

No. 26949

**UNITED STATES OF AMERICA
and
JAPAN**

Joint determination for reprocessing of special nuclear material of United States origin (with joint communiqué and exchange of letters). Signed at Washington on 30 October 1981

Authentic text: English.

Registered by the United States of America on 29 November 1989.

**ÉTATS-UNIS D'AMÉRIQUE
et
JAPON**

Déclaration conjointe en vue du retraitement de certaines matières nucléaires en provenance des États-Unis (avec communiqué conjoint et échange de lettres). Signé à Washington le 30 octobre 1981

Texte authentique : anglais.

Enregistrée par les États-Unis d'Amérique le 29 novembre 1989.

JOINT DETERMINATION¹ FOR REPROCESSING OF SPECIAL NUCLEAR MATERIAL OF UNITED STATES ORIGIN

Bearing in mind the considerations set out in the Joint Communiqué of the Government of the United States of America and the Government of Japan issued on October 30, 1981, and Japan's continued adherence to the Treaty on the Non-Proliferation of Nuclear Weapons,² providing, in particular, for the effective and efficient application of safeguards by the International Atomic Energy Agency;

The Government of the United States of America and the Government of Japan hereby jointly determine pursuant to Article VIII C of the Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Civil Uses of Atomic Energy of February 26, 1968,³ as amended,⁴ that the provisions of Article XI of that Agreement may be effectively applied in respect of the reprocessing in the Tokai Reprocessing Facility during the period in which the Government of the United States of America and the Government of Japan are working out the mutually acceptable arrangements referred to in Section V, Paragraph 2 of the Joint Communiqué of this date of irradiated fuel elements containing fuel material received from the United States in amounts up to the design capacity of the Facility.

It is the intention of the respective Governments that, by not later than the date referred to in Section V, Paragraph 2 of the Joint Communiqué of this date, this Joint Determination be subsumed or replaced by the arrangements foreseen in the above-mentioned Joint Communiqué to assure the uninterrupted operation of the Tokai Facility.

October 30, 1981

For the Government
of the United States of America:

[Signed — Signé]⁵

For the Government
of Japan:

[Signed — Signé]⁶

¹ Came into force on 30 October 1981 by signature.

² United Nations, *Treaty Series*, vol. 729, p. 161.

³ *Ibid.*, vol. 683, p. 179.

⁴ *Ibid.*, vol. 836, p. 315, and vol. 937, p. 303.

⁵ Signed by Richard T. Kennedy — Signé par Richard T. Kennedy.

⁶ Signed by Yoshio Okawara — Signé par Yoshio Okawara.

JOINT COMMUNIQUÉ

October 30, 1981

I

In paragraph 14 of their Joint Communiqué of May 8, 1981, President Reagan and Prime Minister Suzuki stated that they, "... in recognition of vital importance of preventing nuclear weapons proliferation, reaffirmed the need to continue to promote international efforts to this end. They shared the view, on the other hand, that the role of nuclear energy ought to be further expanded under appropriate safeguards to meet the increasing energy needs of the world and that the United States and Japan have special responsibility to cooperate further in promoting the peaceful uses of nuclear energy. In this connection, the President endorsed the view of the Prime Minister that reprocessing is of particular importance to Japan. The President and the Prime Minister thus agreed that the two Governments should promptly start consultations with a view to working out a permanent solution at an early date on such pending issues as the continued operation of the Tokai Reprocessing Facility and the construction of an additional reprocessing plant in Japan."

II

With this in mind, representatives of the two Governments held discussions concerning the operation of the Tokai Reprocessing Facility (hereinafter referred to as "the Tokai Facility") in accordance with the Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Civil Uses of Atomic Energy of February 26, 1968, as amended (hereinafter referred to as "the Agreement for Cooperation"), and other matters of mutual concern.

III

1. The Government of the United States and the Government of Japan recognize the importance of the peaceful uses of nuclear energy to their energy security and economic development and intend to continue to cooperate fully in this regard.

2. The Government of the United States fully recognizes the particular significance of reprocessing to Japan and in that connection understands the importance Japan attaches to the continued operation of the Tokai Facility and to the construction of a scheduled additional reprocessing facility.

3. On its part, the Government of Japan welcomes the position of the Government of the United States as expressed in President Reagan's statement of July 16, 1981, that the United States will "... not inhibit or set back civil reprocessing and breeder reactor development abroad in nations with advanced nuclear power programs where it does not constitute a proliferation risk."

4. The two Governments intend to take into account the results and findings of the International Nuclear Fuel Cycle Evaluation in promoting the peaceful uses of nuclear energy in their respective countries, in cooperating with each other in the field of the utilization of nuclear energy, and in preventing proliferation of nuclear explosives.