

No. 18304

**SPAIN
and
CHILE**

Supplementary Agreement on atomic energy for peaceful purposes. Signed at Santiago on 19 January 1972

Authentic text: Spanish.

Registered by Spain on 22 February 1980.

**ESPAGNE
et
CHILI**

Accord complémentaire relatif à l'utilisation de l'énergie atomique à des fins pacifiques. Signé à Santiago le 19 janvier 1972

Texte authentique : espagnol.

Enregistré par l'Espagne le 22 février 1980.

[TRANSLATION — TRADUCTION]

SUPPLEMENTARY AGREEMENT¹ ON ATOMIC ENERGY FOR PEACEFUL PURPOSES

The Government of the Republic of Chile and the Government of Spain,

In accordance with the provisions of article 1 of the Basic Agreement on technical assistance between the Government of Spain and the Government of the Republic of Chile, signed at Santiago, Chile, on 28 April 1969,²

Considering their common interest in promoting scientific research and technological development in the field of nuclear energy,

Recognizing the advantages of close scientific and technological collaboration between the two countries for the development of the use of nuclear energy for peaceful purposes, and

Bearing in mind that research and development in the field of nuclear energy call for a special regulation, geared to scientific and technological development, which must be reflected in the special characteristics of international co-operation in that area,

Have agreed on the following provisions:

Article I. Subject to the provisions of this Agreement and to what is set forth in the provisions of international conventions, laws, regulations and other legal norms in force in Spain and in Chile, the Contracting Parties shall co-operate in the field of nuclear research and its application to peaceful uses and shall facilitate the conduct of joint work in that area.

Article II. The execution of co-operation programmes and projects undertaken pursuant to this Agreement shall be entrusted by the Contracting Parties to the Nuclear Energy Board of Spain and the Army Nuclear Energy Centre of Chile, hereinafter referred to as JEN and CENE respectively, which, by mutual agreement, shall determine in each case the specific conditions and modalities that will govern co-operation.

Article III. 1. Planned co-operation shall be developed through an exchange of information and technical personnel in the following sectors:

- (a) Experience gained by Spain and Chile in the fields of research, technology and development and of the design, construction and use of experimental and power reactors;
- (b) Basic or applied research relating to the peaceful uses of nuclear energy and the detection and effect of radiation;
- (c) Production and application of isotopes;
- (d) Prospecting for minerals with nuclear potential and their processing and peaceful uses;
- (e) Other scientific and technological aspects relating to the peaceful use of nuclear energy which the Contracting Parties may consider to be of mutual interest.

¹ Came into force on 19 January 1972 by signature, in accordance with article XII.

² See p. 335 of this volume.

The exchange of information relating to the above-mentioned sectors shall take place only for such information as is freely available to both JEN and CENE.

2. The exchange of personnel and information shall take place through:

- (a) Mutual assistance in the training of scientific and technical personnel;
- (b) Exchange of experts;
- (c) Exchange of teachers and experts for courses and seminars;
- (d) Study fellowships;
- (e) Mutual consultation on scientific and technological problems;
- (f) Training of joint working groups to carry out specific studies of scientific research and technological development;
- (g) Exchange of unclassified technical documents concerning the above-mentioned sectors.

Article IV. The detailed development of the form of co-operation provided for in this Agreement shall be determined by JEN and CENE, which may hold meetings of technicians and experts in either country in order to discuss and to draw up the programmes for the implementation of this Agreement.

If, at the request of either Party and as part of the implementation of the co-operation programmes and projects provided for in article II of this Agreement, there should be any need to expand scientific, technological and teaching collaboration, this may be done by means of an exchange of letters between JEN and CENE, duly authorized, in each case, by their respective Governments.

Article V. The Parties shall freely utilize all information exchanged between JEN and CENE, unless the Party providing the information places restrictions on its use or dissemination.

If the information provided relates to patents registered in Spain or in Chile, the terms and conditions for their use or their communication to third parties shall be governed by the legislation on the matter in force in each country.

Article VI. The exchange of technicians and teaching personnel provided for in article III shall be determined in each case by JEN and CENE jointly; they shall determine the length of stay and special conditions for each case, with regard both to the mission to be accomplished and to the manner of its financing.

Article VII. The Contracting Parties undertake to grant one another study fellowships. The number of such fellowships, their duration and other conditions governing them shall be determined by JEN and CENE jointly.

Article VIII. The Contracting Parties shall facilitate the mutual provision and sale of nuclear materials and of equipment needed to carry out their development programmes in the area of the peaceful use of nuclear energy, and these operations shall be subject to the legal provisions on the matter in force in Spain and in Chile.

Article IX. Any material provided by one Contracting Party to the other Contracting Party or any material derived from the use of such material shall be used only for peaceful purposes and shall remain at the disposal of the recipient Contracting Party, subject always to the legal provisions in effect in the country in question and to the international agreements which each country has signed.

Article X. The Contracting Parties undertake to co-operate with one another in promoting joint projects to be carried out by JEN and CENE under this Agreement and shall facilitate as far as possible the assistance which other public or private institutions and bodies of the respective countries may extend to those projects.

Article XI. The representatives of JEN and CENE shall meet at the request of either body to review the progress of the projects and, where appropriate, to formulate recommendations which the Contracting Parties might follow to improve the implementation of this Agreement.

Article XII. 1. This Agreement shall enter into force on the date of its signature, shall be valid for five years and shall be extended indefinitely for periods of one year, unless either Contracting Party gives written notice of its denunciation at least three months before the date of expiration of the corresponding one-year period.

2. Even when this Agreement has ceased to have effect, the execution of projects already begun within its legal framework shall continue until the projects are concluded, save where the Contracting Parties explicitly decide otherwise.

For the signing of this Agreement, the two Governments have appointed as their plenipotentiaries:

The Government of Chile: His Excellency Mr. Clodomiro Almeyda Medina, Minister for Foreign Affairs;

The Government of Spain: His Excellency Mr. Enrique Pérez-Hernández y Moreno, Ambassador Extraordinary and Plenipotentiary of Spain to Chile.

DONE at Santiago, Chile, on 19 January 1972, in duplicate in the Spanish language, both texts being equally authentic.

For the Government
of Chile:

[CLODOMIRO ALMEYDA MEDINA]

For the Government
of Spain:

[ENRIQUE PÉREZ-HERNÁNDEZ Y MORENO]