

No. 22716

**SPAIN
and
VENEZUELA**

Agreement on the peaceful uses of atomic energy supplementing the Basic Agreement on technical cooperation between the Government of the Kingdom of Spain and the Government of the Republic of Venezuela. Signed at Caracas on 2 February 1979

Authentic text: Spanish.

Registered by Spain on 21 February 1984.

**ESPAGNE
et
VENEZUELA**

Accord concernant l'utilisation de l'énergie atomique à des fins pacifiques complémentaire à l'Accord de base relatif à la coopération technique entre le Gouvernement du Royaume d'Espagne et le Gouvernement de la République du Venezuela. Signé à Caracas le 2 février 1979

Texte authentique : espagnol.

Enregistré par l'Espagne le 21 février 1984.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON THE PEACEFUL USES OF ATOMIC ENERGY SUPPLEMENTING THE BASIC AGREEMENT ON TECHNICAL CO-OPERATION² BETWEEN THE GOVERNMENT OF THE KINGDOM OF SPAIN AND THE GOVERNMENT OF THE REPUBLIC OF VENEZUELA

The Government of the Kingdom of Spain and the Government of the Republic of Venezuela, in accordance with the provisions of the Basic Agreement on Technical Co-operation between Spain and Venezuela signed on 10 August 1973,²

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

Recognizing the advantages of close scientific and technological co-operation between the two countries for developing the use of nuclear energy for peaceful purposes, and

Taking into account the fact that research and development in the field of nuclear energy require special regulation, in line with its scientific and technological advances, which must be reflected in the special features of international co-operation in this connexion, have agreed as follows:

Article I. In accordance with the provisions of this Agreement and subject to the provisions in the international conventions, laws, regulations and other legal instruments in force in Spain and Venezuela, the Contracting Parties shall co-operate in the field of nuclear research and its applications for peaceful purposes and shall facilitate the carrying out of joint activities in that regard.

Article II. The technical implementation of this Agreement shall be assigned by the Contracting Parties to the Junta de Energía Nuclear de España (Nuclear Energy Board of Spain) and the Consejo Nacional para el Desarrollo de la Industria Nuclear de Venezuela (National Council for the Development of the Nuclear Industry of Venezuela), hereinafter referred to, respectively, as the Board and the Council, which, by common agreement, shall establish in each case the special conditions and procedures governing such co-operation.

Article III. 1. The co-operation referred to shall be carried out in the following sectors:

- (a) Research, technology, development, projects, construction and use of experimental and power reactors;
- (b) Basic or applied research related to the peaceful uses of nuclear energy and the detection and effect of radiation;
- (c) Production of isotopes and their applications;

¹ Came into force provisionally on 2 February 1979 by signature, and definitively on 16 March 1979, the date of the last of the notifications by which the Contracting Parties informed each other of the completion of the required constitutional procedures, in accordance with article XIV (1).

² United Nations, *Treaty Series*, vol. 1006, p. 339.

- (d) Prospecting for nuclear-energy-related minerals, their processing and peaceful uses;
- (e) Other scientific and technological aspects relevant to the peaceful uses of nuclear energy which the Contracting Parties may wish to consider.

The exchange of information concerning the above-mentioned sectors shall take place only with respect to such information as may be freely available to both the Board and the Council.

2. The exchange of personnel and information in the sectors referred to in paragraph 1 of this article shall be carried out through:

- (a) Reciprocal assistance for the training of scientific and technical personnel;
- (b) Exchange of experts;
- (c) Exchange of teachers and experts for courses and seminars;
- (d) Study scholarships;
- (e) Mutual consultation on scientific and technological problems;
- (f) Establishment of mixed working groups to carry out specific scientific research and technological development studies;
- (g) Exchange of non-classified technical documentation relevant to the above-mentioned sectors.

Article IV. The details of the form of co-operation referred to in this Agreement shall be worked out by the Board and the Council which may hold meetings of scientists and experts in either country to discuss and draw up the programmes for implementing this Agreement.

Article V. If, at the request of either of the Parties, and in connexion with the implementation of the co-operation programmes and projects referred to in article III of this Agreement, it becomes necessary to extend the scientific, technological and educational co-operation, this may be done through an exchange of letters between the Board and the Council duly authorized, in each case, by their respective Governments.

Article VI. The Parties shall freely use any information exchanged between the Board and the Council save where the Party that provided it has laid down restrictions regarding its use or dissemination.

Where the information provided relates to patents registered in Spain or Venezuela, the terms and conditions governing their use or their transmittal to third parties shall be governed by the relevant laws in force in either country.

Article VII. The exchange of scientists and teaching staff referred to in article III shall be determined jointly, in each case, by the Board and the Council and the length of stay and special conditions in each case as well as the assignment to be carried out and its financing shall be specified.

Article VIII. The Contracting Parties undertake to exchange scholarships for study. The number of scholarships, their duration and other conditions governing them shall be determined jointly by the Board and the Council, maintaining due liaison with the competent centralizing bodies.

Article IX. The Contracting Parties shall facilitate the reciprocal supply and sale of nuclear materials and equipment needed to carry out their programmes for developing the peaceful uses of nuclear energy, such operations being subject to the relevant legal provisions in force in Spain and Venezuela.

Article X. Any material provided by one of the Contracting Parties to the other, or any material resulting from such previous use, shall be used solely for peaceful purposes and shall remain at the disposal of the Contracting Party that received it, subject always to the legal provisions in force in the country concerned and the international agreements to which each country has subscribed.

Article XI. The Contracting Parties undertake to co-operate with each other in developing the joint projects to be carried out by the Board and the Council under this Agreement and shall facilitate, so far as possible, whatever co-operation may be provided in such projects by other public or private institutions and bodies of the respective countries.

Article XII. The representatives of the Board and the Council shall meet at the request of either of these bodies in order to review the progress of the projects and, as necessary, to make recommendations with which the Contracting Parties may comply for the furtherance of this Agreement.

Article XIII. Any matter not covered by this Agreement shall be governed by the provisions of the Basic Agreement on Technical Co-operation between Spain and Venezuela, signed on 10 August 1973, which it supplements.

Article XIV. 1. This Agreement shall apply provisionally as from the date of its signature. It shall enter into force when the two Contracting Parties notify each other that the constitutional requirements envisaged under their domestic laws have been fulfilled. It shall remain in force for five years and shall be extended automatically for one-year periods, unless one of the Contracting Parties denounces it in writing at least three months prior to the date of expiry of any such one-year period.

2. Even if this Agreement is no longer in force, projects already begun, within its legal framework, shall continue until their completion, unless the Contracting Parties explicitly decide otherwise.

DONE at Caracas, in two equally authentic copies in Spanish, on 2 February 1979.

For the Government
of the Kingdom of Spain:

[Signed]

JOSÉ VICENTE TORRENTE SECORUN
Ambassador

For the Government
of the Republic of Venezuela:

[Signed]

SIMÓN ALBERTO CONSALVÍ
Minister for Foreign Affairs