

No. 27703

**FEDERAL REPUBLIC OF GERMANY
and
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement on early notification of a nuclear accident and
exchange of information concerning nuclear facilities.
Signed at Moscow on 25 October 1988**

**Exchange of notes constituting an agreement concluded pur-
suant to article 5 of the above-mentioned Agreement
(with annex). Bonn, 13 June 1989**

Authentic texts: German and Russian.

Registered by Germany on 7 December 1990.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES**

**Accord relatif à la notification rapide d'un accident nucléaire
et à l'échange de renseignements sur les centrales nu-
cléaires. Signé à Moscou le 25 octobre 1988**

**Échange de notes constituant un accord conclu en application
de l'article 5 de l'Accord susmentionné (avec annexe).
Bonn, 13 juin 1989**

Textes authentiques : allemand et russe.

Enregistré par l'Allemagne le 7 décembre 1990.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
UNION OF SOVIET SOCIALIST REPUBLICS ON EARLY NOTI-
FICATION OF A NUCLEAR ACCIDENT AND EXCHANGE OF
INFORMATION CONCERNING NUCLEAR FACILITIES

The Government of the Federal Republic of Germany and the Government of the Union of Soviet Socialist Republics,

Pursuant to their obligations under the Convention on early notification of a nuclear accident² of 26 September 1986, hereinafter referred to as the “Convention”,

In accordance with the principle of cooperation within the framework of the International Atomic Energy Agency,

Convinced of the importance of close cooperation between them in order to limit the transboundary consequences of any release of radioactive material,

Have agreed as follows:

NOTIFICATION OF A NUCLEAR ACCIDENT

Article 1

This Agreement shall apply, in the section dealing with notification of a nuclear accident, to the facilities and activities referred to in article 1 of the Convention.

Article 2

In the event of any accident on the territory of one Party in involving nuclear facilities or activities within the meaning of article 1 of the Convention from which a release of radioactive material on the territory of the other Party occurs or is likely to occur that could be of radiological safety significance, the first Party shall notify the other Party immediately and directly and shall provide it with the available information pursuant to article 5 of the Convention.

Article 3

Either Party shall immediately inform the other Party when an unusually high level of radioactivity is registered on its territory which is not connected with nuclear facilities or activities on its territory and could be of radiological safety significance for the other Party.

Article 4

1. The provisions of articles 2 and 3 of this Agreement shall be carried out:

¹ Came into force on 16 February 1989, i.e., 30 days after the date of the last of the notifications (of 27 December 1988 and 17 January 1989) by which the Parties had informed each other of the completion of the required domestic formalities, in accordance with article 11.

² United Nations, *Treaty Series*, vol. 1439, No. I-24404.

- In the case of the Federal Republic of Germany, by the Bundesminister für Umwelt, Naturschutz und Reaktorsicherheit (Federal Minister for the Environment, Environmental Protection and Reactor Safety);
- In the case of the Union of Soviet Socialist Republics, by the USSR State Committee for Atomic Energy Use.

The two Parties shall inform each other through the diplomatic channel of any change in these authorities.

2. These authorities shall agree between themselves on the practical steps to be taken in fulfilment of their obligations under articles 2 and 3 of this Agreement.

EXCHANGE OF INFORMATION

Article 5

1. Each Party shall transmit to the other at least once a year information on the operation of nuclear facilities and other technical information for use in assessing the possible consequences an accident in those facilities might have for the Party receiving the information and in taking the actions needed to protect the population and the environment.

2. A list of the facilities and the nature and scope of the information to be transmitted shall be established by the two Parties by agreement through an exchange of notes. To that end, the two Parties shall hold consultations no later than three months following the entry into force of this Agreement. The two Parties shall subsequently conduct consultations regularly, at least every two years, on the information transmitted and on questions of international cooperation with respect to safety in the nuclear energy industry.

