

Justice Secretary Jesus Crispin “Boying” C. Remulla, as a member of the Nuclear Energy Program - Inter-Agency Committee (NEP-IAC), has pledged his department’s unwavering support for the Agreement for Cooperation between the Government of the Republic of the Philippines and the Government of the United States of America Concerning Peaceful Uses of Nuclear Energy, commonly known as the 123 Agreement. This agreement was signed on November 16, 2023, in San Francisco, California.

In a detailed three-page legal opinion addressed to the Department of Foreign Affairs (DFA), the Department of Justice (DOJ) confirmed the legality of the 123 Agreement, highlighting its alignment with current laws and adherence to international agreements and policies adopted by the Philippines.

“Given the world’s relentless pursuit of better energy sources, nuclear energy research presents a promising avenue for our country, provided that robust regulations and safety measures are in place,” Secretary Remulla emphasized.

The 123 Agreement encompasses the safe and secure use of nuclear energy for peaceful purposes. It facilitates the exchange of information, nuclear materials, equipment, and components either directly or through authorized entities such as the Philippine Nuclear Research Institute. This institute is tasked with regulating nuclear-related activities as mandated by RA 5207, also known as the Atomic Energy Regulatory and Liability Act of 1968, as amended.

Furthermore, the PH-US Nuclear Energy Agreement explicitly states that its provisions do not conflict with existing Philippine laws or pending nuclear-related legislation in Congress.

The agreement also underscores that any outputs generated under its scope must not be used for nuclear explosive devices, the research or development of nuclear explosive devices, or any military purpose contrary to the national interests of the participating parties.