

PROJECT ANNEX
TO THE IMPLEMENTING AGREEMENT
BETWEEN
THE DEPARTMENT OF ENERGY OF THE UNITED STATES OF AMERICA
AND
THE CZECH ACADEMY OF SCIENCES
FOR SCIENCE AND TECHNOLOGY COOPERATION
IN ENERGY AND RELATED FIELDS
CONCERNING COOPERATION IN THE AREA OF FUSION ENERGY RELATED RESEARCH

The Department of Energy of the United States of America and the Institute of Plasma Physics of the Czech Academy of Sciences (hereinafter referred to as the “Parties” and each, a “Party”):

ACTING pursuant to Article 4 of the Implementing Agreement between the Department of Energy of the United States of America and the Czech Academy of Sciences for Science and Technology Cooperation in Energy and Related Fields (the “Implementing Agreement”) signed at Washington on October 23rd, 2019; and

DESIRING to obtain synergies through exchanging human resources, experiences, skills, capabilities, equipment and through utilization of the Parties’ research facilities for the advancement of science and for future energy generation;

Have agreed as follows:

SECTION 1 OBJECTIVE

The objective of this Project Annex is to promote scientific and technological cooperation between the Parties in fusion energy research and related fields in order to enhance the Parties' capabilities to make positive contributions in these fields for their mutual benefit.

SECTION 2 AREAS OF COOPERATION

Cooperation under this Project Annex may include, but is not limited to, the following areas: Research collaborations involving researchers of the Parties and their participating organizations in implementation of cooperative activities in support of fusion research, including, but not limited to the COMPASS and COMPASS Upgrade facilities at the Institute of Plasma Physics of the Czech Academy of Sciences in Prague, the DIII-D tokamak at General Atomics in San Diego, California, the National Spherical Tokamak Experiment Upgrade at Princeton Plasma Physics Laboratory in Princeton, New Jersey; and other fusion research activities as may be mutually decided upon.

Such cooperative activities may include, but are not limited to, exchange of technical information, data and experience; visits and exchange of personnel; exchange of equipment, materials and instruments; and sharing of costs.

SECTION 3 TASK AGREEMENTS

- 3.1 A Task Agreement shall define the detailed provisions for carrying out specific collaborative tasks, including such matters as task or technical scope, confidential information to be exchanged, intellectual property rights, division of responsibilities, a management plan, organization, total costs, cost sharing, schedule, and periods of performance.
- 3.2 Each Task Agreement shall be subject to approval of the Principal Coordinators identified in Article 5 of the Implementing Agreement.

SECTION 4 MANAGEMENT

- 4.1 A Project Coordinator appointed by the Principal Coordinators shall facilitate and supervise activities under this Project Annex.
- 4.2 The Project Coordinators shall develop their own procedures to fulfill their functions as agreed by the Principal Coordinators.

SECTION 5 EXCHANGE OF PERSONNEL

Each Party may assign its appropriate staff to the other Party to conduct the activities planned under this Project Annex. Such exchanges of personnel shall be in accordance with Article 7 of the Implementing Agreement.

SECTION 6 EXCHANGE OF EQUIPMENT

The Parties may exchange equipment needed for carrying out the collaborative program. Such exchanges of equipment shall be in accordance with Article 8 of the Implementing Agreement.

SECTION 7 INFORMATION USE AND DISCLOSURE

Information use and disclosure under this Project Annex shall be in accordance with Articles 10 and 11 of the Implementing Agreement.

SECTION 8 GENERAL PROVISIONS

- 8.1 This Project Annex is subject to and governed by the Implementing Agreement, which is, in turn, subject to the Agreement between the United States of America and the Czech Republic for Scientific and Technological Cooperation signed at Prague September 6, 2007, as amended and extended (the "S&T Agreement"). In the event of any conflict between the provisions of the S&T Agreement or the Implementing Agreement, on the one hand, and this Project Annex, on the other hand, the provisions of the S&T Agreement and the Implementing Agreement shall govern.
- 8.2 Each Party shall conduct the cooperation contemplated by this Project Annex in accordance with applicable laws and regulations to which it is subject, including those relating to export controls, and international agreements to which its government is party.
- 8.3 Any questions of interpretation, or implementation relating to this Project Annex arising during its term shall be resolved by consultations between the Parties in accordance with Article 13 of the Implementing Agreement.

- 8.4 Any ongoing joint activities, projects, experiments, including Task Agreements for this Project Annex, not completed at expiration or termination of the Implementing Agreement may be continued until their completion in accordance with Article 14 of the Implementing Agreement.

SECTION 9
ENTRY INTO FORCE, AMENDMENT AND TERMINATION

- 9.1 This Project Annex shall enter into force upon signature by the Parties, and remain in force so long as the Implementing Agreement remains in force.
- 9.2 This Project Annex may be amended by mutual written agreement of the Parties, so long as the Implementing Agreement remains in force.
- 9.3 This Project Annex may be terminated at any time by mutual written agreement of the Parties. Alternatively, this Project Annex may be terminated at any time at the discretion of either Party upon sixty (60) days advance notification in writing to the other Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Project Annex.

Done at Washington, this 23rd day of October 2019, in duplicate, in the English language.

FOR THE DEPARTMENT OF ENERGY
OF THE UNITED STATES OF AMERICA:



FOR THE INSTITUTE OF PLASMA PHYSICS OF
THE CZECH ACADEMY
OF SCIENCES:

