

**No. 46823**

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**South Africa  
and  
Russian Federation**

**Agreement between the Government of the Republic of South Africa and the Government of the Russian Federation on co-operation in the peaceful uses of atomic energy. Pretoria, 20 November 2004**

**Entry into force:** *20 November 2004 by signature, in accordance with article 13*

**Authentic texts:** *English and Russian*

**Registration with the Secretariat of the United Nations:** *South Africa, 12 November 2009*

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**Afrique du Sud  
et  
Fédération de Russie**

**Accord entre le Gouvernement de la République sud-africaine et le Gouvernement de la Fédération de Russie relatif à la coopération en vue de l'utilisation de l'énergie atomique à des fins pacifiques. Pretoria, 20 novembre 2004**

**Entrée en vigueur :** *20 novembre 2004 par signature, conformément à l'article 13*

**Textes authentiques :** *anglais et russe*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Afrique du Sud, 12 novembre 2009*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**Agreement**

**between**

**The Government of the Republic of  
South Africa**

**and**

**The Government of the Russian Federation**

**on Co-operation in the Peaceful Uses of  
Atomic Energy**

## **PREAMBLE**

The Government of the Republic of South Africa and the Government of the Russian Federation (hereinafter jointly referred to as "the Parties" and a singular as "a Party");

**TAKING INTO ACCOUNT** the friendly relations and the cooperation existing between the two countries;

**NOTING** with satisfaction the fruitful outcome of economic, technical and scientific cooperation between the Republic of South Africa and the Russian Federation;

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

**SEEKING** further to broaden and deepen the mutually beneficial economic, scientific and technical cooperation between the Republic of South Africa and the Russian Federation based upon equality, non-interference into internal affairs and full respect for national dignity and sovereignty of both countries;

**HEREBY AGREE** as follows;

### **Article 1**

The Parties shall, on the basis of mutual benefit, equality and reciprocity, develop and strengthen scientific, technical and economic cooperation in the field of peaceful uses of atomic energy in accordance with the needs and priorities of the 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 power engineering;
- (b) design, construction, operation and modernization of nuclear commercial and research reactors;
- (c) use of atomic energy for electricity generation, heating and desalination of salt water and atomic research;
- (d) survey and mining of uranium-fields;
- (e) fuel manufacture for commercial and research reactors including fuel development and design, construction, operation, technology and modernization of fuel fabrication facilities;
- (f) radioactive waste management;
- (g) development and manufacturing and supply of components and materials, including nuclear material (source material and special

- fissionable material) to be used in nuclear reactors and their nuclear fuel cycles;
- (h) nuclear safety, radiation protection and radiological environmental protection;
  - (i) accounting, control and physical protection of nuclear materials;
  - (j) manufacture and application of radioisotopes;
  - (k) radiation technology and its applications;
  - (l) controlled nuclear fusion, plasma physics and plasma technologies;
  - (m) state regulation of nuclear and radiation safety;
  - (n) decommissioning and decontamination of nuclear facilities;
  - (o) other areas of cooperation to be agreed by the Parties;

### **Article 3**

The cooperation stipulated by this Agreement shall be undertaken as follows:

- (a) Exchange of experts, scientific and technological information, organizing of scientific seminars and conferences, training of administrative, scientific and technical personnel;
- (b) establishment of joint working groups, if necessary, to implement specific studies and projects in the areas of scientific research and technological development;
- (c) supply of nuclear and special non-nuclear materials; equipment, facilities and related technologies (hereinafter referred to as "nuclear items and technologies");
- (d) conducting consultations on research and technological issues and performing joint research under agreed programs;
- (e) other forms of cooperation to be agreed upon by the Parties.

### **Article 4**

- (1) The competent authorities responsible for the implementation of this Agreement shall be -
  - (a) on behalf of the Republic of South Africa, the Department of Minerals and Energy; and
  - (b) on behalf of the Russian Federation, the federal Atomic Energy Agency.
- (2) The competent authorities may agree to involve state and private organizations of both countries to participate in the implementation of this Agreement.

### **Article 5**

The relevant organizations of the Republic of South Africa and the Russian Federation referred to in Article 4(2) shall conclude arrangements and/or contracts determining the scope of the agreed cooperation such as the number of experts involved, time schedules, costs, sources of financing, terms of payments and other required details.

**Article 6**

- (1) The Parties shall establish a Joint Coordinating Committee composed of the representatives designated by the competent authorities to review the implementation of this Agreement and to consider the issues arising from its implementation as well as to hold consultations on issues of mutual interest related to peaceful uses of atomic energy.
- (2) The Joint Coordinating Committee meetings shall be held as necessary alternatively in the Republic of South Africa and in the Russian Federation as agreed upon.
- (3) The competent authorities may, if it is deemed necessary, establish Working Groups under the Joint Coordinating Committee to discuss further steps on implementing this Agreement and to exchange information on the progress of joint projects and programs and other issues of mutual interest.

**Article 7**

- (1) Information specified as state secret of the Russian Federation or classified information of the Republic of South Africa shall not be exchanged under this Agreement.
- (2) Information provided under this Agreement or resulting from the implementation thereof and treated by either Party as sensitive or confidential shall be clearly defined and marked as such.
- (3) (a) In accordance with the legislation of the Russian Federation such information shall be treated as "limited circulation service information".  
(b) In accordance with the procedures of the Republic of South Africa such information shall be treated as confidential.
- (4) Sensitive or confidential information shall be handled in accordance with the domestic law and/or procedures in force in the country of the receiving Party and such information shall not be disclosed or transferred to a third party, which is not participating in the implementation of this Agreement, without the written consent of the providing Party.
- (5) In accordance with the domestic law and/or procedures in force in their respective countries the Parties shall provide for the efficient protection and distribution of the rights for the intellectual property transferred or created under this Agreement. The issues of protection and distribution of intellectual property rights shall be regulated by the arrangements and/or contracts concluded between the organizations of the Parties in specific areas of cooperation.