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**United Kingdom of Great Britain and Northern Ireland
and
France**

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of France on implementation of the cyclamen device in the French terminal of the Channel Tunnel situated in Coquelles. London, 10 May 2012

Entry into force: *5 July 2012 by notification, in accordance with article 8*

Authentic texts: *English and French*

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**Royaume-Uni de Grande-Bretagne et d'Irlande du Nord
et
France**

Accord entre le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et le Gouvernement de la République française pour la mise en oeuvre du dispositif cyclamen dans le terminal français du tunnel sous la manche situé à Coquelles. Londres, 10 mai 2012

Entrée en vigueur : *5 juillet 2012 par notification, conformément à l'article 8*

Textes authentiques : *anglais et français*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE REPUBLIC OF FRANCE ON IMPLEMENTATION OF THE CYCLAMEN DEVICE IN THE FRENCH TERMINAL OF THE CHANNEL TUNNEL SITUATED IN COQUELLES

The Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter called the “British party”), and the Government of the French Republic (hereinafter called the “French party”),

Having regard to the Treaty between the United Kingdom of Great Britain and Northern Ireland and the Republic of France concerning the Construction and Operation by Private Concessionaires of a Channel Fixed Link, signed at Canterbury on 12 February 1986 (the “Treaty”),

Having regard to the Protocol between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning Frontier Controls and Policing, Co-operation in Criminal Justice, Public Safety and Mutual Assistance, signed at Sangatte on 25 November 1991 ,

Having regard to the Special Arrangement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of France on Security Matters relating to the Channel Fixed Link, signed at London on 15 December 1993 ,

Having regard to the Joint Declaration of 2 November 2010 on Defence and Security Co-operation in which the Prime Minister of the United Kingdom of Great Britain and Northern Ireland and the President of the Republic of France expressed in particular their joint intention, within the context of the fight against terrorism, to prevent terrorism through nuclear, radiological, biological, chemical and explosive devices, including through the Cyclamen programme for screening traffic passing through the Channel Tunnel,

Having regard to the wish of the Government of the United Kingdom of Great Britain and Northern Ireland to implement the systematic detection of movements of radioactive and fissionable materials towards its territory, in particular through the Channel Tunnel,

Have agreed as follows:

ARTICLE 1

Cyclamen is a passive detection device for radioactive and fissionable materials using portals, whose purpose is to ensure the protection of the Channel Tunnel

against the illicit introduction of such materials into the Tunnel towards United Kingdom territory.

This device consists of portals which detect the presence of radioactivity in vehicles. Each portal is further equipped with video-monitoring cameras which enable suspect vehicles to be identified accurately.

The persons driving the vehicles being monitored shall be informed of the existence of this video-monitoring system.

All of the operations provided for in this Agreement shall be undertaken by each of the Parties strictly in accordance with applicable national legislation.

This Agreement does not regulate the recording of infractions by the competent authorities.

ARTICLE 2

The British party is authorised to install the device described in Article 1 on the traffic lanes used by tourist vehicles, buses and coaches, as well as the lanes used by heavy goods vehicles; the British party will provide a specific parking area for suspect vehicles beside the vehicle lanes in accordance with the plan established by exchange of notes.

ARTICLE 3

The British party undertakes as far as possible to ensure that the implementation of the Cyclamen device does not disrupt traffic flows in the terminal, in accordance with article 4, paragraph 1, of the Treaty.

ARTICLE 4

The British party shall be responsible for all the costs incurred in acquiring, installing, operating, maintaining the operational condition of, and dismantling the equipment for the Cyclamen device, as well as for compensating any loss or damage arising from its installation, operation and dismantling. The British party shall also be responsible for the costs of the expertise necessary for identifying the nature and the level of the risk or threat.

ARTICLE 5

If radioactive or fissionable material is detected, British officers shall park the suspect vehicle or vehicles to one side, and will gather all information necessary for the identification of the nature and the level of the risk or threat.

The British party shall promptly inform the competent French authorities of all incidents.

If the British Officers identify a danger they will immediately alert their French contact point and will communicate all information gathered for identifying the nature and the level of the risk or the threat. The specialist French emergency, policing and rescue services shall manage the incident in accordance with French legislation.

The radioactive and fissionable materials shall be dealt with in accordance with the procedures relative to nuclear safety which are applicable under French law.

The French and British parties shall set out the practical arrangements for the process by way of exchange of Notes Verbales. Compliance with the practical arrangements so defined shall represent a condition for the implementation of this Agreement.

ARTICLE 6

The competent French and British authorities shall monitor the implementation of the device by carrying out joint inspection visits on site.

ARTICLE 7

Any disputes concerning the interpretation and application of this Agreement shall be settled by negotiation between the two Governments, with the exception of disputes between the two States relating to questions of compensation which shall be settled in accordance with articles 18 and 19 of the Treaty.

ARTICLE 8

Each Government shall notify the other when its necessary internal procedures have been completed in order to enable this Agreement to enter into force; the Agreement shall take effect on the date of receipt of the later of the notifications.

ARTICLE 9

This Agreement and the practical arrangements exchanged by way of Notes Verbales may be amended with the written consent of both parties. The Agreement thus amended shall enter into force in accordance with Article 8 of this Agreement.