

ATOMIC ENERGY

Safety

**Agreements Between the
UNITED STATES OF AMERICA
and UKRAINE Extending the
Agreement of October 25, 1993**

Effected by Exchange of Notes at
Kiev July 22, 1998

Effected by Exchange of Notes at
Kiev February 6, May 6 and 8, 2009

and

Agreement Amending and Extending the
Agreement of October 25, 1993

Effected by Exchange of Notes at
Kiev April 5 and 23, 2004



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

UKRAINE

Atomic Energy: Safety

Agreements extending the agreement of October 25, 1993.

Effected by exchange of notes at Kiev July 22, 1998;

Entered into force July 22, 1998.

Effected by exchange of notes at Kiev February 6,

May 6 and 8, 2009;

Entered into force May 7, 2009.

*And agreement amending and extending the
agreement of October 25, 1993.*

Effected by exchange of notes at Kiev

April 5 and 23, 2004;

Entered into force April 23, 2004.

EMBASSY OF THE
UNITED STATES OF AMERICA

July 22, 1998

No. 619/98

Excellency:

I have the honor to refer to the Agreement between the Government of the United States of America and the Government of Ukraine Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993, which in accordance with Article VI of the Agreement will expire on October 25, 1998, and to propose that said Agreement be extended until October 25, 2003.

I have the further honor to propose that this note and your reply constitute an Agreement between the two Governments.

Accept, Excellency, the assurances of my highest consideration.

[/s/ Steven K. Pifer]

His Excellency
Borys Ivanovych Tarasyuk
Minister of Foreign Affairs
of Ukraine



УКРАЇНА

МІНІСТЕРСТВО ЗАКОРДОННИХ СПРАВ

Excellency:

I have the honor to refer to your note of this date, which reads as follows:

“Excellency:

I have the honor to refer to the Agreement between the Government of the United States of America and the Government of Ukraine Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993, which in accordance with Article VI of the Agreement will expire on October 25, 1998, and to propose that said Agreement be extended until October 25, 2003.

I have the further honor to propose that this note and your reply constitute an Agreement between the two Governments.

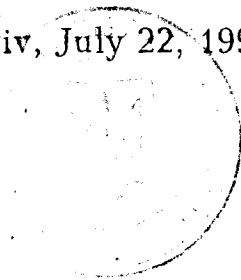
Accept, Excellency, the assurances of my highest consideration.”

I have the further honor to confirm that this proposal is acceptable to the Government of Ukraine.

Accept, Excellency, the assurances of my highest consideration.

Kyiv, July 22, 1998

His Excellency
Steven Pifer
Ambassador Extraordinary
and Plenipotentiary





УКРАЇНА

МІНІСТЕРСТВО ЗАКОРДОННИХ СПРАВ

Ваша Високоповажність,

Я маю честь послатися на Вашу ноту від сьогоднішньої дати такого змісту:

“Ваша Високоповажність,

Я маю честь послатися на Угоду між Урядом Сполучених Штатів Америки та Урядом України щодо підвищення експлуатаційної безпеки, зниження ступеня ризику експлуатації та зміцнення систем регулювання цивільних атомних об’єктів в Україні від 25 жовтня 1993 року, термін дії якої у відповідності зі статтю VI Угоди закінчується 25 жовтня 1998 року, і запропонувати, щоб термін дії згаданої Угоди був продовжений до 25 жовтня 2003 року.

Я також маю честь запропонувати, щоб ця нота і Ваша відповідь становили Угоду між двома Урядами.

Прийміть, Ваша Високоповажність, запевнення у моїй високій повазі.”

Я маю честь підтвердити, що ця пропозиція є прийнятною для Уряду України.

Прийміть, Ваша Високоповажність, запевнення у моїй високій повазі.

Київ, “22” липня 1998 року

Його Високоповажності
Стівену Пайферу
Надзвичайному і
Повноважному Послу

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 277

The Embassy of the United States of America to Ukraine presents its compliments to the Ministry of Foreign Affairs of Ukraine and has the pleasure to inform you that, in lieu of calling the continuation of our nuclear safety relationship an "extension", we concur with the Government of Ukraine's request to call it a "renewal". This diplomatic note should therefore substitute for note No. 8, dated January 9, 2004.