3. The two Parties shall designate the authorities responsible for carrying out the provisions of this article.

4. The information exchanged in accordance with this article shall be used exclusively for the purposes specified in this article, except as otherwise agreed by the authorities referred to in paragraph 3 of this article.

Article 6

Neither party shall make any claim for compensation of expenses incurred in connection with the exchange of information. Where the compilation of information entails substantial costs, those costs shall be borne by the requesting Party.

OTHER PROVISIONS

Article 7

This Agreement shall not affect the rights and duties of the Parties deriving from agreements previously concluded by them.

Article 8

Differences of opinion of any kind regarding the interpretation or application of this Agreement shall be settled by negotiation between the two Parties.

Article 9

At the request of either Party, bilateral negotiations shall be held on questions relating to the amendment of this Agreement. Amendments shall require the agreement of both Parties.

Article 10

Pursuant to the quadripartite Agreement of 3 September 1971,¹ this Agreement shall be applicable to Berlin (West) in accordance with the established procedure.

Article 11

This Agreement shall enter into force 30 days after both parties have notified each other in writing through the diplomatic channel that the domestic formalities required for its entry into force have been completed.

Article 12

This Agreement is concluded for an indefinite period. Either Party may terminate this Agreement by written notification to the other Party through the diplomatic channel. In that case, the Agreement shall be terminated six months after the written notification of termination by one Party is received by the other Party, unless a later date is specified in the notification.

DONE at Moscow on 25 October 1988 in two original copies, in the German and Russian language, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

HANS-DIETRICH GENSCHER

KLAUS TÖPFER

For the Government of the Union of Soviet
Socialist Republics:

SHEVARDNADZE

¹ United Nations, *Treaty Series*, vol. 880, p. 115.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS CONCLUDED PURSUANT TO ARTICLE 5 OF THE AGREEMENT OF 25 OCTOBER 1988 ON EARLY NOTIFICATION OF A NUCLEAR ACCIDENT AND EXCHANGE OF INFORMATION CONCERNING NUCLEAR FACILITIES²

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE ET LE GOUVERNEMENT DE L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES CONCLU EN APPLICATION DE L'ARTICLE 5 DE L'ACCORD DU 25 OCTOBRE 1988 RELATIF À LA NOTIFICATION RAPIDE D'UN ACCIDENT NUCLÉAIRE ET À L'ÉCHANGE DE RENSEIGNEMENTS SUR LES CENTRALES NUCLÉAIRES²

I

[GERMAN TEXT — TEXTE ALLEMAND]

Auswärtiges Amt
431 - 466.21 SOW SB 4

Das Auswärtige Amt beehrt sich, der Botschaft der Union der Sozialistischen Sowjetrepubliken vorzuschlagen, folgende Vereinbarung zu Artikel 5 des Abkommens vom 25. Oktober 1988 zwischen der Regierung der Bundesrepublik Deutschland und der Regierung der Union der Sozialistischen Sowjetrepubliken über die frühzeitige Benachrichtigung bei einem nuklearen Unfall und den Informationsaustausch über Kernanlagen (im folgenden „Abkommen“ genannt) zu schließen:

Die Regierung der Bundesrepublik Deutschland und die Regierung der Union der Sozialistischen Sowjetrepubliken haben in dem Bestreben, daß der Informationsaustausch über Anlagen zur friedlichen Nutzung der Kernenergie und der Erfahrungsaustausch über ihren Betrieb zur Verbesserung ihrer Sicherheit und damit zur Verhinderung eines nuklearen Unfalls beitragen, in Ausführung des Artikels 5 des Abkommens vom 25. Oktober 1988

¹ Came into force on 8 January 1990, the date of receipt of the last of the notifications by which the Parties informed each other of the completion of the domestic formalities, in accordance with the provisions of the said notes.

² See p. 127 of this volume.

¹ Entré en vigueur le 8 janvier 1990, date de réception de la dernière des notifications par lesquelles les Parties se sont informées de l'accomplissement des formalités internes, conformément aux dispositions desdites notes.

² Voir p. 127 du présent volume.