

No. 20629

**BRAZIL
and
IRAQ**

**Agreement on the peaceful use of nuclear energy. Signed at
Baghdad on 5 January 1980**

*Authentic texts: Portuguese and English.
Registered by Brazil on 14 December 1981.*

**BRÉSIL
et
IRAQ**

**Accord relatif à l'utilisation pacifique de l'énergie nucléaire.
Signé à Bagdad le 5 janvier 1980**

*Textes authentiques : portugais et anglais.
Enregistré par le Brésil le 14 décembre 1981.*

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE REPUBLIC OF IRAQ ON THE PEACEFUL USES OF NUCLEAR ENERGY

The Governments of the Federal Republic of Brazil and the Republic of Iraq, Having in mind the "Memorandum for Cooperation in the Peaceful Uses of Atomic Energy" signed in Baghdad, on October 1st, 1979; and

Considering the importance of the cooperation in the field of the peaceful uses of nuclear energy for the development of their countries;

Considering the friendly relations that exist between the two countries, and their common wish to enlarge the scope of the bilateral cooperation;

Considering that the Government of Iraq intends to carry out a program of peaceful use of nuclear energy aimed at its scientific development and at electric power generation;

Considering that the Government of the Federative Republic of Brazil agrees to cooperate with the Government of the Republic of Iraq for the implementation of said program,

Decide to celebrate this Agreement of Cooperation in the Field of the Peaceful Uses of Nuclear Energy.

Article I. The bilateral cooperation in the field of the peaceful uses of nuclear energy will be carried out through the respective competent national bodies, that is, the "Comissão Nacional de Energia Nuclear (CNEN)" and "Empresas Nucleares Brasileiras S/A (NUCLEBRÁS)", on the Brazilian side, and the "Iraqi Atomic Energy Commission", on the Iraqi side.

Article II. The cooperation foreseen in this Agreement will be carried out according to the capability and the priorities of each Contracting Party, and in full compliance with each Government's international obligations and commitments.

Article III. The Contracting Parties declare their support for the principle of the non-proliferation of nuclear weapons and stress their right to develop and apply nuclear energy for peaceful purposes, according to their respective national programs.

Article IV. The cooperation foreseen in this Agreement will be carried out in the following areas:

- (a) Evaluation and feasibility studies of uranium resources;
- (b) Uranium prospection, exploration, mining and ore-dressing;
- (c) Supply of natural uranium and low-enriched uranium (if possible as fuel elements) to fuel nuclear reactors;
- (d) Supply of equipments and of engineering and construction services for nuclear reactors;
- (e) Safety of nuclear reactors;

¹ Came into force on 9 October 1981 by the exchange of notes confirming the completion of the required constitutional procedures, in accordance with article XII.

- (f) Exchange of experience and know-how on the utilization of the "International Nuclear Information System" of the International Atomic Energy Agency;
- (g) Exchange of visits to research and development institutions, including the carrying out of scientific experiments;
- (h) Training of manpower.

Article V. The bodies mentioned in Article I will celebrate arrangements and contracts for the implementation of this Agreement on the areas of cooperation listed in Article IV. The arrangements will go into force after exchange of diplomatic notes.

Article VI. The Contracting Parties shall inform the International Atomic Energy Agency of the negotiation of this Agreement, for the purpose of the application of the relevant safeguards, in accordance with the obligations assumed by each Party before the Agency, to the nuclear materials and equipments subject to safeguards that may be imported by one party from the other, so as to ensure that said materials and equipments are used exclusively for peaceful purposes.

Article VII. The retransfer by a Contracting Party to a third country of any material or equipment supplied by the other Contracting Party which is subject to safeguards will only be made after the third country has concluded with the International Atomic Energy Agency (AIEA) a safeguards agreement of the same type of the one applied to the said material or equipment in the importing Contracting Party.

Article VIII. Each Contracting Party shall take the measures necessary for the physical protection in their territory of the materials and equipments supplied to it under this Agreement, as well as in the cases of transport of said materials and equipments between the territories of the Contracting Parties.

Article IX. The Contracting Parties will hold annual meetings to evaluate the implementation of this Agreement, alternately in Brazil and Iraq.

Article X. Any controversies that may occur on the implementation of this Agreement will be solved through diplomatic channels of both countries.

Article XI. This Agreement will have a period of validity of ten years counting from the date on which the Contracting Parties exchange notes informing that the respective internal procedures for approval have been carried out.

This Agreement may be extended for periods of one year, and may be denounced by any Contracting Party by diplomatic note to the other Contracting Party, in which case the denunciation will apply six months after said note.

Article XII. This Agreement will come into force after the respective constitutional requirements of each country have been fulfilled, and due communication thereon has been made by exchange of diplomatic notes.

Article XIII. DONE in one original text, in English.

For the Government
of the Federative Republic of Brazil:

[Signed]

PAULO NOGUEIRA BATISTA

For the Government
of the Republic of Iraq:

[Signed]

5-1-1980

A. K. AL-HASHIM
