

2002 CO-OPERATIVE AGREEMENT FOR ARAB STATES IN ASIA FOR RESEARCH, DEVELOPMENT AND TRAINING RELATED TO NUCLEAR SCIENCE AND TECHNOLOGY

Adopted in Vienna Austria on 12 June 2002

Whereas the States Parties to this agreement (hereinafter referred to as "States Parties") recognize that, within their national programmes for the peaceful application of atomic energy, there exist areas of common interest wherein mutual co-operation can promote the efficient and effective utilization of available resources;

Whereas it is a statutory function of the International Atomic Energy Agency (hereinafter referred to as the "Agency") to encourage and assist research on, and the development and practical application of, atomic energy for peaceful uses, which function can be fulfilled by furthering the technical co-operation among its Member States and by assisting them in their national programmes in the peaceful applications of atomic energy; and

Whereas, under the auspices of the Agency, the States Parties desire to enter into an Agreement to encourage and strengthen technical co-operation activities, which shall be called "Co-operative Agreement for Arab States in Asia for Research, Development and Training Related to Nuclear Science and Technology", and shall be identified by the acronym "ARASIA";

They have agreed as follows:

ARTICLE I OBJECTIVES

The States Parties undertake, in co-operation with each other and the Agency, to promote and co-ordinate co-operative activities for training, research, development and applications of nuclear science and technology and to implement them through their competent national institutions.

ARTICLE II BOARD OF REPRESENTATIVES

1. The States Parties shall designate their respective representatives to ARASIA. These representatives shall constitute the "ARASIA Board of Representatives", the highest decision-making body of the Agreement. The ARASIA Board of Representatives shall meet at least once a year.
2. The Board shall be responsible for:
 - a. establishing the rules of procedures for implementing ARASIA;
 - b. establishing the policies, guidelines and strategies of ARASIA;
 - c. considering and approving co-operative projects proposed by the States Parties;
 - d. reviewing and evaluating the implementation of the co-operative projects approved in accordance with this Agreement;

- e. determining the conditions upon which a state that is not a party to this Agreement or an appropriate regional or international organization may participate in a co-operative project;
- f. considering any other matters related to or connected with the promotion and coordination of co-operative projects for the purposes of this Agreement as set forth in Article I.

ARTICLE III

CO-OPERATIVE PROJECTS

1. Any State Party may submit a written proposal for a co-operative project to the ARASIA Board of Representatives, which shall, upon receipt thereof, notify the other States Parties of such proposal. The proposal shall specify, in particular, the nature and the objectives of the proposed co-operative project and the means of implementing it. At the request of the State Party, the Agency may assist in the preparation of a proposal for a co-operative project.
2. In approving a co-operative project pursuant to paragraph 2(c) of Article II, the ARASIA Board of Representatives shall specify:
 - a. the nature and objectives of the co-operative project;
 - b. the related programme of research, development and training;
 - c. the means of implementing the co-operative project and verifying the achievement of project objectives; and
 - d. other relevant details as deemed appropriate.
3. The approval by the Agency of any co-operative project submitted by the ARASIA Board of Representatives for its support shall be governed by the Agency's rules, practices and procedures, in particular those described in INFCIRC/267.
4. Any State Party which is a Member of the Agency may participate in an Agency approved co-operative project by notifying the Agency and the ARASIA Board of Representatives of its participation.
5. Subject to paragraph 1 of Article VI, the implementation of any co-operative project approved by the Agency pursuant to paragraph 3 of this Article may start after the receipt by the Agency of the notification of acceptance from three States Parties to participate in the project.

ARTICLE IV

OBLIGATIONS OF STATES PARTICIPATING IN CO-OPERATIVE PROJECTS

1. Each State Party participating in a co-operative project (hereinafter referred to as a "Participating State") shall undertake, subject to its applicable laws, regulations and capabilities, to implement the portion of the co-operative project assigned to it in accordance with paragraph 3(b) of Article V. In particular each Participating State shall:
 - a. make available free of cost the necessary scientific and technical facilities and personnel for the implementation of the co-operative project;

