

COUNTRY SHEET: RUSSIAN FEDERATION

The Russian Federation is a member country of the OECD Nuclear Energy Agency. For more information on the legal, regulatory and institutional frameworks for nuclear activities in the Russian Federation, see [here](#).

1. APPLICABLE NUCLEAR THIRD PARTY LIABILITY REGIME

International convention(s):

- 1963 Vienna Convention on Civil Liability for Nuclear Damage (“[Vienna Convention](#)”)

National law(s):

- Federal Law No. 170 of 21 November 1995 on the Use of Atomic Energy (“[Law on the Use of Atomic Energy](#)”)

The Law on the Use of Atomic Energy was adopted before the ratification of the Vienna Convention by the Russian Federation, which, as an international treaty, is an integral part of the Russian legal system and applies directly. The provisions of the Vienna Convention prevail over the provisions of the Law on the Use of Atomic Energy.

2. NUCLEAR THIRD PARTY LIABILITY AMOUNT(S) UNDER THE APPLICABLE NATIONAL LAW(S)¹

Transport to/from a nuclear installation located in the Russian Federation (“the Country”):

Unlimited liability

Transit through the Country:

There are no specific provisions on the amounts of nuclear liability applicable to transit under the Law on the Use of Atomic Energy. The requirements relevant to transport will also apply to transit.

3. FINANCIAL SECURITY/INSURANCE LIMITS UNDER THE APPLICABLE NATIONAL LAW(S)

Domestic transport:

No amount specified

Recommended minimum amount: USD 5 million²
[Article IV.6 of the Vienna Convention]

International transport to/from a nuclear installation located in the Country:

No amount specified

Recommended minimum amount: USD 5 million
[Article IV.6 of the Vienna Convention]

Transit through the Country:

There are no specific provisions on the financial security limits required for transit under the Law on the Use of Atomic Energy. The requirements relevant to transport will also apply to transit.

Russian law does not provide that certificates of financial security detail the amount applicable for each transit country.

4. CERTIFICATE OF FINANCIAL SECURITY REQUIRED UNDER THE APPLICABLE NATIONAL LAW(S)

*Certificate of Financial Security for national transports:*³

Required

Russian legislation does not provide for a model insurance certificate or other financial security certificate.

*Type of Certificate of Financial Security for international carriage:*⁴

- International transport to/from a nuclear installation located in the Country:
Required
Russian legislation does not provide for a model insurance certificate or other financial security certificate.

- Transit through the Country:
Required
While the Law on the Use of Atomic Energy does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.

Specific requirement(s) regarding the entity to issue the Certificate of Financial Security:

- International transport to/from a nuclear installation located in the Country:
Only an entity licensed to perform insurance activities can issue the certificate of financial security.

- Transit through the Country:
Only an entity licensed to perform insurance activities can issue the certificate of financial security.

5. ENTITY BEARING NUCLEAR LIABILITY AND REFERRED TO IN THE CERTIFICATE OF FINANCIAL SECURITY⁵

Transport from/to a nuclear installation located in the Country:

- Operator
- National carrier
- Foreign carrier

Russian law does not allow a carrier to bear nuclear liability.

Transit through the Country:

- Operator
- National carrier
- Foreign carrier

While the Law on the Use of Atomic Energy does not contain specific requirements relating to transit, the requirements relevant to transport will also apply to transit.

6. EXCLUSIONS UNDER THE APPLICABLE NATIONAL LAW(S)

*Exclusion of small quantities of nuclear substances:*⁶

Applied under national legislation.

Russian legislation provides for the exclusion of nuclear materials below certain limits and activity from the scope of application of the Law on the Use of Atomic Energy. These limits are within the threshold stipulated by the Resolution of the Board of Governors of the IAEA GOV/2014/63.

*Exclusion of radioisotopes which have reached the final stage of fabrication:*⁷

Applied under national legislation.