The Embassy of the United States of America to Ukraine proposes, on behalf of the Government of the United States of America, to renew the Agreement between the Government of the United States of America and the Government of Ukraine Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993 (the 1993 Agreement) until October 25, 2008.

The Embassy also proposes to amend Article II and paragraphs 1 and 2 of Article III of the 1993 Agreement to read as follows:

Article II

1. The Parties shall coordinate and review implementation of this Agreement through a Joint Coordinating Committee for Civilian Nuclear Reactor Safety (the "JCCNRS").

2. Meetings will be convened at least once a year, as mutually agreed by the Parties.

Article III

1. Article I ("Taxes and Other Charges"), II ("Status of Personnel"), III ("Inspection and Audit") and IV ("Use of Assistance") of the Cooperation Agreement, shall apply to any assistance provided by the Government of the United States under this Agreement.

2. The Parties, or government ministries and agencies of the Parties, may enter into implementing agreements or arrangements as appropriate to accomplish the objectives set forth in Article I of this Agreement.

If this proposal is acceptable to the Government of Ukraine, it is further proposed that this note, together with the Ministry's affirmative note of reply, shall constitute an agreement amending and renewing the 1993 Agreement, which shall enter into force on the date of the Ministry's reply, with effect from October 25, 2003.

The Embassy has the honor to propose the following text for Ukrainian Reply Note.

The Ministry of Foreign Affairs of Ukraine acknowledges receipt of note No. 277, dated April 5, 2004, from the Embassy of the United States of America regarding the Agreement between the Government of Ukraine and the Government of the United States of America Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993 (the 1993 Agreement). Note 277 reads as follows:

The Embassy of the United States of America to Ukraine presents its compliments to the Ministry of Foreign Affairs of Ukraine and proposes, on behalf of the Government of the United States of America, to renew the Agreement between the United States of America and the Government of Ukraine Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993 (the 1993 Agreement), until October 25, 2008.

The Embassy also proposes to amend Article II and paragraphs 1 and 2 of Article III of the 1993 Agreement to read as follows:

Article II

1. The Parties shall coordinate and review implementation of this Agreement through a Joint

Coordinating Committee for Civilian Nuclear Reactor Safety (the "JCCNRS").

2. Meetings will be convened at least once a year, as mutually agreed by the Parties.

Article III

1. Article I ("Taxes and Other Charges"), II ("Status of Personnel"), III ("Inspection and Audit") and IV ("Use of Assistance") of the Cooperation Agreement, shall apply to any assistance provided by the Government of the United States under this Agreement.

2. The Parties, or government ministries and agencies of the Parties, may enter into implementing agreements or arrangements as appropriate to accomplish the objectives set forth in Article I of this Agreement.

If this proposal is acceptable to the Government of Ukraine, it is further proposed that this note, together with the Ministry's affirmative note of reply, shall constitute an agreement amending and renewing the 1993 Agreement, which shall enter into force on the date of the Ministry's reply, with effect from October 25, 2003.

The Ministry is pleased to accept, on behalf of the Government of Ukraine, the agreement proposed in the Embassy's note, which shall enter into force on

the date of this note, with effect from October 25,
2003.

The Embassy of the United States of America to
Ukraine would like to take this opportunity to renew
to the Ministry of Foreign Affairs of Ukraine the
assurances of its highest consideration.



Embassy of the United States of America

Kyiv, April 5, 2004



МІНІСТЕРСТВО ЗАКОРДОННИХ СПРАВ УКРАЇНИ

№ 51/23-1872

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Embassy of the United States of America to Ukraine and has the honor to acknowledge the receipt of the Embassy's note No. 277, dated April 5, 2004, which reads as follows:

“The Embassy of the United States of America to Ukraine presents its compliments to the Ministry of Foreign Affairs of Ukraine and proposes, on behalf of the Government of the United States of America, to renew the Agreement between the Government of the United States of America and the Government of Ukraine Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993 (the 1993 Agreement) until October 25, 2008.

