

2016 REGIONAL CO-OPERATIVE AGREEMENT FOR RESEARCH, DEVELOPMENT AND TRAINING RELATED TO NUCLEAR SCIENCE AND TECHNOLOGY

Signed in Ulaanbaatar, Mongolia, on 18th May 2016

ARTICLE I.....	2
ARTICLE II.....	2
ARTICLE III.....	3
ARTICLE IV.....	3
ARTICLE V.....	3
ARTICLE VI.....	4
ARTICLE VII.....	4
ARTICLE VIII.....	5
ARTICLE IX.....	5
ARTICLE X.....	6
ARTICLE XI.....	6
ARTICLE XII.....	6
ARTICLE XIII.....	6
ARTICLE XIV.....	6
ARTICLE XV.....	7

2016 REGIONAL CO-OPERATIVE AGREEMENT FOR RESEARCH, DEVELOPMENT AND TRAINING RELATED TO NUCLEAR SCIENCE AND TECHNOLOGY

Signed in Ulaanbaatar, Mongolia, on 18th May 2016

WHEREAS it is a 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 co-operation among its Member States and by assisting them in their national atomic energy programmes;

WHEREAS the Government Parties to this Agreement (hereinafter referred to as the "Government Parties") recognize that, within their national atomic energy programmes, there exist areas of common interest wherein mutual co-operation can promote the more efficient utilization of available resources;

WHEREAS, under the auspices of the Agency, the Government Parties desire to enter into a Regional Co-operative Agreement to encourage such co-operation; and

WHEREAS the Government Parties intend this Agreement to replace the 1987 Regional Cooperative Agreement for Research, Development and Training Related to Nuclear Science and Technology (hereinafter referred to as the "1987 RCA"), which was extended on 12 June 1992, 12 June 1997, 12 June 2002, 12 June 2007 and 12 June 2012 (hereinafter referred to as the "extended 1987 RCA"), and which is due to expire on 11 June 2017;

NOW, THEREFORE, it is agreed as follows:

ARTICLE I

The Government Parties undertake, in co-operation with each other and the Agency, to promote and co-ordinate co-operative research, development and training projects (hereinafter referred to as the "co-operative projects"), and other co-operative activities, in nuclear science and technology through their appropriate national institutions.

ARTICLE II

1. There shall be a meeting of representatives of the Government Parties (hereinafter referred to as the "Meeting of Representatives") to be convened by the Agency. The Meeting of Representatives shall be held as required, and, at least, once every year. Each representative may be accompanied by alternates, experts and advisers.
2. The Meeting of Representatives shall have the authority:
 - (a) to determine a programme of activities and to establish priorities therefor;
 - (b) to consider and approve the co-operative projects proposed in accordance with paragraph 1 of Article III;
 - (c) to consider and approve other co-operative activities proposed by the Government Parties for the purpose of complementing the implementation of the co-operative projects;

- (d) to review the implementation of the co-operative projects approved in accordance with paragraph 2 of Article III and of the co-operative activities approved in accordance with paragraph 2(c) above;
- (e) to co-ordinate the activities of the project committees established in accordance with Article VI;
- (f) to consider the annual report submitted by the Agency pursuant to paragraph 4 of Article VII;
- (g) to adopt appropriate measures for the implementation of this Agreement;
- (h) to consider any proposal for amendment of this Agreement under Article XIV; and
- (i) to consider any other matter related to or connected with the promotion and coordination of co-operative projects or other co-operative activities for the purposes of this Agreement, as set forth in Article I.

ARTICLE III

1. Any Government Party may submit a written proposal for a co-operative project to the Agency, which shall, upon receipt thereof, notify the other Government Parties of such proposal. The proposal shall specify, in particular, the nature and objectives of the proposed co-operative project and the means of implementing it. At the request of a Government 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 (b) of Article II, the Meeting 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.

ARTICLE IV

1. Any Government Party may participate in a co-operative project established in accordance with Article III, by means of a notification of participation to the Agency, which shall notify the other Government Parties of such participation.
2. Subject to paragraph 2 of Article VII, the implementation of each co-operative project established in accordance with Article III may start after receipt by the Agency of the third notification of participation in the co-operative project.

ARTICLE V

1. Each Government participating in a co-operative project in accordance with Article IV (hereinafter referred to as a "Participating Government") shall implement the portion of the cooperative project assigned to it in accordance with paragraph 3(b) of Article VI. In particular, each Participating Government, subject to its domestic laws and regulations, shall:

- (a) make available the necessary scientific and technical facilities and personnel for the implementation of the co-operative project; and
 - (b) take all reasonable and appropriate steps for the acceptance of scientists, engineers or technical experts designated by the other Participating Governments or by the Agency to work at designated installations, and for the assignment of scientists, engineers or technical experts to work at installations designated by the other Participating Governments for the purpose of implementing the co-operative project.
2. Each Participating Government shall submit to the Agency an annual report on the implementation of the portion of the co-operative project assigned to it, including any information it deems appropriate for the purposes of this Agreement.
3. Each Participating Government, subject to its domestic laws and regulations and in accordance with its respective budgetary appropriations, shall contribute, financially or otherwise, to the effective implementation of the co-operative project and shall notify annually the Agency of any such contribution.

