

No. 17667

**BRAZIL
and
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND**

**Exchange of notes constituting an agreement on the supply
of enriched uranium to Brazil. Brasília, 1 September
1978**

Authentic texts: English and Portuguese.

Registered by Brazil on 27 March 1979.

**BRÉSIL
et
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD**

**Échange de notes constituant un accord relatif à la
fourniture d'uranium enrichi au Brésil. Brasília,
1^{er} septembre 1978**

Textes authentiques: anglais et portugais.

Enregistré par le Brésil le 27 mars 1979.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN BRAZIL AND THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND ON THE SUPPLY OF
ENRICHED URANIUM TO BRAZIL

I

BRITISH EMBASSY
BRASÍLIA

1 September 1978

N.V. 192

Your Excellency,

I have the honour to refer to the proposed exports to Brazil of uranium enriched in the United Kingdom under the terms of contracts between Urenco and Nuclebras, and to record the following which has been the subject of discussions between the Governments of the United Kingdom of Great Britain and Northern Ireland, the Federal Republic of Germany, and the Kingdom of the Netherlands, as parties to the tripartite Agreement of 4 March 1970² concerning the gas centrifuge process for producing enriched uranium, and the Government of the Federative Republic of Brazil.

a) Any such exports, and any subsequent generations of nuclear material produced therefrom, shall be subject to the provisions, including article 2 which covers non-explosive uses, of the Agreement between the Federative Republic of Brazil, the Federal Republic of Germany and the International Atomic Energy Agency, signed at Vienna on 26 February 1976³.

b) Any such material shall be exported or re-exported from the territory of Brazil only with the prior consent of the Government of the Federal Republic of Germany as a party to the tripartite Agreement of 4 March 1970, and the Government of the Federative Republic of Brazil shall notify the International Atomic Energy Agency of such exports or re-exports separately or jointly with the Government of the Federal Republic of Germany in accordance with the provisions laid down in article 10(2) of the Agreement between the Federative Republic of Brazil, the Federal Republic of Germany and the International Atomic Energy Agency of 26 February 1976 and shall copy all such communications to the Government of the United Kingdom.

c) The Government of the Federative Republic of Brazil and the Government of the Federal Republic of Germany as a party to the tripartite Agreement of 4 March 1970 shall agree on the levels of physical protection to be applied to the enriched uranium and any subsequent generations of nuclear materials produced therefrom.

I further have the honour to record that the Governments of the Federative Republic of Brazil, the United Kingdom, the Kingdom of the Netherlands and the Federal Republic of Germany are agreed that they shall work towards the establishment of an IAEA plutonium storage régime on a non-discriminatory and universally applicable basis in conformity with article XII, A, 5, of the Statute of the International Atomic Energy Agency.⁴ These four Governments are further agreed that in the event that an IAEA

¹ Came into force on 1 September 1978, the date of the note in reply, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 795, p. 275.

³ *Ibid.*, vol. 1022, p. 299.

⁴ *Ibid.*, vol. 276, p. 3 and vol. 471, p. 334.

régime is not likely to be available by the time Urenco enriched fuel is ready for reprocessing in Brazil, any plutonium derived from fuel enriched by Urenco and reprocessed in Brazil will be stored, until covered by such a régime which would then be applied, under *ad hoc* storage arrangements agreed by the four Governments, and based on the same principles as article XII, A, 5. The four Governments will invite the IAEA to participate in the implementation of such *ad hoc* arrangements.

I have the honour to request Your Excellency's confirmation that the foregoing is acceptable to the Government of the Federative Republic of Brazil, and to propose that this Note, together with Your Excellency's reply to that effect shall constitute an agreement between our two Governments which shall enter into force on the date of your reply. I propose that copies of both Notes shall then be communicated to the International Atomic Energy Agency together with copies of similar Notes exchanged between the Governments of the Federative Republic of Brazil, the Kingdom of the Netherlands and the Federal Republic of Germany.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

[Signed]

L. BEVAN

His Excellency Ambassador Antonio Francisco Azeredo da Silveira
Ministry of External Relations
Brasília

II

[PORTUGUESE TEXT—TEXTE PORTUGAIS]

MINISTÉRIO DAS RELAÇÕES EXTERIORES

Em 1º de setembro de 1978

DEM/DIE/DE-I/DAI/46/664.2(F27) (B46)
663.8(F27)(B46)

Senhor Encarregado de Negócios,

Tenho a honra de acusar recebimento de sua Nota de n.º 192, de 1º de setembro de 1978, cujo teor em português é o seguinte:

«Excelência, Tenho a honra de referir-me às exportações previstas para o Brasil de urânio enriquecido no Reino Unido, nos termos dos contratos entre a Urenco e a Nuclebrás, e de fazer o seguinte registro do tema das conversações entre os Governos do Reino Unido da Grã-Bretanha e Irlanda do Norte, da República Federal da Alemanha e do Reino dos Países Baixos, como partes do Acordo Tripartite de 4 de março de 1970, relativo ao processo de centrifugação gasosa para produzir urânio enriquecido, e o Governo da República Federativa do Brasil:

a) Quaisquer tais exportações, bem como quaisquer gerações subseqüentes de material nuclear produzidas a partir das mesmas, estarão sujeitas às disposições, inclusive as do artigo 2, que cobre usos não explosivos, do Acordo entre a República Federativa do Brasil, a República Federal da Alemanha e a Agência Internacional de Energia Atômica, assinado em Viena, em 26 de fevereiro de 1976;

[TRANSLATION—TRADUCTION]

MINISTRY OF EXTERNAL RELATIONS

1 September 1978

DEM/DIE/DE-I/DAI/46/664.2(F27)(B46)
663.8(F27)(B46)

Sir,

I have the honour to acknowledge receipt of your note No. 192 of 1 September 1978, which, in Portuguese, reads as follows:

[See note I]

In reply, I have the honour to confirm that the content of the foregoing note is acceptable to the Government of the Federative Republic of Brazil and to inform you of our concurrence that your note, together with this note in reply, shall constitute an agreement between our two Governments, to enter into force on today's date.

Accept, Sir, etc.

ANTONIO F. AZEREDO DA SILVEIRA

His Excellency Mr. Leonard Bevan
Chargé d'affaires a.i.
Embassy of the United Kingdom of Great Britain
and Northern Ireland
