

**ENERGY CHARTER
SECRETARIAT**

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Brussels, 5-6 April 1995

Related documents: CC 11, CC 20

DECISION OF THE ENERGY CHARTER CONFERENCE

**Subject: Establishment of the Working Group on Nuclear Energy including
Safety: Provisional Terms of Reference**

For Working Group IV (Nuclear), the Conference agreed that Dr Robert Morrison (Canada) should be invited to continue the Chairmanship he had undertaken during the negotiating Conference. The European Community noted that their support for Dr Morrison was based on the assumption that Canada would become a Treaty signatory. Terms of Reference for WG IV were agreed provisionally but would be reviewed by the Working Group at its meeting on 17-18 May, before a final decision was taken at the next meeting of the Conference.

[Attached is the Annex IV to the document CC 11 containing the Provisional Terms of Reference for the Working Group IV.]

Keywords: Provisional Terms of Reference, Working Group IV, Nuclear Energy,
Chairman, Robert Morrison

21 March 1995

D R A F T

TERMS OF REFERENCE
FOR
WORKING GROUP IV
NUCLEAR ENERGY INCLUDING SAFETY

The tasks of the Working Group are:

1. To propose [DL] an agreement, in the form of a binding protocol or a non-binding declaration, which provides for and facilitates cooperation between the signatories of the agreement in the field of nuclear energy, [DL]. Particular emphasis should be given to the objective of achieving and maintaining a high level of nuclear safety.
2. To define the sectors in which nuclear cooperation activities may be initiated, including uranium exploration, nuclear power generation, all fuel cycle aspects, waste disposal, nuclear energy related research, development and demonstration, transport of radioactive materials, emergency response, radiological protection and safety measures in all these fields. It should also specify the different forms which cooperation could take, for example technical assistance, education and training, technology transfer, implementation of vigorous safety measures and standards [DL].
3. To provide, in the agreement, a framework for encouraging industrial cooperation in nuclear power which can benefit through trade liberalisation, and should also facilitate and encourage cooperation between national and international agencies working in this field.
4. To include, in the agreement, provisions ensuring that cooperative activities in the nuclear field take full account of safety needs and, where appropriate, liability questions, environmental protection and rehabilitation issues. It must take account and make full use of all relevant international agreements, conventions and obligations such as the Treaty on the Non-Proliferation of Nuclear Weapons, the Nuclear Supplier Guidelines and IAEA safeguard agreements, and provide for coordination of activities with the international agencies in this field, in order to avoid any duplication of activities. The Working Group must be especially sensitive to developing the agreement so that it does not interfere with or compromise the International Convention on Nuclear Safety.

5. [DL] To take into account the provisions of the Energy Charter and the Energy Charter Treaty and ensure that the provisions of the agreement are consistent with those instruments.
6. To consider whether provisions should be included in the agreement establishing a mechanism for [DL] reviewing the agreement itself from time to time.