

H.18 Indemnification (December 2009)

The ITER Organization shall indemnify the Seller, its agents, assigns, and contractors at any tier from any and all claims, damages and losses caused by radiological damages arising from nuclear incidents, events or accidents caused in whole or in part by the use of any deliverable (including, but not limited to, designs, specifications, manuals, parts, or equipment) from any contract for work arising under or pursuant to this Agreement. The acceptance of responsibility by the ITER Organization is in the understanding that if no regulatory solutions can be found to limit these responsibilities before nuclear operations of the ITER facility start, a proper mechanism will be established by the ITER Members whereby compensation or other remedies for nuclear damages can be made by the ITER Organization in the case of a legal liability.

The Company and the Seller acknowledge the ITER Organization has agreed that it shall be the sole party granting this indemnification and all actions to enforce this clause must be presented directly to the ITER Organization and not to the Company.

The Seller shall include this clause in subcontracts hereunder.