

Signed at Moscow May 28, 1999
Entered into force October 8, 1999

**AGREEMENT BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF KOREA
AND THE GOVERNMENT OF THE RUSSIAN FEDERATION
ON COOPERATION ON THE PEACEFUL USES OF ATOMIC ENERGY**

The Government of the Republic of Korea and the Government of the Russian Federation (hereinafter referred to as "the Parties"),

Based on the friendly relations existing between the two countries;

Recognizing that both countries are Member States of the International Atomic Energy Agency (hereinafter referred to as "the IAEA") and the Parties to the Treaty on Non-Proliferation of Nuclear Weapons of July 1, 1968 (hereinafter referred to as "the NPT");

Mindful that peaceful nuclear activities must be undertaken in such a way as to protect the environment from radioactive, chemical and thermal contamination;

Realizing that the use of atomic energy for peaceful purposes is an important factor in ensuring the social and economic development of both countries;

Convinced that the broadening of the cooperation between the two countries in the field of peaceful uses of atomic energy contributes to the further development of friendship and mutual understanding; and

Taking into account the Protocol on Cooperation in the Peaceful Uses of Nuclear Energy between the Ministry of Science and Technology of the Republic of Korea and the Ministry of Atomic Power and Industry of the Union of the Soviet Socialist Republics, signed on December 14, 1990, in Moscow;

Have agreed as follows:

ARTICLE 1

The Parties shall, on the basis of mutual benefit, equality and reciprocity, develop and deepen scientific, technical and economic cooperation in the field of peaceful uses of atomic energy to serve the needs and priorities of their national nuclear programs.

ARTICLE 2

The Parties shall cooperate under this Agreement in the following areas:

- (a) fundamental and applied research and development in the field of nuclear energy;
- (b) design, construction, operation, maintenance and life extension of nuclear power and research reactors;

- (c) controlled thermonuclear synthesis;
- (d) nuclear fuel cycle starting from exploration and exploitation of uranium ore deposits up to radioactive waste management;
- (e) development and industrial manufacture of components, nuclear fuel elements and materials to be used in nuclear reactors and their nuclear fuel cycles;
- (f) production and application of radioisotopes;
- (g) nuclear safety, radiation safety and environmental protection;
- (h) nuclear safeguards and physical protection of nuclear materials;
- (i) prospective nuclear fuel technologies;
- (j) study and application of laser and accelerator technologies;
- (k) nuclear and radiation safety regulation in the field of peaceful uses of atomic energy; and
- (l) other areas of cooperation agreed upon by the Parties.

ARTICLE 3

The cooperation under Article 2 shall be undertaken in the following forms:

- (a) exchange of experts;
- (b) education, training and retraining of administrative, scientific and technical personnel;
- (c) exchange of scientific and technological information and data;
- (d) organization of seminars and symposia;
- (e) establishment of joint working groups to implement specific studies and projects in the area of scientific research and technological development;
- (f) transfer of nuclear material, non-nuclear material, equipment, facilities and technologies;
- (g) conducting of consultations on research and technological issues;
- (h) conducting of joint research projects and programs; and
- (i) other forms of cooperation as agreed upon by the Parties.

ARTICLE 4

All definitions which are used or will be used in the course of implementation of this Agreement shall be interpreted by the Parties in the way they are defined in the Guideline for the Export of Nuclear Material, Equipment and Technology of Nuclear Suppliers Group of September 16, 1997 (IAEA document INFCIRC/254/Rev.3/Part 1) or its latest version as amended.

ARTICLE 5

1. To facilitate the implementation of the provisions of this Agreement, the Parties shall appoint the Executing Agencies.
2. The cooperation under this Agreement shall be carried out between the Parties or between the governmental and private organizations authorized by the Executing Agency of each Party.

ARTICLE 6

The Parties shall encourage the conclusion of contracts or other arrangements determining the rights and liabilities of cooperating organizations of each country to facilitate cooperation under this Agreement. Such contracts or other arrangements shall be concluded in accordance with the laws and regulations of respective countries.

ARTICLE 7

1. The Parties shall establish a Joint Coordinating Committee composed of representatives designated by the Parties to review the implementation of this Agreement, to consider the issues arising from its implementation or to consult on the issues of mutual interest related to the peaceful uses of atomic energy. The Joint Coordinating Committee meetings shall be held, as necessary, alternately in the Republic of Korea and in the Russian Federation, as mutually agreed upon.

