

AGREEMENTS

BILATERAL AGREEMENTS

Argentina – Bulgaria

Co-operation Agreement in the Field of Peaceful Use of Nuclear Energy (2000)

Argentina and Bulgaria signed this Agreement on 1 August 2000. Co-operation extends to the following activities:

- theoretical and practical research related to the peaceful use of nuclear energy;
- research, development, design, construction and operation of research and power reactors and nuclear fuel cycle facilities;
- management of radioactive waste and spent nuclear fuel;
- industrial production of components, equipment and materials to be used in nuclear reactors and the nuclear fuel cycle;
- nuclear technology in medicine, agriculture, industry and hydrology;
- radiation protection and nuclear safety and their regulation, assessment of the radiological impact of nuclear energy and the nuclear fuel cycle;
- technology on nuclear safeguards and physical protection.

Under the Agreement, such co-operation may take place through mutual assistance related to education and training of scientific and technical personnel; exchange of experts, scientists, technicians and lecturers; reciprocal consultations on scientific and technological problems; establishment of working groups to carry out specific studies and projects for the development of scientific and technological research; reciprocal supply of materials, equipment and services; and exchange of information and documentation.

Argentina – Romania

Memorandum of Understanding for Co-operation in the Peaceful Uses of Nuclear Energy (1999)

Pursuant to the provisions of the Agreement for Co-operation in the Peaceful Uses of Nuclear Energy signed by the Government of Romania and the Government of Argentina on 27 November 1990 (see *Nuclear Law Bulletin* No. 53), the National Commission for the Control of Nuclear Activities of Romania (CNCAN) and the National Atomic Energy Commission of Argentina (CNEA) signed a separate Memorandum of Understanding on 15 July 1999. It entered into force on 8 May 2000. This Memorandum aims to develop bilateral co-operation in the following fields:

- nuclear fuel cycle;
- nuclear reactor technology;
- personnel training;
- radioactive waste management and spent nuclear fuel storage; and
- heavy water production.

With regard to the nuclear fuel cycle, the Parties shall collaborate in the fields of the processing of uranium ores, optimisation of the UO₂ fabrication process, and quality assurance of zircaloy tubes.

The Memorandum also provides for exchange of information on CANDU technology.

In the field of radioactive waste management, the Parties shall exchange experience in relation to management of the shut-down of uranium mines and uranium processing plants and to environmental reinstatement. Joint studies on the dry storage of spent nuclear fuel and on strategies for the final disposal of nuclear fuel are also planned.

Australia – New Zealand

Agreement concerning the Transfer of Uranium (1999)

On 14 September 1999, the Governments of Australia and New Zealand signed this Agreement to ensure the non-proliferation of nuclear weapons. It was concluded as a result of New Zealand's decision to import small quantities of uranium oxide U₃O₈ for commercial use.

The Agreement specifies the maximum quantities of uranium which will be transferred from Australia to New Zealand and the conditions of this transfer. Australia shall have the right to undertake such verification activities as it considers appropriate to ensure that New Zealand complies with all the obligations and terms of the Agreement. New Zealand shall provide Australia on request with written reports on the quantity, location and utilisation of uranium and on any verification activities conducted by the IAEA under the Safeguards Agreement between IAEA and New Zealand.

This Agreement is concluded for an unlimited period.

Australia – United States

Agreement for Co-operation concerning Technology for the Separation of Isotopes of Uranium by Laser Excitation (SILEX Agreement) (1999)

This Agreement was signed by the Government of Australia and the Government of the United States on 28 October 1999 to extend their peaceful nuclear co-operation concerning research on and development and use of SILEX technology, while protecting the environment from radioactive, chemical and thermal contamination.

The Agreement provides for transfer of restrictive data, sensitive nuclear technology, sensitive nuclear facilities and major critical components related to SILEX technology. These transfers will be accomplished through reports, data banks, computer programmes, conferences, visits and assignment of staff to facilities. Fields covered by such transfers will include *inter alia* research and development, design, construction, operation, maintenance and use of sensitive nuclear facilities for SILEX technology.

The Agreement also sets out restrictions regarding the reprocessing, alteration and enrichment of material used in or produced through the use of sensitive nuclear facilities. Also, major critical components shall not be reprocessed.

