

RA Government Decree №1597 as of 21 October 2004 on fulfillment of obligations undertaken under the Protocol Additional to the Agreement between the Republic Armenia and the International Atomic Energy Agency for "The Application of Safeguards in connection with Treaty on the Non-Proliferation of Nuclear Weapons"

Following the articles 5 and 39-42 of the Law of the Republic of Armenia (RA) on International Treaties of the RA with the purpose to ensure fulfillment of obligations undertaken by the RA under the Protocol Additional to the Agreement between the Republic Armenia and the International Atomic Energy Agency for "The Application of Safeguards in connection with Treaty on the Non-Proliferation of Nuclear Weapons signed on 27 September 1997, the Government of the RA decrees the following:

1. The Ministry for Nature Protection of the RA shall be designated as the state authority responsible for coordination and fulfillment of obligations of the RA undertaken under Protocol Additional to the Agreement between the Republic Armenia and the International Atomic Energy Agency for "The Application of Safeguards in connection with Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as the additional protocol).

2. The minister for nature protection of the RA, by 10 December 2004, shall establish a register with data and information identified in the additional protocol. The register shall include the following information:

- a) Information on the locations of nuclear fuel cycle-related research and development activities not involving nuclear material that are funded, authorized, controlled or carried out on behalf of the RA;
- b) Information on operational activities of safeguards relevance at facilities and locations outside facilities where nuclear material is customarily used;
- c) Description of each building on each site including its use, and if not apparent from that description, its contents together with the site map;
- d) Description of the scale of operations for each location engaged in the activities specified in the Annex 1 to the additional protocol;
- e) Information specifying the location, operational status and the estimated annual production capacity of uranium mines, concentration plants and thorium concentration plants, and the current annual production of such mines and concentration plants;
- f) Information regarding source material that has not reached the composition and purity suitable for fuel fabrication and for being isotopically enriched, including:
  - quantities, the chemical composition, the use or intended use of such material, whether in nuclear or non-nuclear use for each location in the RA, at which the material is present in quantities exceeding ten metric tons of uranium and/or twenty metric tons of thorium and for other locations with quantities of more than one metric ton, the aggregate for the RA as a whole, if the aggregate exceeds ten metric tons of uranium or twenty metric tons of thorium;

The quantities, chemical composition and the destination of each export of uranium or thorium from the RA for specifically non-nuclear purposes and in quantities exceeding:

- for uranium – ten metric tons of uranium or for successive export of uranium from the RA to the same state, each of less than ten metric tons, but exceeding a total of ten metric tons for the year;
- for thorium – twenty metric tons of thorium or for successive export of thorium from the RA to the same state, each of less than twenty metric tons, but exceeding a total of twenty metric tons for the year.

The quantities, chemical composition, current location and use or intended use of each import into the RA of such material for specifically non-nuclear purposes in quantities exceeding:

- for uranium – ten metric tons of uranium or for successive imports of uranium into the RA each of less than ten metric tons, but exceeding a total of ten metric tons for the year;
  - for thorium – twenty metric tons of thorium or for successive imports of thorium into the RA each of less than twenty metric tons, but exceeding a total of twenty metric tons for the year.
- g) Information regarding the quantities, uses and locations of nuclear material exempted from safeguards pursuant to the Article 36, including:
- information regarding the quantities (which may be in the form of estimates) and uses at each location of nuclear material excepted from safeguards pursuant to the Article 35b, but not yet in a non-nuclear end-use form in quantities exceeding those set in the Article 36
- h) information regarding the location and further processing of intermediate or high-level waste containing plutonium, high enriched uranium or uranium-233 on which safeguards have been terminated pursuant to article 11.

For the purpose of this paragraph “further processing” does not include repackaging of the waste or its further conditioning not involving the separation of elements for storage or disposal.

- i) For each export out of the RA of equipment and non-nuclear material specified in the Annex 2 of the additional protocol: the identity, quantity, location of intended use in the recipient state and date or, as appropriate, expected date of export;
- j) For each import to the RA of equipment and non-nuclear material specified in the Annex 2 of the additional protocol: the identity, quantity, location of intended use in the RA and date or, as appropriate, expected date of import;
- k) general plans for the succeeding ten years period to the development of the nuclear fuel cycle in approved in the RA (including planned nuclear fuel cycle related research and development activities)
- l) A general description of and information specifying the location of nuclear fuel cycle related research and development activities not involving nuclear material which are specifically related to the enrichment, reprocessing of intermediate or high-level waste containing plutonium, high enriched uranium or uranium-233 that are carried out anywhere in the RA, but which are not funded, authorized, controlled or carried out on behalf of the RA. For the purpose of this paragraph, “processing” of intermediate or high-level waste does not include repackaging of the waste or its further conditioning not involving the separation of elements for storage or disposal
- m) A general description of activities and the identity of the person or entity carrying out such activities at locations outside a site that might be functionally related to the activities of that site.

