

No. 27820

**AUSTRIA
and
POLAND**

Agreement concerning the exchange of information and co-operation in the field of nuclear security and radiation protection (with annex). Signed at Vienna on 15 December 1989

Authentic texts: German and Polish.

Registered by Austria on 19 December 1990.

**AUTRICHE
et
POLOGNE**

Accord relatif à l'échange de renseignements et à la coopération en matière de sûreté nucléaire et de protection contre les rayonnements (avec annexe). Signé à Vienne le 15 décembre 1989

Textes authentiques : allemand et polonais.

Enregistré par l'Autriche le 19 décembre 1990.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF AUSTRIA AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF POLAND CONCERNING THE EXCHANGE OF INFORMATION AND COOPERATION IN THE FIELD OF NUCLEAR SECURITY AND RADIATION PROTECTION

The Government of the Republic of Austria and the Government of the People's Republic of Poland, hereinafter referred to as the Contracting Parties,

Desiring to strengthen further, on the basis of the Final Act of the Conference on Security and Cooperation in Europe of 1 August 1975,² the relations between the Republic of Austria and the People's Republic of Poland,

Convinced of the importance of cooperation through the exchange of information and experience in the field of nuclear security and radiation protection for the protection of persons employed in radiation protection areas, the population and the environment against the dangers of radiation,

Taking into account the Convention on Early Notification of a Nuclear Accident,³ in particular article 9 thereof, and the established principles of cooperation within the International Atomic Energy Agency,

Endeavouring to strengthen international cooperation in the field of nuclear security and radiation protection,

Have agreed as follows:

Article 1

This Agreement shall apply to nuclear facilities and activities as listed in article 1 of the Convention on Early Notification of a Nuclear Accident.

Article 2

1. The two Contracting Parties shall consult each other at least once a year, in particular regarding the development of the peaceful use of nuclear energy, experience gained from the operation of nuclear installations, regulations concerning nuclear security and radiation protection, and methods and results of radiation monitoring of persons employed in radiation protection areas, the population and the environment. Such consultations shall be organized at the request of either of the Contracting Parties, which shall be transmitted to the other Contracting Party through the diplomatic channel.

2. The two Contracting Parties shall provide each other with information concerning their nuclear facilities, including facilities for spent fuel and for radioactive waste disposal. With respect to installations in operation, the two Contracting Par-

¹ Came into force on 1 December 1990, i.e., the first day of the third month following the month in which the Contracting Parties had informed each other (on 9 April and 18 September 1990) of the completion of their domestic procedures, in accordance with article 8 (1).

² *International Legal Materials*, vol. 14 (1975), p. 1292 (American Society of International Law).

³ United Nations, *Treaty Series*, vol. 1439, p. 275.

ties shall inform each other immediately of any changes regarding such installations which may affect the contents of the information transmitted.

Article 3

1. In the event of an accident affecting the facilities or activities of one Contracting Party which might have repercussions on the territory of the other Contracting Party through the release of radioactive substances, the first-mentioned Contracting Party shall notify the other Contracting Party thereof immediately and directly. Such notification shall take place in accordance with paragraphs 1 and 2 of article 5 of the Convention on Early Notification of a Nuclear Accident.

2. If one of the Contracting Parties should detect on its territory unusually high levels of radioactivity which cannot be attributed to a nuclear accident in a facility or to an activity on that territory, it shall notify the other Contracting Party thereof directly.

3. The Contracting Party that has transmitted such information shall, in so far as is reasonably practicable, comply rapidly with the request of the other Contracting Party for additional information or for the holding of consultations on the accident within the meaning of this article.

Article 4

The Contracting Parties shall assist one another in emergencies in accordance with the provisions of the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency¹ drawn up within the framework of the International Atomic Energy Agency. The Contracting Parties shall notify each other through the diplomatic channel of the competent authorities and points of contact provided for in paragraph 1 of article 4 of that Convention. Furthermore, in the consultations referred to in article 2 of this Agreement, the Contracting Parties shall agree on joint measures for the protection of the life, health and property of the population in emergencies, as well as on concrete forms of mutual assistance.

Article 5

In recognition of the particular importance of activities in the field of strengthening nuclear security and radiation protection, the Contracting Parties shall endeavour to promote the development of scientific and technical cooperation in that field between the relevant institutions of the Contracting Parties.

Article 6

The contents of the consultations held and the information exchanged in accordance with article 2 above may be used without restriction, unless designated as confidential by either side. Such confidential information may be disclosed to third parties only by mutual agreement.

Article 7

Any dispute concerning the interpretation or the implementation of the provisions of this Agreement shall be settled through negotiations between the Contracting Parties.

¹United Nations, *Treaty Series*, vol. 1457, p. 133.