

No. 32683

**FRANCE
and
LUXEMBOURG**

Exchange of letters constituting an agreement concerning the introduction of a unit for measuring radioactivity and the organisation of bilateral cooperation with regard to nuclear safety. Luxembourg, 29 March 1994

Authentic text: French.

Registered by France on 29 February 1996.

**FRANCE
et
LUXEMBOURG**

Échange de lettres constituant un accord relatif à l'implantation d'une station de mesure de la radioactivité et à l'organisation de la coopération bilatérale en matière de sécurité nucléaire. Luxembourg, 29 mars 1994

Texte authentique : français.

Enregistré par la France le 29 février 1996.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN FRANCE AND LUXEMBOURG CONCERNING THE INTRODUCTION OF A UNIT FOR MEASURING RADIOACTIVITY AND THE ORGANIZATION OF BILATERAL COOPERATION WITH REGARD TO NUCLEAR SAFETY

I

THE FRENCH REPUBLIC
MINISTER FOR FOREIGN AFFAIRS

Luxembourg, 29 March 1994

Sir,

Mindful of the need to develop and organize bilateral cooperation with regard to nuclear safety,

Referring to the Agreement between France and Luxembourg of 11 April 1983 on exchanges of information in the event of a nuclear incident or accident involving radiological risks,² as well as to the creation in 1989 of the “SELCA” system,

I have the honour to propose to you, in the name of the Government of the French Republic, that the following Agreement be concluded between the Government of the French Republic and the Government of the Grand Duchy of Luxembourg concerning the introduction of a unit for measuring radioactivity and the organization of bilateral cooperation with regard to nuclear safety:

A. INTRODUCTION OF A FRANCO-LUXEMBOURG UNIT
FOR MEASURING RADIOACTIVITY

1. The unit shall be located in the village of Roussy-le-Village, in the Department of the Moselle. The village shall retain full cadastral rights to the land and buildings but not to the measuring instruments and any moveable equipment.

2. The unit shall be operated jointly by the French and Luxembourg partners designated by the two Governments. The unit shall be equipped with a sensor for measuring gamma radiation provided and installed by the French partner and a sensor for measuring aerosols provided and installed by the Luxembourg partner.

3. The data collected by the unit's measuring instruments shall be transmitted automatically, in their entirety and at all times, to both partners who will deal with that data as they see fit, subject to the conditions set out in paragraph 5 below.

4. Maintenance of the sensor for measuring gamma radiation shall be the responsibility of the French partner and maintenance of the sensor for measuring

¹ Came into force on 29 March 1994, the date of the letter in reply, in accordance with the provisions of the said letters.

² United Nations, *Treaty Series*, vol. 1394, p. 505.

aerosols shall be the responsibility of the Luxembourg partner. In addition, each partner shall be responsible for the costs related to its own specialized phone line and to the transmission of data by means of that line.

5. Each partner formally undertakes to consult the other immediately in the event that any reading registered by its equipment is above a level requiring investigation as established by mutual agreement between the two partners. Publication of such information shall only occur once both partners have verified and confirmed it.

B. ORGANIZATION OF COOPERATION WITH REGARD TO NUCLEAR SAFETY

1. The development of the nuclear sector, the public's growing need for information on the functioning of nuclear facilities and the balance of interests between the two Governments have revealed a need to organize bilateral cooperation with regard to nuclear safety.

2. To that end, the two Governments agree to establish a Mixed Commission on Nuclear Safety.

3. (a) The Mixed Commission on Nuclear Safety shall meet once a year in regular session, alternately in France and in Luxembourg, for the purpose of reviewing:

- The functioning of the "SELCA" system;
- The results of the joint operation of the unit for measuring radioactivity established in accordance with the provisions set out in point A above;
- Any other issue relating to, or that might affect, the Cattenom nuclear power station, as the case may be.

(b) In the event of any significant incident relating to the Cattenom nuclear power station, the Government of France or the Government of Luxembourg may, with justification, call for the convening of a special meeting of the Mixed Commission on Nuclear Safety.

4. The meetings of the Mixed Commission on Nuclear Safety shall be organized and chaired, for the Government of France, by the General Secretariat of the Interministerial Committee on Nuclear Safety and, for the Government of Luxembourg, by the Minister for Foreign Affairs.

If the foregoing proposals meet with the agreement of the Government of Luxembourg, this letter and your reply expressing that approval shall constitute an Agreement between our two Governments, which shall enter into force on the date of that reply.

Accept, Sir, etc.

ALAIN JUPPÉ

His Excellency Mr. Jacques F. Poos
Minister for Foreign Affairs
Luxembourg

II

MINISTRY OF FOREIGN AFFAIRS
THE MINISTER

Luxembourg, 29 March 1994

Sir,

I have the honour to acknowledge receipt of your letter of 29 March 1994 which reads as follows:

[See note I]

I have the honour to inform you that the Government of Luxembourg agrees to the foregoing provisions.

Accept, Sir, etc.

JACQUES F. POOS

His Excellency Mr. Alain Juppé
Minister for Foreign Affairs
Paris
