

No. 19754

**BRAZIL
and
FRANCE**

**Exchange of notes constituting an agreement regulating the
use of uranium hexafluoride. Brasília, 6 January 1981**

Authentic texts: French and Portuguese.

Registered by Brazil on 20 April 1981.

**BRÉSIL
et
FRANCE**

**Échange de notes constituant un accord concernant l'éta-
blissement des conditions d'utilisation d'hexafluorure
d'uranium. Brasília, 6 janvier 1981.**

Textes authentiques : français et portugais.

Enregistré par le Brésil le 20 avril 1981.

[TRANSLATION — TRADUCTION]

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL REGULATING THE USE OF URANIUM HEXAFLUORIDE

I

FRENCH REPUBLIC
FRENCH EMBASSY IN BRAZIL

The Ambassador

Brasília, 6 January 1981

No. 5

Sir,

Following the talks which took place between the representatives of our two countries regarding the agreement on safeguards for uranium hexafluoride, I have the honour, on the order of my Government, to propose to you the following measures:

I refer to the contracts for licensing and technical-industrial co-operation concluded on 22 December 1978 between Uranium Pechiney Ugine Kuhlmann (UPUK) and NUCLEBRAS for the installation in Brazil of a factory to manufacture uranium hexafluoride. These contracts have been supplemented by addenda NR 1 and NR 2 of 1 February 1980 and 4 July 1980, respectively. I also refer to the contract, being negotiated, on the conversion in France of Brazilian yellow-cake. I have the honour to propose, on the instructions of my Government, that our two Governments agree on the following:

(a) The Government of Brazil undertakes not to use for the manufacture of nuclear arms or for any other military purpose or for the manufacture of any nuclear explosive device, and to submit as a consequence to IAEA safeguards:

—The uranium hexafluoride converted in France and exported to Brazil;

—The uranium hexafluoride produced in the factory which will be built at Resende, Rio de Janeiro, in accordance with the contracts concluded between NUCLEBRAS and UPUK;

—Subsequent generations of nuclear materials or special fissionable products obtained from the uranium hexafluoride delivered by France or produced in Brazil in the factory referred to in the previous subparagraph.

In addition, the Government of Brazil undertakes not to reproduce, or allow to be reproduced, the factory referred to in the two previous subparagraphs.

(b) The Government of Brazil undertakes to ensure that the materials referred to in paragraph (a) are not transferred or retransferred to anyone in the territory of a third State without obtaining from that State the same commitments to which the Government of Brazil has subscribed.

¹ Came into force on 6 January 1981, the date of the note in reply, in accordance with the provisions of the said notes.

(c) In application of paragraph (a), the Government of Brazil undertakes to subject the factory referred to in paragraph (a) to the safeguards of the International Atomic Energy Agency (IAEA).

(d) The arrangements made by the Government of Brazil and IAEA for meeting the commitments undertaken in paragraph (c) and in paragraph (a) shall be communicated to the French Government.

If the foregoing provisions are acceptable to the Government of Brazil, then this Exchange of notes shall constitute an agreement between our two Governments, which shall enter into force on the date of your reply.

Accept, Sir, etc.

[Signed]

JEAN BÉLIARD

H.E. Saraiva Guerreiro
Minister for Foreign Affairs
Brasília, F.D.

II

6 January 1981

DEM/DAI/DE-1/01/663.8(F37)(B46)

Sir,

I have the honour to acknowledge receipt of your note No. 5 of today's date, which reads as follows:

[See note I]

2. In reply, I wish to inform you that the Brazilian Government agrees to the terms of the foregoing note which, together with this note, shall constitute an agreement between our two Governments, to enter into force on today's date.

RAMIRO SARAIVA GUERREIRO

H.E. Jean Béliard
Ambassador of the French Republic
