

**No. 47127**

---

**Brazil  
and  
Republic of Korea**

**Agreement between the Government of the Federative Republic of Brazil and the Government of the Republic of Korea for cooperation in the peaceful uses of nuclear energy (with annexes). Seoul, 18 January 2001**

**Entry into force:** *25 July 2005 by notification, in accordance with article XVI*

**Authentic texts:** *English, Korean and Portuguese*

**Registration with the Secretariat of the United Nations:** *Brazil, 4 February 2010*

---

**Brésil  
et  
République de Corée**

**Accord de coopération entre le Gouvernement de la République fédérative du Brésil et le Gouvernement de la République de Corée concernant l'utilisation de l'énergie nucléaire à des fins pacifiques (avec annexes). Séoul, 18 janvier 2001**

**Entrée en vigueur :** *25 juillet 2005 par notification, conformément à l'article XVI*

**Textes authentiques :** *anglais, coréen et portugais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Brésil, 4 février 2010*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC  
OF BRAZIL AND THE GOVERNMENT OF THE REPUBLIC OF KOREA FOR  
COOPERATION IN THE PEACEFUL USES OF NUCLEAR ENERGY

The Government of the Federative Republic of Brazil

and

The Government of the Republic of Korea  
(hereinafter referred to as “the Parties”),

Noting that the utilization of nuclear energy for peaceful purposes is an important factor for the promotion of the social and economic development of the two countries;

Desiring to strengthen the basis of friendly relations existing between the two countries;

Recognizing that both countries are Member States of the International Atomic Energy Agency (hereinafter referred to as “the IAEA”); and

Bearing in mind the common desire of both countries to expand and strengthen cooperation in the development and application of nuclear energy for peaceful purposes,

Have agreed as follows:

ARTICLE I  
Purposes

The Parties shall, on the basis of equality and mutual benefit, encourage and promote cooperation in the peaceful uses of nuclear energy, in accordance with their respective applicable laws and regulations.

## ARTICLE II

### Definitions

For the purposes of this Agreement:

- a) "Equipment" means any of the equipment listed in Annex A to this Agreement;
- b) "Material" means any of the material listed in Annex B to this Agreement;
- c) "Nuclear material" means any source material or any special fissionable material as these terms are defined in Article XX of the Statute of the IAEA which is attached as Annex C to this Agreement. Any determination by the Board of Governors of the IAEA on Article XX of the Agency's Statute, which amends the list of material considered to be "source material" or "special fissionable material", shall only have effect under this Agreement when both Parties to this Agreement have informed each other in writing that they accept such an amendment;
- d) "Persons" means any individual, corporation, partnership, firm or company, association, trust, public or private institute, group, governmental agency or corporation, but does not include the Parties to this Agreement; and
- e) "Technology" means scientific or technical data that the supplying Party has designated as being relevant in terms of non-proliferation and important for the design, production, operation or maintenance of equipment or for the processing of nuclear material or material; and includes, but is not limited to, technical drawings, photographic negatives and prints, recordings, design data and technical and operating manuals but excludes data available to the public; and that the supplying Party has requested the receiving Party to regard as information for the purpose of this Agreement.

## ARTICLE III

### Areas of Cooperation

Subject to this Agreement, the areas of cooperation between the Parties may include:

- a) basic and applied research and development with respect to the peaceful uses of nuclear energy;

- b) research, development, design, construction, operation and maintenance of nuclear power plants or research reactors;
- c) manufacture and supply of nuclear fuel elements to be used in nuclear power plants or research reactors;
- d) nuclear fuel cycle including radioactive waste management;
- e) production and application of radioactive isotopes in industry, agriculture and medicine;
- f) nuclear safety, radiation protection and environmental protection;
- g) nuclear safeguards and physical protection;
- h) nuclear policy and manpower development; and
- i) other areas as may be agreed upon by the Parties.

#### ARTICLE IV

##### Forms of Cooperation

Cooperation under Article III of this Agreement may be undertaken in the following forms:

- a) exchange and training of scientific and technical personnel;
- b) exchange of scientific and technological information and data;
- c) organization of symposia, seminars and working groups;
- d) transfer of nuclear material, material, equipment and technology;
- e) provision of relevant technological consultancy and services;
- f) joint research or projects on subjects of mutual interest, and
- g) other forms as may be agreed upon by the Parties.

#### ARTICLE V

##### Implementing Arrangements

1. With a view to facilitating cooperation under this Agreement, the Parties may conclude Implementing Arrangements in accordance with their respective laws and regulations.

2. The Parties shall designate institutions or persons under their respective jurisdictions as executors of the Implementing Arrangements and shall specify the terms and conditions of particular cooperative programs and projects, the procedures to be followed, financial agreements and other appropriate matters, in accordance with their respective laws and regulations.

#### ARTICLE VI Joint Committee

With a view to coordinating the cooperation activities foreseen under this Agreement, the Parties shall establish a Joint Committee. The Joint Committee shall be composed of Representatives designated by the two Parties, and may meet in principle once a year on mutually convenient dates.

#### ARTICLE VII Information

1. The Parties shall freely use any information exchanged in conformity with the provisions of this Agreement, except in the cases where the Party or authorized persons providing such information have previously made known the restrictions and reservations concerning its use and dissemination.

2. The Parties shall take all appropriate measures in accordance with their respective laws and regulations to preserve the restrictions and reservations of information and to protect intellectual property rights including commercial and industrial secrets transferred between authorized persons within the jurisdiction of either Party. For the purpose of this Agreement, intellectual property is understood to have the meaning given in Article 2 of the Convention Establishing the World Intellectual Property Organization, done at Stockholm on 14 July 1967.

#### ARTICLE VIII Transfers

Transfer of information, nuclear material, material, equipment and technology under this Agreement may be undertaken directly between the Parties or through authorized persons. Such transfer shall be subject to this Agreement and to such additional terms and conditions as may be agreed to by the Parties.

#### ARTICLE IX Retransfers

Nuclear material, material, equipment and technology transferred pursuant to this Agreement shall not be transferred beyond the jurisdiction of the receiving Party to a third Party unless the Parties agree. An arrangement to facilitate the implementation of this provision may be established by the Parties.