

(Japanese Note)

Tokyo, May 12, 2009

Excellency,

I have the honor to refer to the Agreement between the Government of Japan and the Government of the Russian Federation for Cooperation in the Peaceful Uses of Nuclear Energy, signed at Tokyo today (hereinafter referred to as "the Agreement"), and to confirm on behalf of the Government of Japan the following understanding which has been reached during the negotiations leading to the conclusion of the Agreement:

1. With reference to Article 5 of the Agreement, it is confirmed that, for the effective implementation of the Agreement, the Parties shall exchange annually the then current inventories of nuclear material, material, equipment and technology subject to the Agreement and in the case of the Government of the Russian Federation, nuclear material substituted for such nuclear material through substitution as referred to in sub-paragraph (2) of paragraph 3 below.

2. With reference to Article 5 of the Agreement, it is confirmed that a national system of accounting for and control of nuclear material covering all nuclear material subject to the Agreement has been established and will be maintained in accordance with the legislation of their respective States.

3. It is confirmed that the supplementary measures referred to in paragraph (2) of Article 5 of the Agreement are as follows:

(1) The Government of the Russian Federation shall provide to the Government of Japan annually the list of facilities which are eligible for the application of safeguards by the International Atomic Energy Agency and the list of facilities which are selected by the International Atomic Energy Agency for the application of safeguards.

His Excellency
Mr. Sergey V. Kirienko
Director General
State Atomic Energy
Corporation Rosatom

(2) When nuclear material is to be made subject to the Agreement and is to be located at facilities which are eligible, but not selected by the International Atomic Energy Agency, for the application of safeguards, as specified in Part B of Annex B to the Agreement, the Parties, at the request of either, shall agree in writing, through consultations and before the transfer of such nuclear material, on mutually satisfactory measures including the substitution of nuclear material of the same quantity and equivalent or higher isotopic content in the fissionable isotopes at facilities which the International Atomic Energy Agency has selected for the application of safeguards.

(3) The Government of the Russian Federation shall provide to the Government of Japan and the International Atomic Energy Agency, as mutually arranged, a report by facilities on an annual basis of nuclear material subject to the Agreement and nuclear material substituted for such nuclear material. This report will provide the inventories, shipments and receipts of such nuclear material.

(4) The Parties shall consult, at the request of either, concerning any of the reports provided under subparagraph (3) above, and shall take appropriate measures for resolving any questions concerning such reports.

If the foregoing understanding is acceptable to the Government of the Russian Federation, I have further the honor to suggest that the present Note and Your Excellency's reply to that effect shall be regarded as constituting an agreement between the two Governments in this matter, which shall enter into force at the same time as the Agreement.

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

中曾根弘文
Minister for Foreign Affairs
of Japan

(Russian Note)

Tokyo, May 12, 2009

Excellency,

I have the honor to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows:

“(Japanese Note)”

I have further the honor to confirm on behalf of the Government of the Russian Federation that the foregoing understanding is acceptable and to agree that Your Excellency's Note and this Note shall be regarded as constituting an agreement between the two Governments, which shall enter into force at the same time as the Agreement.

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

С.В.Кириенко
Director General of
the State Atomic Energy
Corporation «Rosatom»

His Excellency
Mr. Hirofumi Nakasone
Minister for Foreign Affairs of Japan