboundary Claims-handling Systems**

Nivedita S & Ximena Vásquez-Maignan

Transboundary claims-handling systems are needed to fully operationalise the international framework for nuclear liability so that compensation can flow to victims upon occurrence of the nuclear accident. However, there is presently a lack of international guidance on how such transboundary claims-handling systems should be developed. In the absence of such guidance, this session reflects on lessons that can be drawn for ASEAN from (i) Japan's experience of administering claims following the Fukushima Daiichi Nuclear Accident; and (ii) major incidents involving oil pollution damage where the International Oil Pollution Compensation (IOPC) Funds has over 40 years of experience administering such claims. This session also examines the extent to

which having a harmonised ASEAN approach supports the development of a regional claims-handling systems and the role of nuclear insurers in the claims-handling process.

Discussion

16:25 – 16:30 *Comfort Break*

Parallel Session 3 [Either Session A or B]

16:30 – 17:20 **A: Nuclear Liability Considerations in Nuclear Project Development**

Ximena Vásquez-Maignan & Helen Cook

This session will explain the impact of nuclear liability in the development, structuring and financing of a nuclear project. Nuclear liability is a major concern for all parties involved in a nuclear project that aim to ensure that nuclear liability will be channelled only to the operator and that the operator is able to manage its liability. There must be a clear legal framework to ensure this risk allocation and its management. The session will provide an overview of the expectations of the vendors, suppliers and contractors, as well as the financial institutions and investors; and the best approach to address such expectations. It will also consider the position of the owner/operator and how nuclear liability is managed on this side of a project and for the long term. It will also explain how nuclear liability can also impact the total cost of a nuclear project.

Discussion

B: Hot Topics in Nuclear Liability – Land-based and Sea-based SMRs and Fusion Technology

Denise Cheong & Nivedita S

Historically, the subject and focus of nuclear law, including the international nuclear liability framework, has been large-scale and land-based nuclear power plants used primarily for power generation. Technological advances are driving the development of advanced nuclear technologies including in the form of small modular reactors (SMRs) and are being deployed in new ways on land and sea. There are also research and development initiatives expanding beyond traditional nuclear fission technologies into the realm of nuclear fusion technologies. This session examines the challenges posed by advanced and future nuclear technologies, such as SMRs and fusion energy systems, to the international nuclear liability framework.

Discussion

17:20 – 17:40 **Open Forum**

This session provides a recap of the key takeaways from the day's sessions and reflects on how the topics of nuclear liability, insurance and claims-handling come together to implement and operationalise the relevant legal instruments. It also provides a forum for further questions and discussion as participants reflect on the day's discussions.

17:40 – 17:50 **Closing Remarks**

END OF DAY 2

TRAINERS' PROFILES



Denise CHEONG

Head of Energy Law & Policy, NUS Centre for International Law

Denise Cheong is the Head of Energy Law and Policy at the Centre for International Law (CIL), National University of Singapore (NUS). Her research interests centre around law and policy issues that cut across the energy, ocean and environmental sectors. Prior to her current position, she was the Head of Nuclear Law & Policy and was responsible for developing the area into a standalone programme at CIL which focused on nuclear safety, security and liability issues.

Her published works include book chapters and journal articles on nuclear, ocean and/or environmental law issues. She has been invited to speak and participate in conferences, workshops, seminars and meetings as well as expert groups on topics related to nuclear law and policy, both internationally and regionally. She is a member of the International Nuclear Law Association and the Asia-Pacific Centre for Environmental Law. She is also a member of the OECD NEA Global Forum Working Group 5: Re-establishing nuclear law education programmes.

Prior to joining CIL in 2014, she was in private legal practice for close to 15 years, working in the area of international capital markets in Sydney, Tokyo and Singapore. She is an Advocate and Solicitor of the Supreme Court of Singapore and a Solicitor of England and Wales. She holds a Bachelor of Laws (Honours) and Master of Science (Environmental Management) (Shell Medal and Prize for best overall performance and Shell Best Dissertation Award) from NUS, a Diplôme d'Université in International Nuclear Law from the University of Montpellier and a diploma from the Rhodes Academy of Ocean Law and Policy.



