

**No. 50956**

---

**Japan  
and  
Russian Federation**

**Agreement between the Government of Japan and the Government of the Russian Federation for cooperation in the peaceful uses of nuclear energy (with annexes and exchange of notes). Tokyo, 12 May 2009**

**Entry into force:** *3 May 2012, in accordance with article 18*

**Authentic texts of the Agreement and annexes:** *English, Japanese and Russian*

**Authentic text of the exchange of notes:** *English*

**Registration with the Secretariat of the United Nations:** *Japan, 7 June 2013*

---

**Japon  
et  
Fédération de Russie**

**Accord de coopération entre le Gouvernement du Japon et le Gouvernement de la Fédération de Russie relatif à l'utilisation de l'énergie nucléaire à des fins pacifiques (avec annexes et échange de notes). Tokyo, 12 mai 2009**

**Entrée en vigueur :** *3 mai 2012, conformément à l'article 18*

**Textes authentiques de l'Accord et des annexes :** *anglais, japonais et russe*

**Texte authentique de l'échange de notes :** *anglais*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Japon, 7 juin 2013*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

AGREEMENT  
BETWEEN THE GOVERNMENT OF JAPAN  
AND THE GOVERNMENT OF THE RUSSIAN FEDERATION  
FOR COOPERATION IN THE PEACEFUL USES OF NUCLEAR ENERGY

The Government of Japan and the Government of the Russian Federation (hereinafter referred to as "the Parties");

Desiring to strengthen the friendly relations existing between Japan and the Russian Federation;

Being convinced that expanding cooperation between Japan and the Russian Federation in the peaceful uses of nuclear energy will contribute to the furtherance of friendship and mutual understanding;

Desiring to continue to cooperate in the development of the peaceful uses of nuclear energy;

Considering the close cooperation between Japan and the Russian Federation in the peaceful uses of nuclear energy under the Agreement between the Government of Japan and the Government of the Union of Soviet Socialist Republics for Cooperation in the Field of the Peaceful Uses of Nuclear Energy, done on April 18, 1991 (hereinafter referred to as "the Agreement of 1991");

Mindful that both Japan and the Russian Federation are parties to the Treaty on the Non-Proliferation of Nuclear Weapons, done on July 1, 1968 (hereinafter referred to as "the Non-Proliferation Treaty");

Recognizing that both Japan and the Russian Federation are members of the International Atomic Energy Agency;

Recognizing also the advantages to both countries of effective cooperation in the development of the peaceful uses of nuclear energy; and

Desiring to establish conditions consistent with their commitment to nuclear non-proliferation under which cooperation in the peaceful uses of nuclear energy between Japan and the Russian Federation can be carried out;

Have agreed as follows:

Article 1

For the purposes of this Agreement:

(1) "Authorized person" means

in the case of Japan, any individual or entity within the jurisdiction of Japan and authorized by the Government of Japan, and, in the case of the Russian Federation, any legal entity within the jurisdiction of the Russian Federation and authorized by the Government of the Russian Federation, to cooperate under this Agreement, including to supply or receive nuclear material, material, equipment and technology, and to perform or receive services, but does not include the Parties;

(2) "Nuclear material" means

- "source material", namely, uranium containing the mixture of isotopes occurring in nature; uranium depleted in the isotope uranium-235; thorium; any of the foregoing in the form of metal, alloy, chemical compound or concentrate; any other substance containing one or more of the foregoing in such concentration as the Board of Governors of the International Atomic Energy Agency may determine under Article XX of the Statute of the International Atomic Energy Agency, done on October 26, 1956 (hereinafter referred to as "the Statute"), and the Parties inform each other, in writing, to accept; and such other substances as the Board of Governors of the International Atomic Energy Agency may determine under Article XX of the Statute, and the Parties inform each other, in writing, to accept;

- "special fissionable material", namely, plutonium other than plutonium with an isotopic concentration of plutonium-238 exceeding eighty percent, uranium-233, uranium enriched in the isotope uranium-233 or uranium-235; any substance containing one or more of the foregoing; and such other substances as the Board of Governors of the International Atomic Energy Agency may determine under Article XX of the Statute, and the Parties inform each other, in writing, to accept. Special fissionable material does not include source material; and

- plutonium with an isotopic concentration of plutonium-238 exceeding eighty percent;

(3) "Material" means substances for use in a nuclear reactor which are listed in Part A of Annex A to this Agreement, but does not include nuclear material;

(4) "Equipment" means major items of machinery, plant or instrumentation, or major components thereof, which are specially designed or prepared for use in nuclear activities, and which are listed in Part B of Annex A to this Agreement;

(5) "Technology" means specific information required for the development, production or use of any nuclear material, material or equipment, excluding such specific information publicly available and without restrictions upon its further dissemination as well as other kinds of information if specified and agreed in writing by the Parties. Technology may take the form of technical data which includes blueprints, plans, diagrams, models, formulae, engineering designs and specifications, manuals and instructions written or recorded on other media or devices such as disk, tape and read-only memories. It may also take the form of technical assistance which includes instruction, skills, training, working knowledge and consulting services;

(6) "Development" referred to in paragraph (5) of this Article means all phases before production such as design, design research, design analysis, design concepts, assembly and testing of prototypes, pilot production schemes, design data, process of transforming design data into a product, configuration design, integration design and layouts;

(7) "Production" referred to in paragraphs (5) and (6) of this Article means all activities for producing nuclear material, material or equipment such as construction, production engineering, manufacture, integration, assembly (mounting), inspection, testing and quality assurance;

(8) "Use" referred to in paragraph (5) of this Article means operation, installation including on-site installation, maintenance, checking, repair, overhaul and refurbishing;

(9) "Equipment based on technology" means equipment which the Parties agree as produced from the use of technology transferred pursuant to this Agreement;

(10) "Nuclear material recovered or produced as a by-product" means

- nuclear material derived from nuclear material transferred pursuant to this Agreement;

- nuclear material derived by one or more processes from the use of material or equipment transferred pursuant to this Agreement; and

- nuclear material which the Parties agree as derived from the use of technology transferred pursuant to this Agreement.

## Article 2

1. The Parties shall cooperate under this Agreement for the development of the peaceful uses of nuclear energy in Japan and the Russian Federation in conformity with the provisions of this Agreement and the legislation of their respective States in the following ways:

- (1) exchange of experts;

- (2) exchange of information, including, but not limited to, information relating to nuclear safety, on such terms as may be agreed between the Parties, between authorized persons of the Parties, or, upon the request of either Party, between that Party and authorized persons of the other Party;

- (3) supply from a Party or its authorized persons to the other Party or its authorized persons of nuclear material, material, equipment and technology on such terms as may be agreed between the supplier and the recipient; and

- (4) provision of services by a Party or its authorized persons and receipt of services by the other Party or its authorized persons on matters within the scope of this Agreement on such terms as may be agreed between the supplier and the recipient.

2. Cooperation as specified in paragraph 1 of this Article may be undertaken in the following areas:

- (1) exploration and exploitation of uranium resources;

- (2) design, construction and operation of light water reactors;

- (3) radioactive waste processing and management;

- (4) nuclear safety including radiation protection and environmental monitoring;