- b. take all reasonable and appropriate steps for the acceptance of scientists, engineers or technical experts designated by the other Participating States or the Agency to work at designated installations, or to work at facilities designated by Participating States for the purpose of implementing the co-operative project; and
 - c. make available free of cost facilities, equipment, materials and technical knowhow under its jurisdiction which are appropriate.
2. Each Participating State undertakes to submit to the Agency, through the ARASIA Board of Representatives, an annual report on the implementation of the portion of the Agency approved co-operative project assigned to it, including any information it deems appropriate for the purpose of this Agreement.
3. Each Participating State, subject to its national laws and regulations, and in accordance with the respective budgetary appropriations, undertakes to contribute financially or otherwise, to the effective implementation of the Agency approved co-operative project and shall notify annually the Agency of any such contribution.
4. Any Participating Party or personnel designated by it shall not reveal any information related to ARASIA projects without the concurrence of other Participating Parties.

ARTICLE V

TECHNICAL WORKING GROUP

1. Each Participating State shall appoint a member of appropriate scientific competence as a National Co-ordinator for the project within its territory or in which the State is involved.
2. There shall be for each project a Technical Working Group composed of the National Coordinators referred to in paragraph 1 of this Article.
3. The functions of the Technical Working Group shall be:
 - a. to determine details for the implementation of each co-operative project in accordance with its objectives;
 - b. to establish and amend, as necessary, the portion of the co-operative project to be assigned to each Participating State, subject to the consent of that State;
 - c. to supervise the implementation of the co-operative project; and
 - d. to make recommendations to the ARASIA Board of Representatives and to the Agency with respect to the Agency approved co-operative project, and to keep under review the implementation of such recommendations.
4. Members of the Technical Working Group may agree among themselves to meet as often as required for an effective co-ordination of the project implementation. The Agency may convene an annual meeting of the Technical Working Group to review the progress of the Agency approved projects.

ARTICLE VI

THE ROLE OF THE AGENCY

1. Subject to available resources, the Agency shall support co-operative projects established in accordance with this Agreement, and approved by it, by means of technical assistance and other relevant programmes. The rules, practices and procedures that are applicable to the Agency's technical assistance or other programmes shall, as appropriate, apply to any such Agency support.
2. The Agency shall provide secretariat support for the projects approved by it in conformity with its relevant rules, practices and procedures.

ARTICLE VII

FINANCIAL TERMS

1. With the consent of the ARASIA Board of Representatives, the Agency may invite any Member State other than States Parties or appropriate regional or international organizations to contribute financially or otherwise to, or to participate technically in a cooperative project approved by the Agency. The Agency shall inform the Participating States of any such contributions or participation.
2. The Agency shall, in consultation with the ARASIA Board of Representatives, administer the contributions made pursuant to paragraph 3 of Article IV and paragraph 1 of this Article for the purpose of this Agreement, in accordance with its financial regulations and other applicable rules. The Agency shall keep separate records and accounts for each such contribution.

ARTICLE VIII

SAFETY AND PEACEFUL APPLICATION

1. In accordance with its applicable laws and regulations, each Participating State shall ensure that the Agency's safety standards and measures relevant to a co-operative project are applied to its implementation.
2. Each State Party undertakes that any assistance provided to it under this Agreement shall be used only for peaceful purposes, in accordance with the Statute of the Agency.

ARTICLE IX

WAIVER OF LIABILITY

Neither the Agency nor any State or appropriate international organization making contributions pursuant to paragraph 3 of Article IV or paragraph 1 of Article VII shall be held responsible towards the Participating States or any person claiming through them for the safe implementation of a co-operative project.

ARTICLE X

DISPUTES

Any dispute that may arise with respect to the interpretation or application of this Agreement shall be settled through consultations between the parties concerned, by negotiations or by any other peaceful means of settling disputes acceptable to them.

ARTICLE XI MEMBERSHIP

Any Arab Member State of the Agency in Asia may become a party to this Agreement by notifying its acceptance thereof to the Director General of the Agency, who shall inform each State Party of the acceptance received by him.

ARTICLE XII ENTRY INTO FORCE

1. This Agreement shall enter into force upon receipt by the Director General of the Agency of notification of acceptance by three Arab Member States of the Agency in Asia, in accordance with Article XI.
2. This Agreement shall continue to be in force for a period of six years from the date of its entry into force and may be extended for further period(s) if the States Parties so agree.

Done at Vienna, on 12 June 2002, in two originals in Arabic and English, the texts in both languages being equally authentic.