ARTICLE VI

1. There shall be established a project committee for each co-operative project.
2. The project committee shall consist of one representative from each Participating Government and one representative from the Agency. They may be accompanied by advisers.
3. The functions of the project committee 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 Government, subject to the consent of that Government;
 - (c) to supervise the implementation of the co-operative project; and
 - (d) to make recommendations to the Participating Governments and to the Agency with respect to the co-operative project, and to keep under review the implementation of such recommendations.
4. The project committee shall meet as required and, at least, once every year.

ARTICLE VII

1. The Agency shall perform secretariat duties under this Agreement. The Agency may be assisted, as appropriate, by the Government Parties or by other relevant bodies so authorised by the Meeting of Representatives.
2. Subject to available resources, the Agency shall endeavour to support co-operative projects established in accordance with Article III by means of technical assistance and its other programmes. Any such assistance shall be provided, *mutatis mutandis*, in accordance with the principles, rules and procedures governing the provision of technical assistance by the Agency.

3. On the basis of recommendations made by the project committee for a co-operative project pursuant to paragraph 3(d) of Article VI and in consultation with the project committee, the Agency shall:
 - (a) establish annually a schedule of work and modalities for the implementation of the cooperative project;
 - (b) allocate among the Participating Governments the contributions made in accordance with paragraph 3 of Article V and paragraph 1 of Article VIII;
 - (c) consider the annual reports submitted by the Participating Governments on the implementation of their portions of the co-operative project pursuant to paragraph 2 of Article V;
 - (d) assist the Participating Governments in the exchange of information and in compiling, publishing and distributing reports on the co-operative project, as appropriate; and
 - (e) provide scientific and administrative support for the meetings of the project committee.
4. On the basis of the annual reports submitted by the Participating Governments pursuant to paragraph 2 of Article V and in consultation with them, the Agency shall prepare annually an overall report on the activities carried out under this Agreement, with particular reference to the implementation of the co-operative projects established in accordance with Article III, and submit it to the Meeting of Representatives.

ARTICLE VIII

1. With the consent of the Meeting of Representatives, the Agency may invite any Member State of the Agency other than the Participating Governments, appropriate international organizations, or any other relevant bodies, to contribute financially or otherwise to, or to participate in, a co-operative project or other co-operative activities. The Agency shall inform the Participating Governments of any such contributions or participation.
2. The Agency shall administer the contributions made pursuant to paragraph 3 of Article V and paragraph 1 of this Article for the purposes 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 IX

1. In accordance with its applicable laws and regulations, each Government Party shall ensure that the Agency's safety standards and security guidance documents relevant to a co-operative project, as appropriate, are applied to its implementation.
2. Each Government 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.
3. Neither the Agency nor any Government or appropriate international organization making contributions pursuant to paragraph 3 of Article V or paragraph 1 of Article VIII shall be held responsible towards the Participating Governments or any person claiming through them for the safe implementation of a co-operative project.

ARTICLE X

1. Any Government Party to this Agreement and the Agency may, where appropriate and in consultation with each other, make co-operative arrangements with appropriate international organizations for the promotion and development of co-operative projects in the areas covered by this Agreement.
2. Other relevant bodies may, if so authorised by the Meeting of Representatives, seek out opportunities to participate in co-operative activities funded by other donors, and negotiate and secure funding for co-operative projects.

ARTICLE XI

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

ARTICLE XII

1. Any Member State of the Agency that became a Party to the 1987 RCA or to the first, second, third, fourth or fifth extension agreement thereto may become a Party to this Agreement by notifying its acceptance thereof to the Director General of the Agency, who shall serve as Depositary of this Agreement (hereinafter referred to as the "Depositary").
2. Any other Member State of the Agency in South Asia, East Asia, South East Asia or the Pacific may become a Party to this Agreement by depositing an instrument of acceptance thereof after their acceptance has been approved by the Meeting of Representatives.

ARTICLE XIII

1. This Agreement shall enter into force upon receipt by the Director General of the Agency of the second notification of acceptance in accordance with Article XII. In the event such notification is received by the Director General of the Agency prior to the expiration of the extended 1987 RCA, this Agreement shall enter into force on the date of expiration of the said Agreement. With respect to Governments accepting this Agreement thereafter, it shall enter into force on the date of receipt by the Director General of the Agency of the notification of such acceptance.
2. This Agreement shall be of unlimited duration.
3. The co-operative projects established under the extended 1987 RCA which are being implemented as of the date of entry into force of this Agreement shall be considered as co-operative projects under this Agreement.

ARTICLE XIV

1. Any Government Party may propose an amendment to this Agreement. Proposed amendments shall be considered at the Meeting of Representatives.
2. The text of any proposed amendment and the reasons for it shall be provided to the Depositary, who shall communicate the proposal to the Government Parties promptly and at least ninety days before the Meeting of Representatives for which it is submitted for consideration. Any comments received on such a proposal shall be circulated by the Depositary to the Government Parties.

3. Any amendment may be adopted only by consensus.

ARTICLE XV

1. Any Government Party may denounce this Agreement by written notification to the Depositary.
2. Denunciation shall take effect one year following the date of the receipt of the written notification by the Depositary, or on such later date as may be specified in the notification.

Done at Ulaanbaatar on 18 May 2016, in the English language.