

NOTING the co-operation that has been achieved between the Parties on the basis of the *Agreement between the Government of Canada and the Government of the Socialist Republic of Romania for Co-operation in the Development and Application of Atomic Energy for Peaceful Purposes*, done at Ottawa on 24 October 1977 and the *Exchange of Notes between the Government of Canada and the Government of the Socialist Republic of Romania constituting an Agreement Amending their Agreement for Co-operation in the Development and Application of Atomic Energy for Peaceful Purposes done at Ottawa on October 24, 1977*, done at Bucharest on 12 October 1994 (the "Agreement");

TAKING INTO ACCOUNT that Romania is a Member State of the European Union and of the European Atomic Energy Community ("EURATOM") and is party to the *Treaty on European Union*, done at Maastricht on 7 February 1992 (the "TEU"), the *Treaty on the Functioning of the European Union*, done at Rome on 25 March 1957 (the "TFEU"), and the *Treaty establishing the European Atomic Energy Community*, done at Rome on 25 March 1957 (the "EURATOM Treaty");

RECOGNIZING that the *Agreement between the Government of Canada and the European Atomic Energy Community (EURATOM) for Cooperation in the Peaceful Uses of Atomic Energy*, done at Brussels on 6 October 1959 and its subsequent amendments by way of Exchange of Notes, done on 1959, 1978, 1981, 1985, and 1991 (the "Canada-EURATOM NCA"), is applicable to Romania upon its accession to the European Union on 1 January 2007;

RECOGNIZING that the peaceful uses of technology and tritium, tritium-related equipment and tritium-related technology for use in relation to the safe operations of the pressurized heavy water reactors or tritium removal facilities do not come within the purview of the Canada-EURATOM NCA;

RECOGNIZING that both Parties are Member States of the International Atomic Energy Agency (the "IAEA");

RECOGNIZING that Canada and Romania are both non-nuclear-weapon States Parties to the *Treaty on the Non-Proliferation of Nuclear Weapons*, done at London, Moscow and Washington, on 1 July 1968 (the "NPT") and, as such, have undertaken not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices and that each Party has concluded an agreement with the IAEA for the application of safeguards in connection with the NPT;

UNDERLINING further that the Parties to the NPT have undertaken to facilitate, and have the right to participate in, the fullest possible exchange of nuclear material, material, equipment and scientific and technological information for the peaceful uses of nuclear energy and that the Parties to the NPT that are in a position to do so may also co-operate in contributing together with other States to further develop the applications of nuclear energy for peaceful uses;