

SWITZERLAND



Treaty Series No. 28 (1990)

Exchange of Notes

between

the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Swiss Confederation concerning Safeguards and Assurances relating to the Transfer of Nuclear Material from the United Kingdom to Switzerland

Berne, 7 and 10 November 1989

[The Exchange of Notes entered into force on 10 November 1989]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
May 1990*

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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
SWISS CONFEDERATION CONCERNING SAFEGUARDS AND ASSURANCES
RELATING TO THE TRANSFER OF NUCLEAR MATERIAL FROM THE
UNITED KINGDOM TO SWITZERLAND**

No. 1

*Her Majesty's Ambassador at Berne to the State Secretary of the Federal Department of
Foreign Affairs of Switzerland*

*British Embassy
Berne
7 November 1989*

NOTE No. 731

Your Excellency,

I have the honour to refer to International Atomic Energy Agency (IAEA) document INFCIRC/254 dated February 1978¹ and to state that the Government of the United Kingdom of Great Britain and Northern Ireland base their nuclear export policies on this document.

2. So that the United Kingdom Government may give effect to the Guidelines set out in the Appendix to that document (and hereinafter referred to as "the Guidelines") I have the honour to propose that the Government of Switzerland shall, in respect of the proposed transfer of 320 kgs. of plutonium dioxide (containing 275 kgs. plutonium) from the United Kingdom to Switzerland, comply with the following conditions:

- (a) that, in compliance with paragraph 2 of the Guidelines, this shipment, being material as defined in Annex A to the Guidelines shall not be used in any way which would result in any nuclear explosive device;
- (b) that, in compliance with paragraph 3 of the Guidelines, this shipment of nuclear material 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 within Switzerland being the responsibility of the Government of Switzerland;
- (c) that, in compliance with paragraph 4 of the Guidelines, IAEA Safeguards shall apply to this shipment of nuclear material, and to its subsequent generations;
- (d) that, in compliance with paragraph 10 of the Guidelines, the Government of Switzerland shall not retransfer this shipment of nuclear material, or transfer any items that may be derived from the material, unless the recipient of the retransfer shall first have provided the Government of Switzerland with the same assurances as those required by the United Kingdom for this transfer, and additionally that Switzerland shall not retransfer either the material comprising the shipment or any weapons-usable material derived from it without the prior consent of the Government of the United Kingdom.

3. If the foregoing proposals are acceptable to the Government of Switzerland, I have the honour to propose that this Note together with 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 and shall expire with the export of the supplied material and any weapons-usable material derived from it to another country in accordance with paragraph 2(d).

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

C. W. LONG

¹ Not published.

No. 2

*The State Secretary of the Federal Department of Foreign Affairs of Switzerland to
Her Majesty's Ambassador at Berne*

*Federal Department of Foreign Affairs
Berne*

10 November 1989

Your Excellency,

I have the honour to acknowledge receipt of your Note number 731 which reads as follows:

[As in No. 1]

In reply, I have the honour to inform you that the foregoing proposals are acceptable to the Government of Switzerland and to confirm that your Note number 731 together with this reply shall constitute an Agreement between our two Governments which shall enter into force on this day's date.

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

KLAUS JACOBI