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**Republic of Korea
and
Ukraine**

Agreement between the Government of the Republic of Korea and the Cabinet of Ministers of Ukraine for cooperation in the peaceful uses of nuclear energy. Kyiv, 23 July 2001

Entry into force: *11 June 2007 by notification, in accordance with article XIV*

Authentic texts: *English, Korean and Ukrainian*

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**République de Corée
et
Ukraine**

Accord entre le Gouvernement de la République de Corée et le Cabinet des Ministres de l'Ukraine dans le domaine de l'utilisation de l'énergie nucléaire à des fins pacifiques. Kiev, 23 juillet 2001

Entrée en vigueur : *11 juin 2007 par notification, conformément à l'article XIV*

Textes authentiques : *anglais, coréen et ukrainien*

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**AGREEMENT
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KOREA AND
THE CABINET OF MINISTERS OF UKRAINE FOR COOPERATION IN
THE PEACEFUL USES
OF NUCLEAR ENERGY**

The Government of the Republic of Korea and the Cabinet of Ministers of Ukraine (hereinafter referred to as «the Parties»);

Noting that the utilization of nuclear energy for peaceful purposes is an important factor for 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 members of the International Atomic Energy Agency (hereinafter referred to as «the IAEA») and parties to the Treaty on Non-Proliferation of Nuclear Weapons (hereinafter referred to as «the Treaty»);

Reaffirming to place the highest priority on nuclear safety and environmental protection in both countries in the course of implementing their nuclear programmes;

Bearing in mind the common desire of both countries to expand and strengthen cooperation, on the basis of equality and mutual benefit, in the development and application of nuclear energy for peaceful purposes;

Have agreed as follows:

ARTICLE I

For the purposes of this Agreement:

- (a) «Guidelines» means the Guidelines for Nuclear Transfers published in the IAEA document INFCIR/254/Rev.4/Part 1 and subsequent revisions and modifications as agreed by the Parties;
- (b) «Equipment» means any facilities, equipment, or component listed in Annex A of the Guidelines;
- (c) «Material» means non-nuclear material for reactors listed in Annex A of the Guidelines;
- (d) «Nuclear material» means any source material or any special fissionable material as these terms are defined in Annex A of the Guidelines. Any determination by the Board of Governors of the IAEA on the amendment of the list of material considered to be «source material» or «special fissionable material», shall only have effect under this Agreement when the Parties to this Agreement have informed each other in writing that they accept such an amendment;
- (e) «Persons» means any individual and legal entity subject to the jurisdiction of either Party;
- (f) «Technology» means specific information required for the development, production, or use of any equipment or material, or nuclear material as defined in Annex A of the Guidelines, and
- (g) «Intellectual property» has the meaning given in Article 2 of the Convention Establishing the World Intellectual Property Organization, signed at Stockholm on 14 July 1967.

ARTICLE II

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

- (a) basic and applied research and development on 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 from exploration and exploitation of nuclear ores up to 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) other areas as may be agreed upon by the Parties.

2. The cooperation under paragraph 1 of this Article may be undertaken in the following forms:

- (a) exchange and training of scientific and technological 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 III

1. The Parties shall, on the basis of equality and mutual benefit, cooperate in the peaceful uses of nuclear energy in accordance with the provisions of this Agreement and their applicable laws and regulations.
2. Transfer of nuclear material, material, equipment and technology under this Agreement may be undertaken directly between the Parties or through persons authorized by either Party. Such transfer shall be subject to this Agreement and to any separate additional arrangements, which shall be concluded between the Parties or relevant authorities which will be appointed by the Parties.
3. Any information exchanged in conformity with the provisions of this Agreement may be used freely, except in cases where the Party or authorized persons providing such information have previously made known the restrictions and reservations concerning its use and dissemination.
4. The Parties shall take all appropriate measures in accordance with their respective laws and regulations to maintain the restrictions and reservations of information including confidential information, and to protect intellectual property rights including commercial and industrial secrets transferred between authorized persons within the jurisdiction of either Party.

ARTICLE IV

Nuclear material, material, equipment and technology transferred pursuant to this Agreement and special fissionable material produced through the use of nuclear material, material or equipment transferred pursuant to this Agreement shall not be transferred beyond the jurisdiction of the receiving Party to a third party unless the Parties agree in writing.