

## AGREEMENT

### establishing an International Science and Technology Centre

THE UNITED STATES OF AMERICA, JAPAN, THE RUSSIAN FEDERATION, and, acting as one party, the EUROPEAN ATOMIC ENERGY COMMUNITY and EUROPEAN ECONOMIC COMMUNITY:

REAFFIRMING the need to prevent the proliferation of technologies and expertise related to weapons of mass destruction, nuclear, chemical, and biological weapons;

TAKING NOTE of the present critical period in the states of the Commonwealth of Independent States (hereinafter referred to as 'CIS') and Georgia, a period that includes the transition to a market economy, the developing process of disarmament, and the conversion of industrial-technical potential from military to peaceful endeavours;

RECOGNIZING, in this context, the need to create an International Science and Technology Centre that would minimize incentives to engage in activities that could result in such proliferation, by supporting and assisting the activities for peaceful purposes of weapons scientists and engineers in the Russian Federation and, if interested, in other states of the CIS and Georgia;

RECOGNIZING the need to contribute, through the Centre's projects and activities, to the transition of the states of the CIS and Georgia to market-based economies and to support research and development for peaceful purposes;

DESIRING that Centre projects provide impetus and support to participating scientists and engineers in developing long-term career opportunities, which will strengthen the scientific research and development capacity of the states of the CIS and Georgia; and

REALIZING that the success of the Centre will require strong support from governments, foundations, academic and scientific institutions, and other inter-governmental and non-governmental organizations;

HAVE AGREED AS FOLLOWS:

#### *Article I*

There is hereby established the International Science and Technology Centre (hereinafter referred to as the 'Centre') as an inter-governmental organization. Each Party shall facilitate, in its territory, the activities of the Centre. In order to achieve its objectives, the Centre shall have, in accordance with the laws and regulations of the Parties, the legal capacity to contract, to acquire and dispose of immovable and movable property, and to institute and respond to legal proceedings.

#### *Article II*

A. The Centre shall develop, approve, finance, and monitor science and technology projects for peaceful purposes, which are to be carried out primarily at institutions and facilities located in the Russian Federation and, if interested, in other states of the CIS and Georgia.

B. The objectives of the Centre shall be:

- (i) to give weapons scientists and engineers, particularly those who possess knowledge and skills related to

weapons of mass destruction or missile delivery systems, in the Russian Federation and, if interested, in other states of the CIS and Georgia, opportunities to redirect their talents to peaceful activities; and

- (ii) to contribute thereby through its projects and activities: to the solution of national or international technical problems; and to the wider goals of reinforcing the transition to market-based economies responsive to civil needs, of supporting basic and applied research and technology development, *inter alia*, in the fields of environmental protection, energy production, and nuclear safety, and of promoting the further integration of scientists of the states of the CIS and Georgia into the international scientific community.

#### *Article III*

In order to achieve its objectives, the Centre is authorized to:

- (i) promote and support, by use of funds or otherwise, science and technology projects in accordance with Article II of this Agreement;

- (ii) monitor and audit Centre projects in accordance with Article VIII of this Agreement;
- (iii) establish appropriate forms of cooperation with governments, inter-governmental organizations, non-governmental organizations (which shall, for the purposes of this Agreement, include the private sector), and programs;
- (iv) receive funds or donations from governments, inter-governmental organizations, and non-governmental organizations;
- (v) establish branch offices as appropriate in interested states of the CIS and Georgia; and
- (vi) engage in other activities as may be agreed upon by all the Parties.

#### *Article IV*

A. The Centre shall have a Governing Board and a Secretariat, consisting of an Executive Director, Deputy Executive Directors, and such other staff as may be necessary, in accordance with the Statute of the Centre.

B. The Governing Board shall be responsible for:

- (i) determining the Centre's policy and its own rules of procedure;
- (ii) providing overall guidance and direction to the Secretariat;
- (iii) approving the Centre's operating budget;
- (iv) governing the financial and other affairs of the Centre, including approving procedures for the preparation of the Centre's budget, drawing up of accounts, and auditing thereof;
- (v) formulating general criteria and priorities for the approval of projects;
- (vi) approving projects in accordance with Article VI;
- (vii) adopting the Statute and other implementing arrangements as necessary; and
- (viii) other functions assigned to it by this Agreement or necessary for the implementation of this Agreement.

Decisions of the Governing Board shall be by consensus of all Parties on the Board, subject to the conditions and terms determined pursuant to Article V, except as provided otherwise in this Agreement.

C. Each of the four Signatory Parties shall be represented by a single vote on the Governing Board. Each shall appoint no more than two representatives to the Governing Board within seven (7) days after entry into force of this Agreement.

D. The Parties shall establish a Scientific Advisory Committee, made up of representatives to be nominated by the Parties, to give to the Board expert scientific and other necessary professional advice within forty-five (45) days of every project proposal's submission to the Centre; to advise the Board on the fields of research to be encouraged; and to provide any other advice that may be required by the Board.

E. The Governing Board shall adopt a Statute in implementation of this Agreement. The Statute shall establish:

- (i) the structure of the Secretariat;
- (ii) the process for selecting, developing, approving financing, carrying out and monitoring projects;
- (iii) procedures for the preparation of the Centre's budget, drawing up of accounts and auditing thereof;
- (iv) appropriate guidelines on intellectual property rights resulting from Centre projects and on the dissemination of project results;
- (v) procedures governing the participation of governments, inter-governmental organizations, and non-governmental organizations in Centre projects;
- (vi) personnel policies; and
- (vii) other arrangements necessary for the implementation of this Agreement.

#### *Article V*

The Governing Board shall have the discretion and exclusive power to expand its membership to include representatives appointed by Parties that accede to this Agreement, on such conditions and terms as the Board may determine. Parties not represented on the Governing Board and inter-governmental and non-governmental organizations may be invited to participate in Board deliberations, in a non-voting capacity.

#### *Article VI*

Each project submitted for approval by the Governing Board shall be accompanied by the written concurrence of the state or states in which the work is to be carried out. In addition to the prior agreement of that state or