The Parties are required to maintain adequate physical protection with respect to special nuclear material used in or produced through the use of sensitive nuclear facilities and major critical components.

The use of facilities, components, material, data and technology transferred for any nuclear explosive device, for research on or development of any nuclear explosive device or for any military purpose is forbidden.

The Parties undertake to consult to identify the international environmental implications arising from such activities and shall co-operate in protecting the international environment from radioactive, chemical and thermal contamination arising from nuclear activities under this Agreement, and in related matters of health and safety.

The Agreement contains annexes governing in particular access to restricted data, sensitive nuclear technology, sensitive nuclear facilities, and major critical components, and control of information and equipment.

This instrument is valid for a period of 30 years, which may be extended for additional periods.

Australia – Euratom

Implementing Arrangement concerning Plutonium Transfers (1998)

This Arrangement, which was signed by the Government of Australia and Euratom on 28 May 1998 and entered into force on 7 May 1999, implements the Agreement concerning Transfers of Nuclear Material from Australia to Euratom of 21 September 1981.

Pursuant to this Arrangement, Australia expresses its consent to the retransfer from Euratom to Japan of plutonium, including plutonium contained in MOX fuel elements, where such plutonium is subject in Euratom to the Agreement on Nuclear Transfers and has been recovered from spent fuel which was subject in Japan to the 1982 Agreement between Australia and Japan for Co-operation in the Peaceful Uses of Nuclear Energy (see *Nuclear Law Bulletin* No. 30).

The Agreement also sets out the conditions under which such retransfers shall take place.

Austria – Belarus

Agreement on Exchange of Information in the Field of Nuclear Safety and Protection against Ionising Radiation (2000)

Austria and Belarus signed this Agreement of unlimited duration on 9 June 2000. Under the Agreement, each Party undertakes to notify the other of any nuclear accident, or any significant incident which is non-nuclear in nature but which may result in a nuclear incident or accident, without delay. The Agreement also provides that meetings of experts of the Parties shall be held biannually.

Canada – Romania

Administrative Understanding implementing the Agreement for Co-operation in the Development and Application of Atomic Energy for Peaceful Purposes (2000)

Pursuant to the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons, the Government of Romania and the Government of Canada signed an Agreement for Co-operation in the Development and Application of Atomic Energy for Peaceful Purposes on 24 October 1977. This Agreement provided that the governmental authorities should conclude an administrative understanding to facilitate the effective implementation of the obligations assumed by the Parties. Therefore the former Atomic Energy Control Board of Canada, now the Canadian Nuclear Safety Commission, and the National Commission for the Control of Nuclear Activities of Romania signed the above-mentioned Administrative Understanding on 23 and 29 May 2000 respectively.

The Administrative Understanding provides that each Party shall provide the other with an annual report on all equipment, facilities, material, nuclear material, and information subject to IAEA safeguards. It establishes guidelines on how this report should be drafted, and sets out the procedure for its submission. This Administrative Understanding also determines how the principles of equivalence and proportionality should be applied when reporting on nuclear material, and describes specific procedures for transfers of equipment, material, facilities or information, both directly and through third parties, and for retransfers.

The Annexes contain standard forms for notification of transfers.

People's Republic of China – Russian Federation

Co-operation Agreement on the Construction of a Fast-breeder Reactor in China (2000)

In April 2000, the People's Republic of China and the Russian Federation signed an Agreement on assistance to be provided by the Russian Federation to the People's Republic of China for the construction of an experimental fast-breeder reactor. The Agreement entered into force on the day of signature thereof for a period of ten years.

Under the Agreement, the Russian Federation shall supply the People's Republic of China with certain equipment and provide assistance in carrying out specific work. The reactor is due to be commissioned in 2005.

The Agreement provides that the People's Republic of China shall not use nuclear material, technology, equipment and special non-nuclear materials exported by the Russian Federation, or any of their derivatives, to manufacture nuclear weapons or for military purposes.