Helen COOK

Principal, GNE Advisory

Helen Cook is an Australian and U.S. qualified nuclear energy lawyer and the Principal of GNE Advisory Pty Ltd, a law practice dedicated to all aspects of the civil nuclear sector. She is the author of the comprehensive legal textbook, *The Law of Nuclear Energy* published by Sweet & Maxwell, (Third Edition, 2022). Helen has expertise advising on the establishment of the legal and regulatory infrastructure for civilian nuclear power programmes, as well as the negotiation of commercial arrangements for new nuclear power plants, including procurement, construction and financing. Helen is a former non-executive Director of Silex Systems Limited, an Australian listed company commercialising laser enrichment technology together with Global Laser Enrichment LLC in the US. She is an Adjunct Associate Professor, School of Global and Public Law, Faculty of Law, at the University of New South Wales, Australia, an Executive Committee member of the Australian Nuclear Association and a former Chairperson of the Law Working Group of the World Nuclear Association.



Alain QUÉRÉ

Head Nuclear, CUO P&C Reinsurance, Swiss Re

Alain Quéré began his career in the automotive industry before joining Swiss Re in 1996 as an engineering underwriter. In 2000, he moved into client responsibility as manager of global clients and was named country manager for Belgium and Luxembourg in 2006. In 2012, he was appointed Head Nuclear Energy Risks as well as Pool Manager of the Swiss Pool for the Insurance of Nuclear Risks. Alain Quéré is the Chairman of the Nuclear Pools Forum, is insurance expert at the Nuclear Law Committee (OECD) and member of INLA. Alain Quéré is of Swiss and French nationality. He holds a master's degree in engineering, an Executive MBA from IMD and attended the International School of Nuclear Law in Montpellier.



Nivedita S

Research Fellow, NUS Centre for International Law

Nivedita S is a research fellow with the Centre for International Law (CIL), National University of Singapore. Her research focuses on international law and policy issues that cut across the energy, ocean, security and environmental sectors. Her research on nuclear liability centres on the international legal framework and its relevance to Southeast Asia, with a particular interest in regional approaches. Her primary research interests centre around the intersections between different areas of international law.

Before joining CIL, Nivedita trained with the International Atomic Energy Agency Office of Legal Affairs, where she assisted with legal analysis and research and interpretation of international legal instruments in nuclear safety, security, safeguards and liability. Nivedita holds an Advanced LLM in Public International Law (Leiden University), a LLB (Hons) (University of Birmingham), and a University Diploma in International Nuclear Law (University of Montpellier). She is called to the Bar of England and Wales. She is an active member of the International Nuclear Law Association (INLA), the BASIC Emerging Voices Network and the Law, Literature and Humanities Association of Australasia. She is also part of the Leadership Team of the Women in Nuclear Law Initiative (WiNLI), WiN Global.



Ximena VÁSQUEZ-MAIGNAN

Counsel, Paris, White & Case

Ximena Vásquez-Maignan has been working in the nuclear sector for twenty years. She specializes in nuclear law, with a particular expertise in nuclear liability. She advises governments and public organizations, investors, operators, equipment and service providers, as well as insurers, in the development and monitoring of nuclear projects worldwide.

After starting her career as an international lawyer at Veolia Water (1997 - 2003), Ximena joined Electricité de France SA (EDF) in Beijing (2003 - 2008) and then Gide Loyrette Nouel (2009 - 2010), before returning to France to the OECD Nuclear Energy Agency (NEA) as Senior Legal Adviser (2011 - 2014) and then as Head of the Office of Legal Counsel (2015 - 2022). She joined White & Case LLP in 2022.

She is a member of the International Nuclear Law Association (INLA), Women in Nuclear (WiN) and the French Nuclear Society (Société Française d'énergie

nucléaire - Sfen). She has served as an expert on numerous working groups, such as those of the International Atomic Energy Agency, the European Commission, the World Nuclear Association (WNA) and nucleareurope (formerly FORATOM). She is the chair of the WNA End Energy Users Panel and of the INLA Working Group on Nuclear Liability and Insurance (except for North America). She is also co-leading a drafting team on financing SMRs of the European Industrial Alliance for SMRs.