

AGREEMENTS

BILATERAL AGREEMENTS

Belarus – Ukraine

Agreement on Early Notification of a Nuclear Accident and Co-operation in the Field of Radiation Safety (2001)

This Agreement, which lays the foundations for co-operation in the event of any accident involving nuclear facilities and activities and ensures a high level of radiation safety, was concluded by the Governments of Belarus and Ukraine on 16 October 2001.

It provides that, in the event of any accident involving nuclear facilities or activities which has affected or may affect the radiation safety of the other Party, the Party in the territory of which the accident has occurred shall promptly notify the other Party. The Party shall also provide any information available with a view to minimising the radiological consequences and to protecting the public.

The Parties shall also exchange on a regular basis information related to the radiation safety of nuclear facilities which are being used or designed, constructed, put into operation or shut down in their territory as well as on activities which pose a risk of radioactive contamination of the environment. They shall also inform each other of offences involving nuclear materials, radioactive waste and other sources of ionising radiation in their territory if such crimes are believed to affect the interests of the other Party. Scientific and technical co-operation in the field of nuclear and radiation safety, including environmental monitoring, are to be encouraged.

The competent authorities responsible for the implementation of the Agreement are, in Belarus, the Ministry for Emergencies, and in Ukraine, the State Nuclear Regulatory Committee. Representatives of the competent authorities shall meet at least once a year to discuss issues related to the implementation of the Agreement and to establish joint programmes aimed at ensuring a high level of radiation safety.

Croatia – Slovenia

Agreement on Ownership of Krško Nuclear Power Plant (2001)

On 19 December 2001, the governments of Croatia and Slovenia signed a formal agreement with a view to resolving a long-standing dispute as to the ownership of the Krško nuclear power plant, located in south-east Slovenia, in operation since 1981.

This Agreement, which remains to be ratified by both parliaments, provides that:

- ownership of the plant is to be shared by the two countries on a 50/50 basis;
- 50% of output is to be delivered to Croatia as of mid-2002;
- Croatian citizens may once again be employed by the operating company, the Slovenian utility *Nuklearna Elektrarna Krško*;
- two separate decommissioning funds are to be maintained, in Croatia and Slovenia;
- a final decision on strategy for the disposal of radioactive waste is postponed until the plant ceases operations;
- the agreement paves the way for possible privatisation of the operating company.

Slovenia and Croatia also agreed to settle financial damages and outstanding payments that led to Slovenia ending the delivery of power to Croatia in 1998.

France – Romania

Arrangement on the Exchange of Information and on Co-operation in the Field of Nuclear Safety (2001)

On 8 August 2001, the National Commission for Nuclear Activities Control in Romania and the Directorate for the Safety of Nuclear Installations in France signed an Arrangement on the Exchange of Information and on Co-operation in the Field of Nuclear Safety. This instrument, which was concluded for a renewable period of five years, provides for the exchange of technical information in relation to the safety of nuclear installations and the regulations applicable to these facilities.

The type of information covered by this Arrangement includes in particular: specific reports on technical safety which are used as a basis or as support for regulatory decisions; documents dealing with important licensing procedures or with decisions on the safety of nuclear installations; reports of operating experience; the prompt notification of important events such as serious operating incidents; information on the intervention levels in the event of an emergency; and emergency planning.

The Arrangement also contains provisions on the manner in which information should be disseminated.

France – Russian Federation

Agreement on Co-operation on the Safe Disposal of Nuclear Weapons in Russia and on the Use for Peaceful Purposes of Nuclear Materials from Weapons (1992)

By Decree No. 2001-1056 of 12 November 2001, France published this Agreement between the French Government and the Government of the Russian Federation, which was signed on 12 November 1992.

The Agreement provides for co-operation between France and the Russian Federation in the following fields:

- transport of nuclear weapons on the territory of the Russian Federation;
- dismantling of nuclear weapons on the territory of the Russian Federation;
- storage of nuclear materials from these nuclear weapons on the territory of the Russian Federation;
- use for peaceful purposes of nuclear materials from these weapons;
- systems of accounting and control of materials;
- scientific research.