3. The following terms are used for the purpose of this decree:

- a) *nuclear fuel cycle related research and development activities* means those activities which are specifically related to any process or system development aspect of any of the following:
- conversion of nuclear material,
  - enrichment of nuclear material,
  - nuclear fuel fabrication,
  - reactors,
  - critical facilities,

- reprocessing of nuclear fuel,
- processing (not including repackaging or conditioning not involving the separation of elements, for storage and disposal) of intermediate or high level waste containing plutonium, high enriched uranium or uranium-233.

but do not include activities related to theoretical or basic scientific research or to research and development on industrial radioisotope applications, medical, hydrological and agricultural applications, health and environmental effects and improved maintenance.

- b) *Site* means area determined by the RA in the relevant design information for a facility, including a closed-down facility and in the relevant information on a location outside facilities where nuclear material is customarily used (this is limited to locations with hot cells or where activities related to conversion, enrichment, fuel fabrication or reprocessing were carried out).

Site includes also all installations, colocated with the facility or location, for the provision or use of essential services, including hot cells for processing irradiated materials not containing nuclear material, installations for the treatment, storage and disposal of waste, and buildings associated with specified items identified in the Annex 1 of the additional protocol.

- c) *Decommissioned or decommissioned location outside facilities* means an installation or location at which residual structures and equipment essential for its use have been removed or rendered inoperable so that it is not used to store and can no longer be used to handle, process or utilize nuclear material
- d) *Closed-down facility or closed-down location outside facilities* means an installation or location where operations have been stopped and the nuclear material removed but which has not been decommissioned,
- e) *High enriched uranium* means uranium containing 20 percent or more of the isotope uranium-235
- f) *Nuclear material* means any source or any special fissionable material as defined in Article XX of the Statute. The term "source material" shall not be interpreted as applying to ore or ore residue.
- g) *Facility* means reactor, a critical facility, a conversion plant, a fabrication plant, an isotope separation plant or a separate storage installation or any location where nuclear material in amounts greater than one effective kilogram is customarily used.
- h) *Location outside facility* means any installation or location, which is not a facility, where nuclear material is customarily used in amounts of one effective kilogram or less.

4. The minister for nature protection:

- a) Shall develop and provide the authorities specified in the point 5 of this decree with the inquiry form for information to be declared pursuant to the annexes of the additional protocol;
- b) Shall record updates in the information provided pursuant to the point 2 of this decree in the information and data register;
- c) Shall provide necessary information, explanations and clarifications to the designated responsible persons identified in the point 5 c of this decree with the purpose to fulfill appropriately the assigned responsibilities;
- d) Shall provide declarations identified in the additional protocol to the ministry of foreign affairs of the RA, by 20 December 2004, for further submission to the IAEA through the diplomatic channels;

- e) At least in 15 days prior to the dates identified in the article 3 of the additional protocol shall provide the ministry of foreign affairs of the RA information required pursuant to the additional protocol for further submission to the IAEA through the diplomatic channels.

5. The ministers of the RA and heads of authorities under the government of the RA regarding the parts within their jurisdictions shall make relevant inquiries to managers of state-shared joint stock companies, the chairman of the National Academy of Sciences of the RA, mayors of the RA (Mayor of Yerevan) with the request:

- a) To provide the ministry of nature protection of RA, by 1 December 2004, with information in format and content meeting the requirements to identified in the point 4a of this decree;
- b) From 1 January 2005 in case of updates of information referred to in the point 2 of this decree to notify the minister of nature protection of the RA about the changes within 15 days-period;
- c) Within 15-days period to designate a person responsible for collection, coordination of information referred to in the subpoint "a" and submission of updates referred to in the subpoint "b" to the minister for nature protection (who when necessary will promptly contact the ministry for nature protection) and notify the ministry for nature protection of the RA about the designated person.

6. The minister for foreign affairs of the RA:

- a) Shall submit the declarations and information, identified in the additional protocol and provided by the ministry for nature protection in the specified periods, to the IAEA;
- b) Upon receiving official notification from the IAEA on an designated safeguards inspector in the order identified in the additional protocol shall agree the designation with the concerned authorities of the RA and not later that within 75 days after receiving the notification shall notify the IAEA about approval or rejection of the designation of inspector;
- c) At the IAEA's request shall provide the designated inspector with 1 year valid multiple visa.

7. The minister of finance and economy shall allocate relevant financial resources to the ministry for nature protection for establishment and maintaining register of information and data required by the additional protocol.

8. This decrees shall enter into force from the day succeeding its official publication.

Prime minister of RA

27 November 2004

A.Margaryan