

No. 49666

**Republic of Korea
and
Canada**

Exchange of notes between the Government of the Republic of Korea and the Government of Canada constituting an Agreement relating to the transfer of tritium items for the Wolsong Tritium Removal Facility. Seoul, 17 January 2001 and 19 January 2001

Entry into force: *19 January 2001 by the exchange of the said notes*

Authentic texts: *English, French and Korean*

Registration with the Secretariat of the United Nations: *Republic of Korea, 6 July 2012*

**République de Corée
et
Canada**

Échange de notes entre le Gouvernement de la République de Corée et le Gouvernement du Canada constituant un accord relatif au transfert d'articles de tritium pour l'installation d'élimination du tritium de Wolsong. Séoul, 17 janvier 2001 et 19 janvier 2001

Entrée en vigueur : *19 janvier 2001 par l'échange desdites notes*

Textes authentiques : *anglais, français et coréen*

Enregistrement auprès du Secrétariat des Nations Unies : *République de Corée, 6 juillet 2012*

[ENGLISH TEXT – TEXTE ANGLAIS]

I

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KOREA AND THE GOVERNMENT OF CANADA CONSTITUTING AN AGREEMENT RELATING TO THE TRANSFER OF TRITIUM ITEMS FOR THE WOLSONG TRITIUM REMOVAL FACILITY

Seoul, 17 January 2001

Excellency:

I have the honour to refer to the history of cooperation between the Republic of Korea and Canada for the development and application of atomic energy for peaceful purposes and to the common desire of Canada and the Republic of Korea to pursue cooperation with respect to the transfer of tritium items for the Wolsong Tritium Removal Facility.

This relates to a decision by the Republic of Korea to construct a tritium removal facility on the Wolsong site to extract tritium which builds up in the heavy water moderator and coolant in the Wolsong CANDU nuclear power reactors and Canada's desire to cooperate with the Republic of Korea in that project.

Tritium items do not come within the purview of the Agreement Between the Government of Canada and the Government of the Republic of Korea for Cooperation in the Development and Application of Atomic Energy for Peaceful Purposes (NCA), signed on 26 January 1976. This Note sets out the basis of an Agreement for the application of nuclear non-proliferation assurances to "tritium", "tritium facilities or plants and equipment therefor" and "tritium information" transferred from Canada to Korea; any replicas of "tritium facilities or plants and equipment therefor"; "tritium facilities or plants and equipment therefor" which our Governments agree have been constructed on the basis of "tritium information" supplied subject to this Note; tritium processed or extracted with such "tritium facilities or plants and equipment therefor"; and heavy water not already subject to the Canada-Korea NCA which is processed with "tritium facilities or plants and equipment therefor" subject to this Note.

His Excellency
Mr. Lee Joung-binn
Minister of Foreign Affairs and Trade
of the Republic of Korea

In this respect, I have the honour to propose the following:

I For the purpose of this Note:

1. "Tritium" is defined as "tritium, tritium compounds, mixtures containing tritium in which the ratio of tritium to hydrogen atoms exceeds 1 part in 1000, and products or devices containing any of the foregoing, excluding a product or device containing less than 1.48×10^3 gigabecquerels (GBq) tritium";
2. "Tritium facilities or plants and equipment therefor" are defined as:
 - a. facilities or plants for the production, recovery, extraction, concentration or handling of tritium;
 - b. equipment for tritium facilities or plants, as follows:
 - (i) hydrogen or helium refrigeration units capable of cooling to 23 K (-250 °C) or less, with heat removal capacity greater than 150 W;
 - (ii) hydrogen isotope storage or purification systems using metal hydrides as the storage or purification medium;
 - c. platinized catalysts specially designed or prepared for promoting the hydrogen isotope exchange reaction between hydrogen and water for the recovery of tritium from heavy water or for the production of heavy water".
3. "Tritium information" is defined as "technical data in physical form including but not limited to: technical drawings, photographic negatives and prints, recordings, design data, and technical and operating manuals that can be used in the design, production, operation or testing of 'tritium facilities or plants and equipment therefor', except data available to the public, i.e., in published books and periodicals, and which the Government of Canada has informed the Government of the Republic of Korea is to be regarded as information for the purposes of this Note".

