

No. 15641

**UNITED STATES OF AMERICA
and
CANADA**

Exchange of notes constituting an interim arrangement relating to atomic energy: application of safeguards to uranium from Canada. Ottawa, 18 and 25 March 1976

Authentic text: English.

Registered by the United States of America on 29 April 1977.

**ÉTATS-UNIS D'AMÉRIQUE
et
CANADA**

Échange de notes constituant un arrangement intérimaire relatif à l'énergie atomique : application de garanties à l'uranium d'origine canadienne. Ottawa, 18 et 25 mars 1976

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 29 avril 1977.

EXCHANGE OF NOTES CONSTITUTING AN INTERIM ARRANGEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CANADA RELATING TO ATOMIC ENERGY: APPLICATION OF SAFEGUARDS TO URANIUM FROM CANADA

I

The American Embassy to the Canadian Department of External Affairs

No. 59

The Embassy of the United States presents its compliments to the Department of External Affairs and has the honor to refer to discussions which have taken place over the past several months concerning arrangements under which Canadian-origin natural uranium imported into the United States for enrichment and subsequent use by our utilities in the nuclear fuel cycle could be brought under mutually acceptable peaceful use guarantees.

The Embassy has the honor to propose that the following interim procedure be applied to such Canadian-origin natural uranium as the Government of Canada has notified the Government of the United States in writing and which the Government of the United States has accepted in writing prior to the proposed shipment shall be subject to the terms of this procedure.

It is proposed further that this interim procedure shall remain in effect until such time as the Governments of the United States and Canada have established a mutually acceptable procedure by an agreement which shall take into account the safeguards regime to be established pursuant to an agreement between the Government of the United States and the International Atomic Energy Agency for the application of safeguards in the United States. The Government of Canada and the Government of the United States shall make their best efforts to establish such a procedure within six months of the entry into force of that safeguards regime.

The United States Government guarantees that such uranium and subsequent generations of fissile material derived therefrom shall not be used for the development, manufacture or detonation of any nuclear weapon or other nuclear explosive device.

Prior to entry into force of the aforementioned safeguards regime between the Government of the United States and the International Atomic Energy Agency, the Energy Research and Development Administration will be prepared to hold at its facilities material subject to this interim procedure for use in the fuel cycle of domestic power reactors and will inform the Atomic Energy Control Board when appropriate arrangements have been made with the affected United States utilities to permit it to implement this understanding. While such material is held at facilities of the Energy Research and Development Administration, arrangements of a mutually satisfactory nature will be made between the Atomic Energy Control Board of Canada and the Energy Research and Development Administration to assure compliance with the foregoing guarantee. During such period, the Energy Research and Development Administration will not transfer such material from its facilities without the prior written consent of the Atomic Energy Control Board of Canada.

¹ Came into force on 25 March 1976, the date of receipt of the note in reply, in accordance with the provisions of the said notes.

Upon the entry into force of the aforementioned safeguards regime between the Government of the United States and the International Atomic Energy Agency, the Energy Research and Development Administration may permit material subject to this interim procedure to be held and used in facilities in the United States which are subject to the provisions of the agreement between the Government of the United States and the International Atomic Energy Agency for the application of safeguards in the United States, or in such other facilities as may be mutually agreed.

To facilitate implementation of this procedure, the Atomic Energy Control Board will advise the Energy Research Development Administration prior to the import into the United States of natural uranium subject to this interim procedure.

If the above proposal is agreeable to your Government, this interim understanding shall enter into force upon receipt by the Embassy of written notification to that effect. The understanding shall remain in effect until (I) the Government of the United States and Canada have established the mutually acceptable procedure referred to in the third paragraph of this note or (II) for a period of two years, whichever occurs earlier, provided, however, that with respect to any natural uranium in the United States which has been delivered pursuant to this interim procedure, the understanding shall remain in effect until the mutually acceptable procedure is established.

The Embassy of the United States of America avails itself of this opportunity to renew to the Department of External Affairs the assurances of its highest consideration.

Embassy of the United States of America

Ottawa, March 18, 1976.

II

The Canadian Department of External Affairs to the American Embassy

DEPARTMENT
OF EXTERNAL AFFAIRS

MINISTÈRE
DES AFFAIRES EXTÉRIEURES

CANADA

ECT No. 551

The Department of External Affairs presents its compliments to the Embassy of the United States and has the honour to refer to the Embassy's Note No. 59 of March 18, 1976, concerning arrangements under which Canadian-origin natural uranium imported into the United States for enrichment and subsequent use by United States' utilities in the nuclear fuel cycle is to be brought under mutually acceptable peaceful use guarantees.

The Department confirms that the proposal contained in the Embassy's Note is acceptable to the Government of Canada as an interim understanding which shall enter into force upon receipt by the Embassy of this reply.

The Department of External Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Ottawa, March 25, 1976.