France – Italy

Addendum to Co-operation Agreement on Reactors of the Future and Advanced Technology (2000)

A Co-operation Agreement on Reactors of the Future and Advanced Technology was signed by the French Atomic Energy Commission (CEA) and the Italian National Agency for New Technologies, Energy and the Environment (ENEA) on 11 April 1990. The third Addendum to this Agreement, signed on 21 July 2000, aims to widen the co-operation between the two bodies in the field of general research on energy, in particular on renewable energy sources, fossil and non-fossil fuels and energy savings. This co-operation is to be developed in three fields of research as follows:

- energy;
- innovative technologies for energy;
- protection of man and the environment.

France – Russian Federation

Agreement on Third Party Liability for Nuclear Damage (2000)

This Agreement was signed on 20 June 2000 by the French Secretary of State for Industry and the Russian Ministry of Atomic Energy. It governs questions of third party liability for nuclear damage caused on Russian territory as a result of deliveries from the French Republic for nuclear installations in the Russian Federation.

It establishes the responsibilities of each Party in the event of faulty operation of equipment. It provides in particular that the liability for nuclear damage is channelled to the Russian Party in the event of a nuclear accident involving equipment or technology provided by France. The Russian Party

exempts the French Party from its third party liability, except in the case of deliberate action on the part of France or French suppliers, or where the French Party does not inform the Russian Party of claims for compensation within reasonable time limits.

This Agreement shall cease to have effect upon the entry into force, for the Russian Federation, of an international treaty on third party liability for nuclear damage, to which France is a Party, or alternatively 12 months after the date of reception of a written notification from one of the Parties.

This Agreement is reproduced in the Chapter “Texts” of this edition of *the Nuclear Law Bulletin*.

France – Slovenia

Arrangement for the Exchange of Information and Co-operation in the Field of Nuclear Safety (2000)

The Slovene Nuclear Safety Administration and the French Directorate for the Safety of Nuclear Installations signed this Arrangement on 18 February 2000. Pursuant to its terms, information shall be exchanged in the form of letters, reports and other documents. Periodical visits and meetings shall also be organised. Information received may be freely disseminated as long as any applicable property rights or confidentiality provisions are applied.

The Arrangement is concluded for a period of five years, which may be extended by written notice of the Parties.

France – United States

Memorandum of Understanding on Co-operation relating to Future Nuclear Technology (2000)

The US Department of Energy (DOE) and the French Atomic Energy Commission signed this Memorandum of Understanding on 18 September 2000 with a view to developing advanced nuclear reactor technology and accelerator transmutation of waste. The Memorandum provides for joint planning of the use of existing research and development resources and the establishment of a joint research programme on fuel and materials for reactors of the next generation and of the future. Such co-operation also covers research and development on innovative transmutation systems and on medical and industrial applications of radioisotopes.

A Joint Supervisory Committee shall be created to supervise the implementation of this Memorandum. Under its authority, groups of experts shall be responsible for implementing co-operation activities.

France – CERN

Convention on the Safety of Research Installations situated on French Territory (2000)

This Convention, signed on 11 July 2000 between France and the European Organisation for Nuclear Research (CERN), is complementary to the Convention of 28 April 1972 on Protection against Ionising Radiation. It aims in particular to guarantee the safety of operations related to the dismantling of the Large Electron-Proton Collider (LEP) and the safety of the Large Hadron Collider (LHC) and the Super Proton Synchrotron (SPS). This Convention will remain in force until these installations are dismantled and the site completely rehabilitated.

Japan – Russian Federation

Memorandum of Understanding on Co-operation in the Fields of Denuclearisation, Disarmament and Non-proliferation in the Russian Federation (2000)

This Memorandum was signed by the Japanese Minister of Foreign Affairs and the Russian Minister for Atomic Energy on 4 September 2000 in order to continue co-operation between both Parties and to implement a programme of assistance for the Russian Federation, as already provided for by an Agreement signed in October 1993 by the same Parties.

According to the Memorandum, both governments undertake to pursue their joint research projects related to the dismantling and disposal of decommissioned Russian nuclear submarines in the naval bases of Eastern Siberia and to the safe management and disposal of MOX fuel deriving from Russian surplus weapons grade plutonium.

In addition, the Japanese Government will continue to support the activities of the International Science and Technology Center (ISTC) in order to promote the conversion of military resources to the private sector in Russia and expand its assistance for the re-education of military personnel in the Far East.

