

No. 27565

**AUSTRIA
and
CZECHOSLOVAKIA**

**Agreement for the settlement of questions of common interest
in connection with nuclear safety and radiation protection
(with annex). Signed at Vienna on 25 October 1989**

Authentic texts: German and Czech.

Registered by Austria on 25 September 1990.

**AUTRICHE
et
TCHÉCOSLOVAQUIE**

**Accord en vue de régler certaines questions d'intérêt commun
en matière de sûreté nucléaire et de protection contre
les rayonnements (avec annexe). Signé à Vienne le
25 octobre 1989**

Textes authentiques : allemand et tchèque.

Enregistré par l'Autriche le 25 septembre 1990.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF AUSTRIA AND THE GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC FOR THE SETTLEMENT OF QUESTIONS OF COMMON INTEREST IN CONNECTION WITH NUCLEAR SAFETY AND RADIATION PROTECTION

The Government of the Republic of Austria and the Government of the Czechoslovak Socialist Republic (hereinafter referred to as the “Contracting Parties”),

Pursuant to the Agreement of 18 November 1982 between the Republic of Austria and the Czechoslovak Socialist Republic for the settlement of questions of common interest in connection with nuclear power plants,²

Desiring further to develop the good-neighbourly relations between the Republic of Austria and the Czechoslovak Socialist Republic,

Desiring also to implement the provisions of the Final Act of the Conference on Security and Cooperation in Europe,³ as well as those of the Final Document of the Madrid Conference,⁴

Convinced that timely exchange of information and experience regarding nuclear safety and radiation protection can considerably enhance the safety of the population of both Contracting Parties,

Bearing in mind the Convention on Early Notification of a Nuclear Accident,⁵ the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency⁶ and the established principles of cooperation in the International Atomic Energy Agency,

Have agreed as follows:

Article 1

1. In the event of any accident related to a facility or activity such as those listed in paragraph 2 which leads or may lead to a release of radioactive materials across the common international frontier and could thus have consequences of radiological safety significance for the other Contracting Party, the Contracting Party in whose territory the accident occurs shall notify the other Contracting Party without delay through the established points of contact.

2. For the purposes of paragraph 1, a nuclear facility or activity shall mean:

- (a) A nuclear reactor;
- (b) A nuclear fuel cycle facility;

¹ Came into force on 23 July 1990, the date on which the Contracting Parties informed each other of the completion of their domestic requirements, in accordance with article 13 (1).

² United Nations, *Treaty Series*, vol. 1365, p. 273.

³ *International Legal Materials*, vol. 14 (1975), p. 1292 (American Society for International Law).

⁴ *Ibid.*, vol. 22 (1983), p. 1398 (American Society of International Law).

⁵ United Nations, *Treaty Series*, vol. 1439, p. 275.

⁶ *Ibid.*, vol. 1457, p. 133.

- (c) A radioactive waste management facility;
- (d) Transport and storage of nuclear fuels or radioactive wastes; and
- (e) Manufacture, use, storage, disposal and transport of radioisotopes for agricultural, industrial, medical and related scientific and research purposes.

Article 2

1. Notification under Article 1, paragraph 1, shall take place not later than the time at which measures are initiated to protect the first Contracting Party's own population.

2. The Contracting Parties shall also notify each other through the established liaison offices of any events which do not constitute an accident under the terms of article 1, paragraph 1, but are likely to be a cause of concern to the population of a Contracting Party.

3. Each Contracting Party shall, immediately after the entry into force of this Agreement, notify the other Contracting Party, point of contact through the diplomatic channel, of its liaison office.

4. These liaison offices shall, directly after their establishment, reach agreement on the specific means by which information is to be communicated. A review of the operation of this system of communication shall be carried out at least once a year.

Article 3

1. The Contracting Parties shall ensure that the information transmitted pursuant to article 1, paragraph 1, is of sufficient scope to enable the other Contracting Party to take a decision on the planning or implementation of appropriate measures to protect its population. Such information shall, in particular, include data concerning:

(a) The time, exact location where appropriate, and the nature of the nuclear accident;

(b) The facility or activity involved;

(c) The assumed or established cause and the foreseeable development of the nuclear accident relevant to the transboundary release of the radioactive materials;

(d) The general characteristics of the radioactive release, including, as far as is practicable and appropriate, the nature, probable physical and chemical form and the quantity, composition and effective height of the radioactive release;

(e) Information on current and forecast meteorological and hydrological conditions, necessary for forecasting the transboundary release of the radioactive materials;

(f) The results of environmental monitoring relevant to the transboundary release of the radioactive materials;

(g) The off-site protection measures taken or planned;

(h) The predicted behaviour over time of the radioactive release.

2. The information transmitted shall be continuously updated as the situation develops, the Contracting Party transmitting the information shall also furnish the