

**No. 30085**

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**SPAIN  
and  
BRAZIL**

**Agreement on cooperation in the peaceful uses of nuclear  
energy. Signed at Brasília on 12 May 1983**

*Authentic texts: Spanish and Portuguese.*

*Registered by Spain on 17 June 1993.*

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**ESPAGNE  
et  
BRÉSIL**

**Accord de coopération en matière d'utilisation de l'énergie  
nucléaire à des fins pacifiques. Signé à Brasília le 12 mai  
1983**

*Textes authentiques : espagnol et portugais.*

*Enregistré par l'Espagne le 17 juin 1993.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> ON COOPERATION IN THE PEACEFUL USES OF  
NUCLEAR ENERGY BETWEEN THE GOVERNMENT OF  
SPAIN AND THE GOVERNMENT OF THE FEDERATIVE RE-  
PUBLIC OF BRAZIL

The Government of Spain and the Government of the Federative Republic of Brazil, considering the traditional friendship between their peoples, aware of the growing importance of the use of nuclear energy for peaceful purposes, and convinced that cooperation between the two countries in the peaceful uses of nuclear energy constitutes an important contribution to the economic and social development and the well-being of their peoples;

Bearing in mind the Basic Agreement on Technical Cooperation between the two Governments of 1 April 1971<sup>2</sup> and the fact that research and development in the field of nuclear energy require special regulation, in line with scientific and technological development, which should be reflected in the special character of international cooperation in that area,

Have agreed on the following provisions:

*Article I*

The Contracting Parties shall cooperate to promote the development and application of the peaceful uses of nuclear energy, in accordance with the requirements and priorities of each country, and mindful of the respective availability of natural, human, technological and capital resources and of the international agreements and the legislation, regulations and other legal norms in force in Spain and Brazil.

*Article II*

The said cooperation shall include the following areas:

- (1) Prospecting for and extraction and processing of uranium ore and production of uranium compounds;
- (2) Planning, construction and operation of reactors and other nuclear installations and their components;
- (3) Nuclear fuel cycle;
- (4) Basic and applied research connected with the peaceful uses of nuclear energy;
- (5) Development and training of human resources;
- (6) Nuclear safety, radiological protection and physical protection of nuclear material;
- (7) Authorization of nuclear installations;
- (8) Production of radioisotopes and applications thereof;

<sup>1</sup> Came into force on 2 April 1993, the date of the last of the notifications (of 30 September 1983 and 2 April 1993) by which the Contracting Parties informed each other of the completion of the required constitutional procedures, in accordance with article XIII.

<sup>2</sup> United Nations, *Treaty Series*, vol. 957, p. 95.

- (9) Nuclear intelligence;
- (10) Any other scientific, technological or legal areas related to nuclear energy that are deemed to be of mutual interest by the Contracting Parties.

### *Article III*

Exchanges of personnel in the areas of cooperation referred to in article II shall be undertaken through:

- (1) Mutual assistance for the training of scientific and technical personnel;
- (2) Exchanges of experts;
- (3) Exchanges of instructors for courses and seminars;
- (4) Study fellowships;
- (5) Training joint work teams to carry out specific scientific research and technological development studies.

### *Article IV*

Exchanges of information shall be subject to the following rules:

- (1) They shall take place through mutual consultations regarding scientific and technological problems and exchanges of documents;
- (2) The information and documents exchanged shall not be communicated to third parties, either public or private, without prior agreement in writing from the Party that supplied the document or information;
- (3) Should the information supplied refer to patents registered in Spain or Brazil, the terms and conditions for its use or communication to third parties shall be governed by the relevant legislation in force in the country of registration.

### *Article V*

The Contracting Parties shall seek, on a basis of reciprocity, to facilitate, by transfer, loan, lease or sale, the supply of nuclear materials, equipment and services required for implementing joint projects and their national programmes in accordance with the terms of article I.

### *Article VI*

Any material, installation or equipment provided by one of the Parties to the other, or any material derived from their use, shall be used only for peaceful purposes, and the Parties shall, as and when appropriate, conclude the relevant safeguards agreements with the International Atomic Energy Agency.

### *Article VII*

The transfer by one Party to a third country of any material, installation or equipment provided by the other Party shall be subject to authorization by the Party of origin. Where the material, installation or equipment is subject to safeguards, it may only be transferred if the third country has concluded with the International Atomic Energy Agency a safeguards agreement of the same type as that applicable to such material, installation or equipment.

### *Article VIII*

Each Contracting Party shall adopt the necessary measures for physical protection in its territory of the materials and equipment supplied to it under this Agree-

ment, and during the transport of such materials and equipment between the territories of the Parties.

*Article IX*

The Contracting Parties shall seek to adopt such administrative measures, particularly fiscal and customs measures, within their sphere of competence, as facilitate the smooth implementation of this Agreement.

*Article X*

The Parties shall designate the national institutions in each country that are to be responsible for undertaking the cooperation provided for in article II. To that end, they may conclude supplementary agreements or other instruments specifying the procedures for implementation in each area of cooperation and the responsibility of each institution. The instruments in question shall enter into force when the requirements established by legislation in each Party have been completed.

*Article XI*

The Contracting Parties shall, at the request of either Party, appoint delegations to review progress in the projects related to the implementation of this Agreement.

*Article XII*

Any dispute that may arise relating to the interpretation and application of this Agreement shall be resolved through the diplomatic channel.

*Article XIII*

Each Contracting Party shall notify the other of the completion of the requisite constitutional formalities for the adoption of this Agreement, which shall enter into force on the date of the latter notification. It shall be valid for a period of 10 years and shall be tacitly renewable for successive periods of two years.

*Article XIV*

This Agreement may be denounced at any time by either Party, such denunciation taking effect six months after the corresponding notification of the other Party. In the event of denunciation, the supplementary agreements and other instruments concluded in the context of the implementation of this Agreement shall remain in force pending full compliance with the obligations assumed therein, unless the Parties decide otherwise.

DONE at Brasília, on 12 May 1983, in duplicate in the Spanish and Portuguese languages, both texts being equally authentic.

For the Government  
of Spain:

MIGUEL DE ALDASORO  
Ambassador of Spain to Brazil

For the Government  
of the Federative Republic  
of Brazil:

SARAIVA GUERREIRO  
Minister for Foreign Affairs