

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE KOSOVO AGENCY FOR RADIATION PROTECTION AND NUCLEAR SAFETY
AND
THE UNITED STATES DEPARTMENT OF ENERGY
CONCERNING
PREVENTION OF ILLICIT TRAFFICKING IN NUCLEAR AND
OTHER RADIOACTIVE MATERIAL

The Kosovo Agency for Radiation Protection and Nuclear Safety and the United States Department of Energy (DOE), hereinafter referred to as the “Participants,”

Desiring to cooperate to detect and interdict illicit trafficking in special nuclear and other radioactive material through technical and methodological cooperation, including the installation and improvement of technical systems for the detection and identification of such material at border crossing control points of the Republic of Kosovo;

Have reached the following understanding:

Paragraph I

1. For DOE, this Memorandum of Understanding (Memorandum) is expected to be implemented by the National Nuclear Security Administration (NNSA). For the Kosovo Agency for Radiation Protection and Nuclear Safety, this Memorandum is expected to be implemented by the Kosovo Police. Either Participant may delegate implementation of this Memorandum to other ministries and agencies of that Participant’s Government.
2. NNSA may provide the Kosovo Police technical assistance at no cost in the form of equipment and materials, training of specialists, as well as associated services, as jointly identified by the DOE and the Kosovo Agency for Radiation Protection and Nuclear Safety.
3. As used herein, the term “special nuclear material” means plutonium and uranium enriched in the isotope 233 or 235. “Other radioactive material” includes radioactive substances emitting ionizing radiation and suitable for use in radiological dispersal devices.

4. The Kosovo Police is responsible for the use and maintenance of the equipment provided by NNSA. The Kosovo Police intends to use the equipment and materials it receives, as well as the training and services provided under this Memorandum solely for the purpose of preventing illicit trafficking in special nuclear and other radioactive material.

Paragraph II

1. NNSA's technical assistance may include:
 - a. delivery and installation at border crossing control points in the Republic of Kosovo of equipment for the purpose of detecting special nuclear and other radioactive material adapted for customs control conditions (including checking, setup, and demonstration of equipment);
 - b. delivery of spare parts kits, test equipment, technical and user documentation, and other necessary maintenance equipment to repair the NNSA-supplied equipment;
 - c. training of appropriate Kosovo Police personnel and other personnel in identification of special nuclear material and other radioactive material, and in the proper use and maintenance of equipment provided by NNSA;
 - d. support in maintaining NNSA-provided equipment for a period of three years from installation of the equipment in accordance with the equipment care and maintenance plan to be determined jointly by NNSA and the Kosovo Police;
 - e. additional areas of cooperation as may be determined in writing by NNSA and the Kosovo Police.
2. NNSA and the Kosovo Police may conduct joint technical workshops, consultations, on-site equipment inspections, technical evaluations of the equipment, verification inspections, and acceptance tests of installed equipment and materials. Joint working groups of technical experts may be formed to exchange technical information about the operation of the equipment and develop proposals on technical and training matters relating to effective implementation of this Memorandum.
3. The Kosovo Police intends to coordinate with appropriate ministries, agencies, and organizations of the Government of the Republic of Kosovo to ensure that equipment and materials provided under this Memorandum are afforded priority processing to allow prompt engineering approvals and deliveries to their ultimate destinations within the Republic of Kosovo.
4. The terms and conditions under which assistance may be provided under this Memorandum are intended to be set forth in contracts or other written arrangements between NNSA and the Kosovo Police or other designated implementing agents.

Paragraph III

The Kosovo Police intends to furnish NNSA in a format and according to a schedule to be determined by NNSA and the Kosovo Police, with information on any detections or seizures of illicitly trafficked special nuclear material and other radioactive material made as a result of use of the equipment and materials supplied under this Memorandum. Lawful shipments of special nuclear material and other radioactive material are not to be included in this information reporting.

Paragraph IV

Without the prior written consent by DOE, the Kosovo Police should not transfer title to, or possession of, the equipment provided by NNSA in furtherance of this Memorandum other than to other ministries and agencies of the Government of the Republic of Kosovo, to which the Government of the Republic of Kosovo has delegated responsibilities for implementation of this Memorandum.

Paragraph V

Equipment, materials, activities, and training services provided under this Memorandum should be free of any customs and excise duties, or other taxes.

Paragraph VI

Each Participant intends to implement this Memorandum consistently with its laws and regulations and with the international agreements to which its Government is a party.

Paragraph VII

Cooperation under this Memorandum is subject to the availability of funds allocated for this purpose, personnel, and other resources from the appropriate governmental authorities.

Paragraph VIII

All questions and/or disputes that arise in regard to the interpretation or application of this Memorandum are expected to be resolved through consultations between the Participants.

Paragraph IX

1. Cooperation under this Memorandum may commence upon signature.
2. This Memorandum may be modified by mutual consent of the Participants in writing.

3. Either Participant may discontinue cooperation under this Memorandum at any time, but should endeavor to give the other Participant at least three months' notice in writing of its intention to do so.

Signed in duplicate, in the English language, each text being equally official.

At, Prishtinë

At, Washington, D.C.

On the 25 day of May.

On the 28 day of April

FOR THE KOSOVO AGENCY FOR
RADIATION PROTECTION
AND NUCLEAR SAFETY:

FOR THE UNITED STATES
DEPARTMENT OF ENERGY:

Burdhan

David Heringer