France – United Kingdom

Agreement on the Exchange of Classified Information in the Field of Nuclear Defence (2001)

The Government of France and the Government of the United Kingdom concluded on 7 and 9 February 2001 an Agreement in the form of an exchange of letters on the above subject. This Agreement provides in particular that:

- links are to be established between the French and British Defence Ministries with a view to exchanging information in the nuclear defence field;
- each of the Parties shall ensure that all information produced or exchanged in the nuclear defence field will be subject to the same degree of protection as that which applies in that State for information of a similar classification;
- enquiries shall be held in each case where it is determined that classified information has been lost or divulged.

Latvia – Ukraine

Agreement on Early Notification of Nuclear Accidents, Exchange of Information and Co-operation in the Field of Nuclear Safety and Radiation Protection (2001)

This Agreement was concluded by the Latvian and Ukrainian Governments on 17 October 2001 for a renewable period of ten years. It shall apply in the event of an accident involving any nuclear facility, such as a nuclear reactor, nuclear fuel cycle facility or radioactive waste management facility, or nuclear activity, such as the transport and storage of nuclear fuel or radioactive waste, or the manufacture, use, storage, disposal and transport of radioisotopes, where such an accident occurs on the territory of one of the Parties and results or may result in a transboundary release of radioactive substances which is significant in terms of the radiological safety of the other Party.

The Agreement provides for the early notification of such accidents and of any relevant information to the other Party as well as mutual co-operation to minimise the radiological

consequences of the accident and to protect the public, property and the environment from the effects of the radioactive releases.

The Parties also agree:

- on further exchange of information related to the safety of nuclear facilities in operation, planned, or under construction, commissioning or decommissioning within their territories and on activities which may cause the release of radioactive substances in quantities exceeding maximum permissible levels.
- on early notification of any case of illicit trafficking of nuclear materials, ionising radiation sources and radioactive waste discovered on their territories.
- to encourage and facilitate the development of scientific and technical co-operation between the relevant authorities in the field of nuclear safety and radiation protection, including radioactive release monitoring, emergency planning and radioactive waste management.

Romania – Russian Federation / Romania – Slovak Republic

Agreements on Early Notification of Nuclear Accidents and Information Exchange on Nuclear Facilities (2002)

Romania signed these bilateral Agreements with the Russian Federation and the Slovak Republic on 21 February 2002 and 19 February 2002 respectively.

The Agreements are based upon the Convention on Early Notification of a Nuclear Accident adopted on 26 September 1986 under the auspices of the IAEA (the text of this Convention is reproduced in *Nuclear Law Bulletin* No. 38), to which these countries are all Parties, and which provides in Article 9 that Contracting Parties may conclude bilateral agreements for the same purpose.

The Agreements define the incidents which give rise to the early notification obligation and the information procedure. Each Contracting Party must notify a list of its facilities and activities to which the Agreement applies to the other Party. The Parties agree to promptly communicate all relevant information on any accident which may result in transboundary releases of radioactive materials. The Parties furthermore agree to provide each other with information on a regular basis on the operational conditions of their nuclear installations (in operation or under construction/decommissioning) and on any other activities carried out in this field. The competent authorities are designated as the National Commission for Nuclear Activities Control (CNCAN) in Romania, the Ministry for Atomic Energy (Minatom) in the Russian Federation and the Nuclear Regulatory Authority in the Slovak Republic.

Each Agreement shall enter into force on the date of receipt of the last diplomatic note confirming that all internal requirements for its entry into force have been carried out, and shall remain in force for an unlimited duration.

Russian Federation – Ukraine

Protocol on Co-operation in the Field of the Peaceful Use of Atomic Energy (2002)

This Protocol was signed by the Minister of Fuel and Energy of Ukraine and the Minister of Atomic Energy of the Russian Federation on 22 February 2002. It regulates in particular the supply by Russia of fresh nuclear fuel for VVER-1000 and VVER-440 units in operation in Ukraine, and the export of spent nuclear fuel. It also sets out measures governing Russian participation in completing the construction of unit 4 of the Rovno NPP and unit 2 of the Khmel'nitski NPP.