The Embassy also proposes to amend Article II and paragraphs 1 and 2 of Article III of the 1993 Agreement to read as follows:

Article II

1. The Parties shall coordinate and review implementation of this Agreement through a Joint Coordinating Committee for Civilian Nuclear Reactor Safety (the “JCCNRS”).

2. Meetings will be convened at least once a year, as mutually agreed by the Parties.

Article III

1. Article I (“Taxes and Other Charges”), II (“Status of Personnel”), III (“Inspection and Audit”) and IV (“Use of Assistance”) of the Cooperation Agreement, shall apply to any assistance provided by the Government of the United States under this Agreement.

**THE EMBASSY
OF THE UNITED STATES
OF AMERICA
KYIV**

2. The Parties, or government ministries and agencies of the Parties, may enter into implementing agreements or arrangements as appropriate to accomplish the objectives set forth in Article I of this Agreement.

If this proposal is acceptable to the Government of Ukraine, it is further proposed that this note, together with the Ministry's affirmative note of reply, shall constitute an agreement amending and renewing the 1993 Agreement, which shall enter into force on the date of the Ministry's reply, with effect from October 25, 2003".

The Ministry is pleased to accept, on behalf of the Government of Ukraine, the proposed agreement and agrees that note No. 277, dated April 5, 2004 of the Embassy of the United States of America to Ukraine together with the Ministry of Foreign Affairs of Ukraine affirmative note of reply shall constitute an agreement between the Government of Ukraine and the Government of the United States of America, which shall enter into force on the date of the Ministry's note of reply, with effect from October 25, 2003.

The Ministry of Foreign Affairs of Ukraine avails itself of this opportunity to renew to the Embassy of the United States of America to Ukraine the assurances of its highest consideration.

Київ, April "23", 2004



No. 60

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of Ukraine. The Embassy proposes, on behalf of the Government of the United States of America, to renew the Agreement between the Government of the United States of America and the Government of Ukraine Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993, as amended, extended and renewed (the 1993 Agreement), until October 25, 2013, with effect from October 25, 2008.

If this proposal is acceptable to the Government of Ukraine, it is further proposed that this note, together with the Ministry's affirmative note of reply, shall constitute an agreement between the two governments renewing the 1993 Agreement, which shall enter into force on the date of the Ministry's reply, with effect from October 25, 2008.

The Embassy of the United States of America to Ukraine would like to take this opportunity to renew to the Ministry of Foreign Affairs of Ukraine the assurances of its highest consideration.

Embassy of the United States of America
Kyiv, February 6, 2009



DIPLOMATIC NOTE



МІНІСТЕРСТВО ЗАКОРДОННИХ СПРАВ УКРАЇНИ

№ 51/23-137-1363

Міністерство Закордонних Справ України засвідчує свою повагу Посольству Сполучених Штатів Америки в Україні та має честь підтвердити отримання ноти Посольства від 6 лютого 2009 року № 60 такого змісту:

„Посольство Сполучених Штатів Америки в Україні засвідчує свою повагу Міністерству Закордонних Справ України. Від імені Уряду Сполучених Штатів Америки Посольство пропонує поновити дію Угоди між Урядом Сполучених Штатів Америки і Урядом України щодо підвищення експлуатаційної безпеки, зниження ступеня ризику експлуатації та зміцнення систем регулювання цивільних атомних об'єктів в Україні від 25 жовтня 1993 року із змінами, дію якої було поновлено (Угода 1993 р.), на період з 25 жовтня 2008 року до 25 жовтня 2013 року.

Якщо ця пропозиція є прийнятною для Уряду України, пропонується вважати цю ноту разом із позитивною відповідноюнотою Міністерства Закордонних Справ України міжурядовою Угодою про поновлення дії Угоди 1993 року, яка набере чинності з дати отримання відповідної ноти МЗС України, а її дія поширюватиметься на період з 25 жовтня 2008 року.

Посольство Сполучених Штатів Америки в Україні користується цією нагодою, щоб поновити Міністерству

**Посольство Сполучених Штатів
Америци в Україні
м. Київ**

Закордонних Справ України запевнення у своїй вельми високій повазі.

