

I have therefore the honour to propose that the Agreement be completed by the following provisions:

1. Tritium and tritium-related equipment transferred from Canada to Euratom, whether directly or indirectly, for use in the Fusion Programme and tritium produced or processed with such equipment (all such tritium and tritium-related equipment being hereinafter referred to as "tritium items") shall be subject to the Agreement. Accordingly, in particular, such tritium items:
  - (a) shall not be used for the manufacture of any nuclear weapon or for other military uses of nuclear energy or for the manufacture of any other nuclear explosive device; and
  - (b) shall not be re-transferred beyond the territories in which the Euratom Treaty is applied, except as provided for in paragraph 4 of this exchange of letters, without the prior written consent of the Government of Canada.
2. Unless the prior written consent of the Government of Canada is obtained for another use, tritium items subject to the Agreement shall only be used in the Fusion Programme.
3. With reference to the undertakings made in Article IX of the Agreement and paragraph c of the Exchange of Letters of 16 January 1978, Euratom shall apply to tritium items appropriate recording, accounting and inventory procedures. These procedures shall be regularly reviewed by the Joint Technical Working Group (JTWG), and, at the request of either Contracting Party, shall be subject to consultations in accordance with Article XIII of the Agreement.
4. (a) Paragraph 2 of the Exchange of Letters of 21 June 1985 shall apply to re-transfers of tritium items, for use in connection with the Fusion Programme, to third parties cooperating in or with the Fusion Programme.
  - (b) Pursuant to this exchange of letters, Canada shall identify a third party, in accordance with paragraph 2(a) i) of the Exchange of Letters of 21 June 1985, once it has given Canada appropriate non-proliferation assurances equivalent to those provided by the present exchange of letters.
  - (c) The waiver provided in paragraph 4 of the Exchange of Letters of 21 June 1985 shall be deemed to apply to a tritium item received by Euratom from a third party identified in accordance with (b) above which has identified the tritium item as being subject to an agreement with Canada. For greater certainty, the tritium item so received shall become subject to the Agreement upon receipt.
5. Appropriate measures shall be applied within the Community to prevent unauthorized taking and use of tritium items subject to the Agreement.