2. The Joint Coordinating Committee, if it deems necessary, may establish Working Groups to discuss further steps on implementing this Agreement and to exchange information on the progress of joint projects and programs and other activities of mutual interest.

ARTICLE 8

1. The Parties may freely use any information received under the provisions of this Agreement unless the providing Party notifies the other Party of the limitations on its use and dissemination in advance in writing.

2. The problems of use and legal protection of the objects of intellectual properties created by cooperating organizations of each country in the course of implementing this Agreement shall be regulated by means of contracts or other arrangements concluded between the cooperating organizations for specific directions of cooperation in accordance with the laws and regulations of respective countries.

ARTICLE 9

1. The Parties shall conduct nuclear transfer pursuant to this Agreement, in conformity with the commitments to the NPT and other international treaties and agreements which are in force in both countries.

2. The nuclear export items, received by the Parties under this Agreement as well as nuclear and non-nuclear materials, installations and equipment, manufactured on their basis or as the result of their utilization shall:

- (a) not be used for manufacture of nuclear weapons and other nuclear explosive devices or for any other military purposes;
- (b) be provided with the measures of physical protection at the levels not lower than those which are recommended by the IAEA;
- (c) be under the IAEA control during the whole period of their application on the territory or under the jurisdiction of the Republic of Korea. The safeguards shall

- be applied in conformity with the Agreement between the Government of the Republic of Korea and the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty on Non-Proliferation of Nuclear Weapons of October 31, 1975 (INFCIRC/236). For the Russian Federation, this requirement shall be satisfied under the IAEA safeguards as applicable; and
- (d) be re-transferred or transferred from the jurisdiction of the Parties only under the conditions specified in (a) and (b) of this paragraph, and shall be subject to the IAEA safeguards as applicable within the framework of the relevant Safeguards Agreement.
3. Neither of the Parties without the written consent of the other Party shall perform:
- (a) any consecutive transfer beyond the jurisdiction of the receiving Party to a third party of uranium with twenty per cent or higher enrichment, of plutonium and of heavy water received pursuant to this Agreement;
- (b) any consecutive transfer beyond the jurisdiction of the receiving Party to a third party of:
- (i) equipment or basic components thereof for reprocessing of irradiated fuel, for isotope enrichment of uranium, or for heavy water production, transferred pursuant to this Agreement or produced on their basis of those so transferred; or
- (ii) technologies for reprocessing of irradiated fuel, for isotope enrichment of uranium, or for heavy water production, transferred pursuant to this Agreement;
- (c) utilization or development of isotope enrichment equipment or related technologies, received pursuant to this Agreement, for the production of uranium with twenty per cent enrichment.

ARTICLE 10

Any dispute arising from the interpretation or implementation of this Agreement shall be settled through negotiations or consultations between the Parties.

ARTICLE 11

1. This Agreement shall enter into force on the date of the last notification on completion of all required national procedures for its entry into force.
2. This Agreement shall remain in force for a period of ten (10) years and shall be automatically extended for subsequent five (5) year periods unless either Party notifies the other Party of its intention to terminate this Agreement at least six months prior to the next expiration date.
3. In case of termination of this Agreement, the terms and conditions thereof shall remain applicable to any arrangement made during the period of its validity but still not implemented, unless otherwise agreed upon by the Parties.
4. In case of termination of this Agreement, the commitments of the Parties under Article 9 of this Agreement, shall remain in force unless otherwise agreed upon by the Parties.

5. This Agreement may be amended or supplemented by written consent of the Parties. Any amendments to this Agreement shall enter into force in accordance with the provisions of paragraph 1 of this Article.

IN WITNESS WHEREOF, the undersigned, being duly authorized for this purpose by their respective Governments, have signed this Agreement.

Done at Moscow on 28th of May 1999 in duplicate in the Korean, Russian and English languages, all texts being equally authentic. In case of any divergence in the interpretation of the Agreement, the English text shall prevail.

FOR THE GOVERNMENT OF
THE REPUBLIC OF KOREA

FOR THE GOVERNMENT OF
THE RUSSIAN FEDERATION