II "Tritium", "tritium facilities or plants and equipment therefor", "tritium information" and heavy water subject to this Note:

1. shall be used for peaceful purposes only, and, in particular, shall not be used for the development, manufacture, or acquisition or detonation of nuclear weapons or other nuclear explosive devices;
2. shall not be transferred beyond the jurisdiction of the Government of the Republic of Korea without the prior written consent of the Government of Canada;
3. shall be subject to appropriate measures of physical protection in order to prevent against unauthorized removal.

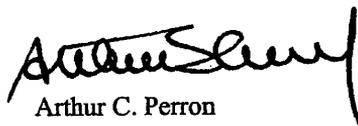
III Administrative procedures shall be established jointly by the Canadian Nuclear Safety Commission and the Korean Ministry of Science and Technology to facilitate the implementation of this Note. These procedures shall include prior and post notifications of items transferred and retransferred subject to this Note, an annual inventory report of items that are subject to this Note, and, as appropriate, site visits.

IV The provisions of this Note shall not be used for the purpose of securing commercial advantage.

V Our Governments shall consult annually or at the request of either Government to ensure the effective implementation of this Note.

If the foregoing is acceptable to the Government of the Republic of Korea, I have the honour to propose that this Note, which is equally authentic in English and French, together with Your Excellency's reply to that effect, shall constitute an agreement between our two Governments which shall enter into force on the date of Your Excellency's reply to this Note and shall remain in force as long as any items referred to in this Note remain in existence and may be amended or terminated by written agreement.

Please accept, Excellency, the assurance of my highest consideration.



Arthur C. Perron
Ambassador
Extraordinary and Plenipotentiary
of Canada to the Republic of Korea

[FRENCH TEXT – TEXTE FRANÇAIS]

I

**ÉCHANGE DE NOTES ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE
DE CORÉE ET LE GOUVERNEMENT DU CANADA CONSTITUANT UN
ACCORD RELATIF AU TRANSFERT D'ARTICLES DE TRITIUM POUR
L'INSTALLATION D'ÉLIMINATION DU TRITIUM DE WOLSONG**

Séoul, le 17 janvier 2001

Votre Excellence,

C'est en rappel de l'historique de coopération entre la République de Corée et le Canada pour le développement et l'application de l'énergie atomique à des fins pacifiques et du désir commun du Canada et de la République de Corée que nous désirons poursuivre la collaboration relative au transfert des articles de tritium pour l'installation d'élimination du tritium de Wolsong.

La présente concerne une décision de la République de Corée relative à la construction d'une installation d'élimination du tritium sur le site de Wolsong site dans le but d'extraire le tritium qui s'accumule dans le modérateur et le caloporteur (eau lourde) des réacteurs de puissance CANDU de Wolsong et l'intention du Canada de collaborer avec la République de Corée dans ce projet.

Les articles de tritium ne sont pas du ressort de l'accord de coopération entre le gouvernement du Canada et le gouvernement de la République de Corée concernant le développement et l'utilisation de l'énergie nucléaire à des fins pacifiques, signé le 26 janvier 1976. La présente note établit le fondement d'un accord visant à obtenir des assurances de non-prolifération du « tritium », des installations ou usines de tritium et équipement connexes » et des « renseignements sur le tritium » transférés du Canada à la Corée; de toute réplique d'installations ou d'usines de tritium et équipement connexe »; des « installations ou usines de tritium et équipement connexes » que nos gouvernements ont convenu de construire sur le fondement des « renseignements sur le tritium » fournis relativement à la présente note; du tritium traité ou extrait grâce à ces « installations ou usines de tritium et équipement connexe »; et de l'eau lourde qui ne fait pas encore l'objet de l'accord et qui est traitée avec les « installations ou usines de tritium et équipement connexe » relativement à la présente note.

Son Excellence
Lee Joung-binn
Ministre des Affaires étrangères et du Commerce
de la République de Corée