

VENEZUELA



Treaty Series No. 57 (1982) ✓

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Republic of Venezuela
concerning the Safeguards and Assurances
relating to a Transfer of Nuclear Material
from the United Kingdom to Venezuela

London, 9 August 1982

[The Agreement entered into force on 9 August 1982]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
December 1982*

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EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE REPUBLIC OF VENEZUELA
CONCERNING THE SAFEGUARDS AND ASSURANCES RELATING
TO A TRANSFER OF NUCLEAR MATERIAL FROM THE
UNITED KINGDOM TO VENEZUELA

No. 1

*The Secretary of State for Foreign and Commonwealth Affairs to the
Ambassador of Venezuela at London*

*Foreign and Commonwealth Office
London*

9 August 1982

Your Excellency

I have the honour to refer to International Atomic Energy Agency (IAEA) document INFCIRC/254 dated February 1978⁽¹⁾, a copy of which is attached, and to state that the Government of the United Kingdom of Great Britain and Northern Ireland have decided to base their nuclear export policy on that document.

So that the United Kingdom Government may give effect to the guidelines set out in the Appendix to that document (and hereinafter referred to as "the Guidelines"), I have the honour to propose to the Government of the Republic of Venezuela that, in respect of the transfer of twenty fuel elements for the RV-1 research reactor of the Instituto Venezolano de Investigaciones Cientificas from the United Kingdom to Venezuela, the following conditions be complied with:

- (a) that, in accordance with paragraph 2 of the Guidelines, these fuel elements shall not be used in any way which would result in any nuclear explosive device;
- (b) that, in accordance with paragraph 3 of the Guidelines, these fuel elements shall be subject to effective measures of physical protection in accordance with the protection characteristics set out in Annex B to the Guidelines, the implementation of those measures of physical protection being the responsibility of the Government of Venezuela;
- (c) that, in accordance with paragraph 4 of the Guidelines, IAEA safeguards shall apply to these fuel elements and to their subsequent generations;
- (d) that, in accordance with paragraph 10 of the Guidelines, Venezuela shall not re-transfer these fuel elements or any subsequent generations of nuclear material produced therefrom unless the recipient of the re-transfer shall have first provided Venezuela with the same assurances as those required by the United Kingdom for the original transfer.

(1) Not reproduced.

If the foregoing conditions are acceptable to the Government of Venezuela, I have the honour to propose that this Note, together with your reply in that sense, shall constitute an Agreement between our two Governments which shall enter into force on the date of Your Excellency's reply.

I have the honour to convey to your Excellency the assurance of my highest consideration.

(for the Secretary of State)

D. K. HASKELL

*The Ambassador of Venezuela at London to the Secretary of State for
Foreign and Commonwealth Affairs*

*Embajada de Venezuela
Londres*

No. E/646/00951

9 de agosto de 1982

Excelentísimo Señor:

Tengo el honor de avisar recibo de la nota de fecha 9 de agosto de 1982 de esa Cancillería, cuyo texto traducido reza así:

“ Excelencia :

Tengo el honor de hacer referencia al documento del Organismo Internacional de Energía Atómica (OIEA), INFC IRC/254, de fecha febrero de 1978, y del que se adjunta copia, y manifestar que el Gobierno del Reino Unido de Gran Bretaña e Irlanda del Norte ha decidido basar su política de exportaciones nucleares en dicho documento.

Con el fin de que el Gobierno del Reino Unido pueda dar cumplimiento a las pautas establecidas en el Apéndice de dicho documento (que en adelante se denominarán “ Las Pautas ”), tengo el honor de proponer al Gobierno de la República de Venezuela, en lo que se refiere a la transferencia de veinte elementos combustibles para el reactor de investigación RV-I del Instituto Venezolano de Investigaciones Científicas, del Reino Unido a Venezuela, el cumplimiento de las siguientes condiciones:

- a) Que, de acuerdo con el párrafo 2 de las Pautas, estos elementos combustibles no sean utilizados en ninguna forma cuyo resultado sea cualquier dispositivo nuclear explosivo;
- b) Que, de acuerdo con el párrafo 3 de las Pautas estos elementos combustibles deberán ser sometidos a medidas eficaces de protección física, de acuerdo con las características de protección establecidas en el Anexo B de las Pautas, siendo responsabilidad del Gobierno de Venezuela la puesta en práctica de esas medidas de protección física;
- c) Que, de acuerdo con el párrafo 4 de las Pautas, estos elementos combustibles y sus generaciones subsecuentes deberán estar sometidos a las salvaguardias del Organismo;
- d) Que, de acuerdo con el párrafo 10 de las Pautas, Venezuela no deberá retransferir estos elementos combustibles o cualesquiera generaciones subsecuentes de material nuclear producido de los mismos, a menos que el receptor de la retransferencia haya contraído previamente con Venezuela el mismo compromiso requerido de ésta por el Reino Unido para la transferencia original.

Si las condiciones antes descritas resultan aceptables para el Gobierno de Venezuela, tengo el honor de proponer que esta Nota, junto con su respuesta en tal sentido, constituyan un Acuerdo entre nuestros dos Gobiernos, que entrará en vigencia en la fecha de la respuesta de V. E.

Aprovecho esta oportunidad para reiterar a V. E. el testimonio de mi más distinguida consideración.

(Por el Secretario de Estado)

D. K. HASKELL.”

En respuesta a la misma, me es grato informar a Vuestra Excelencia que las condiciones antes descritas resultan aceptables para el Gobierno de Venezuela y confirmarle que su nota, junto con esta contestación, constituyen un acuerdo entre nuestros dos Gobiernos, el cual entrará en vigencia en esta misma fecha.

Hago propicia la ocasión para reiterar a Vuestra Excelencia el testimonio de mi más alta y distinguida consideración.

F. MENDOZA A.

Embajador Extraordinario y Plenipotenciario

[Translation of No. 2]

*Embassy of Venezuela
London
9 August 1982*

No. E/646/00951

Dear Sir

I have the honour to acknowledge receipt of the note of 9 August 1982 from the Foreign and Commonwealth Office, the translated text of which reads as follows:

[As in No. 1]

In reply to your note, I am pleased to inform ^{*Your Excellency*} (you) that the above conditions are acceptable to the Government of Venezuela, and to confirm that your note, together with this reply, constitute an Agreement between our two Governments, which will enter into force this day.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

F. MENDOZA A.

Ambassador Extraordinary and Plenipotentiary

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