Furthermore, the Russian Government will make every effort to accede to the 1993 Amendment to the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, and to cease dumping of radioactive waste into the sea pending its accession.

Kazakhstan – United States

Agreement for Co-operation concerning the Peaceful Uses of Nuclear Energy (1997)

This Agreement, signed by Kazakhstan and the United States on 18 November 1997, covers the following fields of activity:

- development, design, construction, operation, maintenance, use, and decommissioning of reactors;

- use of radioactive material in physical and biological research, medicine, agriculture and industry;
- the fuel cycle, including nuclear fuel supply and appropriate techniques for radioactive waste management;
- safeguards and physical protection of materials, equipment and components;
- protection of public health and the environment.

Republic of Korea – Slovenia

Arrangement for the Exchange of Information and Co-operation in the Field of Nuclear Safety (2000)

On 7 January 2000, the Slovene Nuclear Safety Administration and the Government of the Republic of Korea signed the above-mentioned Arrangement which implements the Agreement on Scientific and Technological Co-operation concluded between the Government of Slovenia and the Government of the Republic of Korea in 1994. The Arrangement provides for the exchange of technical information relating to safety of nuclear facilities and training of safety personnel.

The Arrangement is concluded for a period of five years which may be extended by written agreement of the Parties.

Russian Federation – United States

Agreement related to the Disposal of Weapons-grade Plutonium (2000)

In June 2000, the Russian Federation and the United States signed an Agreement providing for the disposal of weapons-grade plutonium. Under this Agreement, each Party shall dispose of at least 34 metric tonnes (MT) of weapons-grade plutonium by using it as fuel in reactors or by immobilising it with high-level radioactive waste, and then ultimately disposing of it in a geological repository. Each Party is to seek to commence operation of such plutonium conversion and MOX fabrication facilities by 2007, to achieve a disposition rate of at least 2 MT of weapons-grade plutonium per year and, working with other States, to identify additional capacities to double that rate.

The Agreement bans reprocessing of the MOX fuel until all 34 MT have been disposed of. After that, any reprocessing of MOX fuel shall be done under mutually agreed monitoring measures. Any additional plutonium designated in the future as excess with regard to defence needs can be disposed of under these same terms and conditions.

The Agreement recognises the need for international financing and assistance for the Russian Federation to fulfil the obligations of the Agreement.

Slovak Republic – United States

Renewal Arrangement for the Exchange of Technical Information and Co-operation in Nuclear Safety Matters (2000)

This Arrangement was signed by the Nuclear Regulatory Authority of the Slovak Republic (UJDSR) and the Nuclear Regulatory Commission of the United States (USNRC) on 21 September 2000 to extend a previous Arrangement on the same subject signed on 10 November 1994.

The new Arrangement provides for:

- exchange of technical information relating to the regulation of safety, safeguards, radioactive waste management and the environmental impact of nuclear facilities, and to nuclear safety research programmes;
- co-operation on joint programmes and projects for nuclear safety research and development;
- assistance granted by the USNRC to the UJDSR related to training of UJDSR safety personnel.

The exchange of information will be performed through exchange of letters, reports and other documents and by visits and meetings. An administrator will be designated by each Party to coordinate its participation in the overall exchange.

This Agreement entered into force upon its date of signature for a period of five years, which may be extended for a further period of time by written agreement of the Parties.

Slovenia – South Africa

Arrangement for the Exchange of Technical Information and Co-operation in the Regulation of Nuclear Safety (1999)

This Arrangement was signed by the Slovene Nuclear Safety Administration (SNSA) and the Council for Nuclear Safety of South Africa on 15 December 1999. On the basis of a mutual interest in, and in compliance with the provisions of, the Convention on Nuclear Safety, the Parties shall exchange reports and documents on technical safety, operating experience, and relevant procedures, as well as safety-related decisions and regulatory standards. It also provides for the early notification of significant events, and the Parties shall inform each other on intervention levels and emergency planning to the extent permitted under domestic legislation.

Periodical meetings shall be held and information received may be disseminated freely subject to its confidential nature or any applicable property rights.

The Arrangement is concluded for a period of five years, which may be extended by written agreement of the Parties.