

**ATOMIC ENERGY**

**Fuel**

**Agreement Between the  
UNITED STATES OF AMERICA  
and BELARUS**

Effectuated by Exchange of Notes at  
Minsk July 5 and October 1, 2010



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966  
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

**BELARUS**

**Atomic Energy: Fuel**

*Agreement effected by exchange of notes at  
Minsk July 5 and October 1, 2010;  
Entered into force October 1, 2010.*

No. 117

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Belarus, and refers to discussions between representatives of our two Governments related to the transfer of spent nuclear fuel from the Joint Institute for Power and Nuclear Research "Sosny" of the National Academy of Sciences of Belarus to the Russian Federation for management and storage. The Embassy of the United States of America proposes, on behalf of the Government of the United States of America, the following Agreement concerning the transfer of such spent research reactor nuclear fuel from the Republic of Belarus to the Russian Federation, for management and storage in the Russian Federation.

1. The agreement proposed herein shall constitute the Agreement between the Government of the Republic of Belarus and the Government of the United States of America (the "Parties") regarding assurances concerning the provision of technical assistance that may be provided by the Government of the United States of America, through the United States Department of Energy and its contractors, to

DIPLOMATIC NOTE

support the transfer of spent research reactor nuclear fuel from the Joint Institute for Power and Nuclear Research “Sosny” of the National Academy of Sciences of Belarus to the Russian Federation, and security enhancement of the reactor site and nuclear materials stored at the site.

2. The Government of the Republic of Belarus agrees that:

a. The provisions of Article I (Taxes and Other Charges) of the Agreement between the Government of the Republic of Belarus and the Government of the United States of America Regarding Cooperation to Facilitate the Provision of Assistance, done 18 July 1996, shall apply to all technical assistance provided by the Government of the United States of America (the "United States Government") as set forth in paragraph 1 above. If the above mentioned exemption from all taxes (including value-added taxes), customs duties, or other charges imposed in accordance with the legislation of the Republic of Belarus is not applied in a timely manner, the Government of the Republic of Belarus shall take all necessary measures to provide reimbursement for those taxes, duties, and charges, in compliance with the national legislation of the Republic of Belarus.

b. The Government of the Republic of Belarus shall apply the provisions of the Vienna Convention on Civil Liability for Nuclear Damage of 21 May 1963, to which it is a party, to any liability for nuclear damage arising out of technical assistance provided by the United States Government set forth in paragraph 1 above.

c. Upon written request provided thirty days in advance, the Government of the Republic of Belarus, in accordance with its national legislation, shall ensure that representatives of the United States Government will have access to documentation, records, and sites related to the use of the technical assistance provided in accordance with this Agreement.

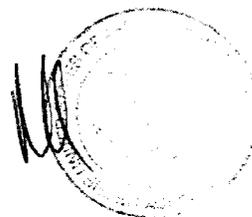
3. In the event that either Government awards contracts for the acquisition of articles and services, including construction, to implement this Agreement, such contracts shall be awarded in accordance with the laws and regulations of that Government.

4. Any technical assistance provided by the United States of America pursuant to this Agreement is subject to the availability of appropriated funds.

5. Ministries, agencies, and other competent governmental authorities and organizations of the Parties may enter into implementing agreements and contracts to implement technical assistance provided by the United States Government pursuant to this Agreement.

If this proposal is acceptable to the Belarus Government, it is further proposed that this note, together with the Ministry's affirmative note of reply, shall constitute an agreement between the two Governments, which shall enter into force on the date of the Ministry's note in reply.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs the assurance of its highest consideration.



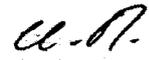


**МІНІСТЭРСТВА  
ЗАМЕЖНЫХ СПРАЎ  
РЭСПУБЛІКІ БЕЛАРУСЬ**

№ 15-26/21697

Министерство Иностранных Дел Республики Беларусь свидетельствует свое уважение Посольству Соединенных Штатов Америки в Республике Беларусь и, ссылаясь на ноту Посольства № 117 от 5 июля 2010 года, подтверждает согласие с положениями относительно оказания технической помощи Правительством США при вывозе и обмене ядерного топлива, изложенными в указанной ноте Посольства.

Министерство пользуется настоящим случаем, чтобы возобновить Посольству уверения в своем самом высоком уважении.

  
Минск, 1 октября 2010 года

Посольству Соединенных Штатов  
Аmericи в Республике Беларусь

Минск



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TRANSLATION

[seal]

Ministry of Foreign Affairs of the  
Republic of Belarus

No. 15-26/21697 [number handwritten]

The Ministry of Foreign Affairs of the Republic of Belarus presents its compliments to the Embassy of the United States of America in the Republic of Belarus and, referring to Embassy note No. 117 dated July 5, 2010, confirms its agreement with the provisions that pertain to the rendering of technical assistance by the U.S. Government in the export and exchange of nuclear fuel set forth in the Embassy's aforementioned note.

The Ministry avails itself of this opportunity to renew to the Embassy the assurances of its highest consideration.

I. P. [handwritten]

Minsk, October 1, 2010

[MFA stamp]

Embassy of the United States of America  
in the Republic of Belarus,  
Minsk.