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**Argentina
and
India**

Agreement between the Government of the Argentine Republic and the Government of the Republic of India for cooperation in the peaceful uses of nuclear energy (with annex). Vienna, 23 September 2010

Entry into force: *13 March 2013 by notification, in accordance with article 15*

Authentic texts: *English, Hindi and Spanish*

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**Argentine
et
Inde**

Accord entre le Gouvernement de la République argentine et le Gouvernement de la République de l'Inde relatif à la coopération dans le domaine des usages pacifiques de l'énergie nucléaire (avec annexe). Vienne, 23 septembre 2010

Entrée en vigueur : *13 mars 2013 par notification, conformément à l'article 15*

Textes authentiques : *anglais, hindi et espagnol*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT
BETWEEN THE GOVERNMENT OF THE ARGENTINE REPUBLIC
AND THE GOVERNMENT OF THE REPUBLIC OF INDIA
FOR COOPERATION IN THE PEACEFUL USES
OF NUCLEAR ENERGY

The Government of the Argentine Republic and the Government of the Republic of India (hereinafter referred to as "the Parties");

TAKING into account the advantages to them both of effective co-operation in the development and application of atomic energy for peaceful purposes, and **DESIRING** to establish the necessary legal framework therefore;

WISHING to develop a mutually beneficial economic, scientific and technical cooperation between the Parties, on the basis of mutual respect for each other's sovereignty, reciprocity and with due respect of each other's nuclear programs;

RECOGNIZING the significance of peaceful nuclear energy for meeting growing global energy demands in a cleaner and more efficient manner;

NOTING that the Parties are Member States of the International Atomic Energy Agency (hereinafter referred to as "the IAEA") -and affirming their support for its objectives and the importance of respective safeguards agreements that each Party has with the IAEA;

RECALLING that Argentina and India are Parties to the Convention on the Physical Protection of Nuclear Material (1980), the Convention on Early notification of a Nuclear Accident (1986), the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (1986), and the Convention on Nuclear Safety (1994);

DESIRING to enhance their cooperation in the use and development of nuclear energy for peaceful purposes in a transparent way and beneficial to all;

Have agreed on the following:

ARTICLE 1

COMPETENT AUTHORITIES AND AUTHORIZED PERSONS

(1) The competent authorities responsible for the implementation of this Agreement shall be:

a) For the Argentine Republic: the National Atomic Energy Commission (CNEA) and the Nuclear Regulatory Authority (ARN), in accordance with their respective competences;

b) For the Republic of India: the Department of Atomic Energy.

(2) Transfer of nuclear material, material, equipment, components and technology under this Agreement may be undertaken directly between the Parties or through persons duly authorized by them for this purpose. Nuclear material, material, equipment, components and technology exchanged between the Parties shall be deemed subject to this Agreement provided it has been notified in advance in writing by the supplying Party to the recipient Party and the recipient Party has acknowledged the receipt of the items to the supplying Party.

ARTICLE 2

OBJECTIVES

(1) The Parties shall, on the basis of mutual benefit, equality and reciprocity, develop and strengthen scientific, technical and economic cooperation in the field of the peaceful uses of nuclear energy in accordance with the needs and priorities of their national nuclear programs, and the domestic law of the Parties and their respective international obligations and commitments.

(2) Nothing in this Agreement shall affect the respective international obligations and commitments of the Parties.

Definitions are given in the Annex, which shall form an integral part of the Agreement.

ARTICLE 3

FIELDS OF COOPERATION

The Parties shall cooperate under this Agreement in the following areas:

- a) basic and applied research in the peaceful uses of nuclear energy;
- b) production and utilization of radioactive isotopes in industry, medicine and agriculture;
- c) exploration and exploitation of nuclear ores;

- d) research, development, design, construction, operation and maintenance of nuclear power plants and research reactors;
- e) research, development, design, production and supply of nuclear fuel for nuclear power plants and research reactors;
- f) Industrial production of components and materials needed for use in nuclear reactors and their fuel;
- g) treatment and management of radioactive wastes;
- h) Nuclear medicine;
- i) Radiological protection, nuclear safety, their state regulation, and the assessment of the radiological impact of nuclear energy and its nuclear fuel cycle;
- j) training and development of manpower working in the above mentioned fields;
- k) other areas of cooperation to be agreed upon by the Parties.

ARTICLE 4 **FORMS OF COOPERATION**

The cooperation agreed upon under Article 3 may be carried out in the following ways:

- a) Mutual assistance related to education and training of scientific and technical personnel;
- b) Exchange of experts, scientists, technicians and lecturers;
- c) Exchange of Information;
- d) Reciprocal consultations on scientific and technological problems;
- e) Implementation of joint studies and projects on scientific research and technological development;
- f) Reciprocal deliveries of nuclear material in any form, equipment and services related to the areas mentioned in Article 3;
- g) Other forms of cooperation determined by the Parties.

ARTICLE 5 **JOINT COORDINATING COMMITTEE**

(1) The Parties shall establish a Joint Coordinating Committee to:

- a) review the implementation of this Agreement;
- b) consider the issues arising from its implementation; and
- c) hold consultations on issues of mutual interest related to peaceful uses of nuclear energy.

(2) The Joint Coordinating Committee meetings shall be held when the Parties so agree alternately in the Republic of India and in the Argentine Republic. Each Party shall be responsible for all costs incurred with regard to attendance of those meetings.

ARTICLE 6

SPECIFIC AGREEMENTS AND CONTRACTS

The conditions for the application of the cooperation provided for in Article 3, will be specified on a case by case basis and carried upon within the framework of the fulfillment of the provisions of this Agreement, through:

- a) specific agreements entered into by the Parties or duly authorized persons, that will define programs and modalities for the scientific and technical exchanges;
- b) contracts, entered into by duly authorized persons, for any industrial development and for the provision of materials, nuclear materials, equipments, installation or technologies.

ARTICLE 7

INTELLECTUAL PROPERTY RIGHTS

In accordance with the domestic law of the respective countries, the Parties shall provide for the effective protection and use of intellectual property rights transferred or created under this Agreement. The issues of protection and use of intellectual property rights shall be regulated by the specific agreements and/or contracts concluded between the Parties or duly authorized persons in specific areas of cooperation.

ARTICLE 8

EXCHANGE OF INFORMATION

- (1) This Agreement does not require the transfer of any information which the Parties are not permitted under their respective national laws to transfer.
- (2) Information provided under this Agreement or resulting from the implementation thereof and treated by any Party as sensitive or confidential shall be clearly defined and marked as such.
- (3) Sensitive or confidential information shall be handled in accordance with the domestic law in force in the country of the receiving Party. Such information shall not be disclosed or transferred to a third Party, which is not participating in the implementation of this Agreement, without the written consent of the providing Party.