*Exclusion of certain kinds of nuclear substances (only applies to Contracting Parties to the Paris Convention):*⁸

N/A

7. COMPETENT PUBLIC AUTHORITIES

In charge of verifying the certificate of financial security:

Federal Environmental, Industrial and Nuclear Supervision Service of Russia (Rostekhnadzor)

In charge of authorising a national/foreign carrier to bear nuclear liability:

N/A

In charge of stating in the certificate of financial security that the person named in the certificate is an operator in accordance with the nuclear legislation in the Country:

State Atomic Energy Corporation (Rosatom)

Entitled to confirm that the transported substances are covered by the definition of “nuclear substances” (as defined under the Paris Convention) or “nuclear material” (as defined under the Vienna Conventions and the CSC):

In accordance with the Law on the Use of Atomic Energy, the decision as to whether the transported substances fall under definition of “nuclear material” under the Vienna Convention is made by the operator.

8. CONTACT FOR QUESTIONS RELATING TO NUCLEAR LIABILITY AND TRANSPORT IN THE COUNTRY

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NOTES

- * **“Transport”** means an international or domestic carriage of nuclear substances by any means of transportation (i.e. sea, air or land) beginning with the departure from a nuclear installation of the sending operator and ending with the arrival at a nuclear installation of the receiving operator.
“Transit” means temporary movement of nuclear substances within the territory of a State that is not the State of departure, where the sending operator is located, or the State of destination, where the receiving operator is located.
- 1 All nuclear liability conventions (with the exception of the Vienna Convention) expressly provide that the amount of compensation will be determined by the national legislation of the liable operator. See Article 7(d) of the [Paris Convention](#) and the [Revised Paris Convention](#), Article V.3 of the [Revised Vienna Convention](#), and Article 6.1 of the Annex to the [Convention on Supplementary Compensation \(CSC\)](#).
 Notwithstanding the above, a country may, under certain conditions, subject the transit of nuclear substances through its national territory to an increased nuclear liability amount not exceeding the maximum amount of liability of the operator of a nuclear installation situated in its territory. This is expressly provided in Article 7(e) of the Paris Convention and the Revised Paris Convention, and Article 6.2 of the Annex to the CSC.
- 2 As provided in Article V.3 of the Vienna Convention, the United States dollar referred to in the Convention is a unit of account equivalent to the value of the United States dollar in terms of gold on 29 April 1963, that is to say USD 35 per one troy ounce of fine gold.
- 3 National law may exclude the obligation of the operator liable to provide the carrier with an insurance certificate or other financial security if the carriage takes place wholly within the national territory of a country. This is expressly provided in Article 4(c) of the Paris Convention and the Revised Paris Convention, and Article III of the Revised Vienna Convention.
- 4 The NEA Steering Committee for Nuclear Energy (the “Steering Committee”) recommended to the Contracting Parties to the Paris Convention a model certificate of financial security for the carriage of nuclear substances on 8 June 1967 [[NE/M\(67\)1 - NE\(67\)9](#)]. There is no distinction between transport and transit regarding this recommendation.
- 5 National law may provide that a carrier bears nuclear liability in substitution for an operator of a nuclear installation in its territory. This is expressly provided in Article 4(d) of the Paris Convention and Article 4(e) of the revised Paris Convention, Article II.2 of the Vienna Convention and the revised Vienna Convention, Article 3.2 of the Annex to the CSC.
- 6 For the Paris Convention, see the Steering Committee Decision of 3 November 2016 [[NEA/SUM\(2016\)2 - NEA/NE\(2016\)8/FINAL](#)]; and for the IAEA Conventions, see the Board of Governors Resolution of 20 November 2014 [[GOV/2014/63](#)]. There is no distinction between transport and transit regarding this exclusion.
- 7 See Article 1(a)(iv) of the Paris Convention and the Revised Paris Convention, and the Steering Committee Recommendation of 19 April 2018 [[NEA/SUM\(2018\)1 - NEA/NE\(2018\)3/FINAL](#)]; Article I.1(g) of the Vienna Convention and the Revised Vienna Convention; and Article 1.1(e) of the Annex to the CSC. There is no distinction between transport and transit regarding this exclusion.
- 8 See the Steering Committee Decision of 27 October 1977 [[NE/M\(77\)2 - NE\(77\)20](#)]. There is no distinction between transport and transit regarding this exclusion.