

No. 52646*

**Canada
and
Turkey**

Agreement between the Government of Canada and the Government of the Republic of Turkey for co-operation in the peaceful uses of nuclear energy (with annexes and agreed minute). Ankara, 18 June 1985

Entry into force: *14 July 1986, in accordance with article XI*

Authentic texts: *English, French and Turkish*

Registration with the Secretariat of the United Nations: *Canada, 13 April 2015*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**Canada
et
Turquie**

Accord entre le Gouvernement du Canada et le Gouvernement de la République turque pour la coopération dans les utilisations pacifiques de l'énergie nucléaire (avec annexes et procès-verbal approuvé). Ankara, 18 juin 1985

Entrée en vigueur : *14 juillet 1986, conformément à l'article XI*

Textes authentiques : *anglais, français et turc*

Enregistrement auprès du Secrétariat des Nations Unies : *Canada, 13 avril 2015*

**Le numéro de volume RTNU n'a pas encore été établi pour ce dossier. Les textes reproduits ci-dessous, s'ils sont disponibles, sont les textes authentiques de l'accord/pièce jointe d'action tel que soumises pour l'enregistrement et publication au Secrétariat. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Les traductions, s'ils sont inclus, ne sont pas en form finale et sont fournies uniquement à titre d'information.*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND
THE GOVERNMENT OF THE REPUBLIC OF TURKEY
FOR CO-OPERATION IN THE PEACEFUL
USES OF NUCLEAR ENERGY

The Government of Canada (hereinafter referred to as Canada) and the Government of the Republic of Turkey (hereinafter referred to as Turkey), and both hereinafter referred to as the Parties:

DESIRING to strengthen the friendly relations that exist between the Parties;

RECOGNIZING the advantages of effective co-operation in the peaceful uses of nuclear energy;

RECOGNIZING that Canada and Turkey are both non-nuclear-weapon States party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as the »NPT«) and as such, have undertaken not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices and that both parties have concluded agreements with the International Atomic Energy Agency for the Application of Safeguards in connection with the NPT;

UNDERLINING further that the parties to the NPT have undertaken to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy and that parties to the NPT in a position to do so may also co-operate in contributing together to the further development of the applications of nuclear energy for peaceful purposes;

INTENDING, therefore, to co-operate with one another to these ends;

Have agreed as follows:

ARTICLE I

(1) The co-operation contemplated under this Agreement relates to the use, development and application of nuclear energy for peaceful purposes and may include, but is not limited to:

- (a) the supply of information, which includes technology, including but not limited to:
 - (i) research and development,
 - (ii) health, nuclear safety, emergency planning and environmental protection,
 - (iii) equipment (including the supply of designs, drawings and specifications), and
 - (iv) uses of equipment, material and nuclear material (including manufacturing processes and specifications);
- (b) the supply of material, nuclear material, nuclear fuel, and equipment;
- (c) the implementation of projects for research and development as well as for design and application of nuclear energy for use in such fields as agriculture, industry, medicine and the generation of electricity;
- (d) the conclusion of contracts for industrial co-operation between governmental enterprises and persons in Canada and in Turkey;
- (e) licensing arrangements and the transfer of patent rights;
- (f) access to and use of equipment;
- (g) the rendering of technical assistance and services; including exchange of experts and specialists;
- (h) visits by nuclear scientists;
- (i) technical training;
- (j) the exploration for and development of uranium and thorium resources; and
- (k) cooperation specific to the various aspects of the advanced nuclear fuel cycle.

(2) Notwithstanding the provisions of Article V of the NPT, the development, manufacture, acquisition or detonation of nuclear weapons or other nuclear explosive devices shall not be regarded as a use, development or application of nuclear energy for peaceful purposes.

ARTICLE II

For the purposes of this Agreement:

- (a) »Appropriate governmental authority« means for Canada, the Atomic Energy Control Board, and for Turkey, the Turkish Atomic Energy Authority;
- (b) »Component« means a component part of equipment or other items other than a major component;
- (c) »Equipment« means any of the equipment listed in Annex B to this Agreement as well as major components and any other components thereof;
- (d) »Governmental enterprise« means an enterprise under the jurisdiction of a Party which that Party has designated to the other Party in writing as a government enterprise;
- (e) »Major component« means any part or group of parts essential to the operation and safety of a nuclear facility;
- (f) »Material« means any of the material listed in Annex C to this Agreement;
- (g) »Nuclear fuel« means any kind of fuel used for energy production in nuclear reactors;
- (h) »Nuclear material« means any source material or any special fissionable material as these terms are defined in Article XX of the Statute of the International Atomic Energy Agency which is attached as Annex D to this Agreement. Any determination by the Board of Governors of the International Atomic Energy Agency under 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 that amendment;
- (i) »Persons« means individuals, firms, corporations, companies, partnerships, associations and other entities private or governmental and their respective agents and local representatives; but the term »persons« shall not include »governmental enterprises« as defined in sub-paragraph (d) of this Article; and

- (j) »Technology« means technical data that the supplier Party has designated, prior to transfer and after consultation with the recipient Party, 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 (i) includes, but is not limited to, technical drawings, photographic negatives and prints, recordings, design data and technical and operating manuals; and (ii) excludes data available to the public.

ARTICLE III

- (1) The Parties shall encourage and facilitate co-operation between each other's governmental enterprises and persons under their jurisdiction on matters within the scope of this Agreement.
- (2) Subject to the terms of this Agreement, governmental enterprises and persons under the jurisdiction of either Party may supply to or receive from governmental enterprises or persons under the jurisdiction of the other Party, material, nuclear material, equipment, and technology, within the scope of this Agreement, on commercial or other terms as may be agreed by the governmental enterprises or persons concerned.
- (3) Subject to the terms of this Agreement, governmental enterprises and persons under the jurisdiction of either Party may provide governmental enterprises or persons under the jurisdiction of the other Party with technical training in the application of nuclear energy for peaceful uses on commercial or other terms as may be agreed by the governmental enterprises or persons concerned.
- (4) The Parties, subject to their respective laws and regulations, will make efforts to facilitate exchanges of experts, technicians and specialists related to activities under this Agreement.
- (5) The Parties shall take all appropriate precautions in accordance with their respective laws and regulations to preserve the confidentiality of technology, of commercial and industrial secrets and of other confidential information received under the provisions of this Agreement.