



Treaty Series No. 96 (1995)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Republic of Indonesia

concerning the proposed Export of Uranium by
AEA Technology to the Government of the
Republic of Indonesia's BATAN
Nuclear Fuel Element Centre

Jakarta, 5 May 1995 and 21 June 1995

[The Agreement entered into force on 21 June 1995]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
December 1995*

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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA
CONCERNING THE PROPOSED EXPORT OF URANIUM BY
AEA TECHNOLOGY TO THE GOVERNMENT OF THE REPUBLIC OF
INDONESIA'S BATAN NUCLEAR FUEL ELEMENT CENTRE**

No. 1

*Her Majesty's Ambassador at Jakarta to the Minister of Foreign Affairs of
the Republic of Indonesia*

*British Embassy
Jakarta
5 May 1995*

Your Excellency,

I have the honour to refer to the proposed export by AEA Technology to the Government of the Republic of Indonesia's BATAN nuclear fuel element centre of 42 Kgs of uranium in the form of U308 powder containing the equivalent of 19.75% (ie 8.40 Kgs) of U235 for the production of nuclear fuel elements.

In this connection I have the further honour to refer to the relevant provisions of the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968¹ as well as the International Atomic Energy Agency (IAEA) document Infcirc/254 and to state that the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the United Kingdom Government") base their control of nuclear exports on these documents.

So that the United Kingdom Government can implement the guidelines set out in the annex to that document (hereinafter referred to as "the guidelines"), I have the honour to propose that the Government of the Republic of Indonesia shall, in respect of the material described above, comply with the following conditions:

- (a) in accordance with paragraphs 1 and 2 of the guidelines, the material and any material derived from it shall be used only for peaceful purposes and shall not be used in any way which would result in any nuclear explosive device;
- (b) in accordance with paragraph 3 of the guidelines, the material, and any material derived from it, shall be placed under effective physical protection in accordance with the protection characteristics set out in Annex B to the guidelines, the implementation of those measures of physical protection being the responsibility of the Government of the Republic of Indonesia;
- (c) in accordance with paragraph 4 of the guidelines, IAEA safeguards shall apply to the material and any material derived from it; and
- (d) in accordance with paragraph 10 of the guidelines, the Government of the Republic of Indonesia shall not retransfer this material, or any materials which may be derived from it and which are identified in the trigger list in part A of the Annex to the guidelines, to any third party unless the recipient of the transfer shall first have provided the Government of the Republic of Indonesia with the same assurances as those required by the United Kingdom Government for the transfer of this material and the Government of the Republic of Indonesia is satisfied as to the bona fides of such third party.

The principle of the implementation of safeguards for the material which it is proposed to export from the United Kingdom to the Republic of Indonesia having been accepted, and in order that this implementation may be effective, the United

¹Treaty Series No. 88 (1970) Cmnd. 4474.

Kingdom Government shall confirm officially to the Government of the Republic of Indonesia the execution of the transfer providing the relevant information as to the quantity and form of the equipment, date of despatch and consignee.

If the foregoing proposals are acceptable to the Government of the Republic of Indonesia I have the honour to propose that this note and your reply in that sense shall constitute an Agreement between our two Governments which shall enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

GRAHAM BURTON

No. 2

*The Director General for Political Affairs of the Department of Foreign Affairs of
the Republic of Indonesia*

*Jakarta
21 June 1995*

Your Excellency,

On behalf of the Minister for Foreign Affairs of the Republic of Indonesia, I have the honour to refer to Your Excellency's Note of 5 May 1995 which reads as follows:

[As in No. 1]

I have the honour to confirm that the foregoing proposals are acceptable to the Government of the Republic of Indonesia and that Your Excellency's Note and this reply shall constitute an Agreement between our two Governments in this matter which shall enter into force on today's date.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

IZHAR IBRAHIM



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