Посольство Сполучених Штатів Америки

Київ, 6 лютого 2009 року”

Від імені Уряду України Міністерство Закордонних Справ України має честь прийняти зазначену пропозицію та погоджується з тим, щоб ця нота та нота Посольства від 6 лютого 2009 року № 60 становили Угоду між Урядом України та Урядом Сполучених Штатів Америки про поновлення дії Угоди між Урядом України і Урядом Сполучених Штатів Америки щодо підвищення експлуатаційної безпеки, зниження ступеня ризику експлуатації та зміцнення систем регулювання цивільних атомних об'єктів в Україні від 25 жовтня 1993 року, яка охоплюватиме період з 25 жовтня 2008 року до 25 жовтня 2013 року.

Міністерство Закордонних Справ України буде вдячне Посольству за повідомлення про дату отримання цієї ноти, яка вважатиметься датою набрання чинності Угодою між Урядом України та Урядом Сполучених Штатів Америки про поновлення дії Угоди між Урядом України і Урядом Сполучених Штатів Америки щодо підвищення експлуатаційної безпеки, зниження ступеня ризику експлуатації та зміцнення систем регулювання цивільних атомних об'єктів в Україні від 25 жовтня 1993 року.

Міністерство Закордонних Справ України користується нагодою, щоб поновити Посольству Сполучених Штатів Америки в Україні запевнення у своїй високій повазі.

Київ, 6 лютого 2009 року



Unofficial Translation

Ministry of Foreign Affairs of Ukraine

No. 51/23-197-1363

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Embassy of the United States of America and has an honor to confirm the receipt of the Embassy Diplomatic Note No. 60 dated February 6, 2009 with the following content:

“The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of Ukraine. The Embassy proposes, on behalf of the Government of the United States of America, to renew the Agreement between the Government of the United States of America and the Government of Ukraine Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993, as amended, extended and renewed (the 1993 Agreement), until October 25, 2103, with effect from October 25, 2008.

If this proposal is acceptable to the Government of Ukraine, it is further proposed that this note, together with the Ministry's affirmative note of reply, shall constitute an agreement between the two governments renewing the 1993 Agreement, which shall enter into force on the date of the Ministry's reply, with effect from October 25, 2008.

The Embassy of the United States of America to Ukraine would like to take this opportunity to renew to the Ministry of Foreign Affairs of Ukraine the assurances of its highest consideration.

Embassy of the United States of America

Kyiv. February 6, 2009”

On behalf of the Government of Ukraine the Ministry of Foreign Affairs has an honor to accept the proposal and agrees that this Diplomatic Note and Embassy Diplomatic Note No. 60 dated February 6, 2009 constitute an Agreement between the Government of Ukraine and the Government of the United States of America to renew the Agreement between the Government of the United States of America and the Government of Ukraine Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993, with effect from October 25, 2008 until October 25, 2013.

The Ministry of Foreign Affairs of Ukraine would appreciate it if the Embassy informs of the date of receipt of this Diplomatic Note which will be considered the date of entrance into force of the Agreement between the Government of the United States of America and the Government of Ukraine Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993.

The Ministry of Foreign Affairs of Ukraine would like to take this opportunity to renew to the Embassy of the United States of America to Ukraine the assurances of its highest consideration.

**Embassy of the United States of America to Ukraine
Kyiv**

Kyiv, May 6, 2009

No. 246

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of Ukraine and informs that the Ministry's note No. 51/23-197-1363 dated 6 May 2009 was received by the Embassy on May 7, 2009.

The Embassy accepts the Ministry's proposal to consider that date of receipt as the date of entry into force of the agreement between the two governments renewing the Agreement between the Government of the United States of America and the Government of Ukraine Concerning Operational Safety Enhancements, Risk Reduction Measures, and Nuclear Safety Regulation for Civilian Nuclear Facilities in Ukraine signed October 25, 1993, as amended, extended and renewed, with effect from October 25, 2008.

The Embassy of the United States of America to Ukraine would like to take this opportunity to renew to the Ministry of Foreign Affairs of Ukraine the assurances of its highest consideration.

Embassy of the United States of America
Kyiv, May 8, 2009



DIPLOMATIC NOTE