

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND and DENMARK
and
INTERNATIONAL ATOMIC ENERGY AGENCY**

Agreement for the application of safeguards in respect of the Agreement between the Government of the United Kingdom and the Government of Denmark concerning co-operation in the promotion and development of the peaceful uses of atomic energy. Signed at Vienna, on 23 June 1965

Official text: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 24 November 1965.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD et DANEMARK
et
AGENCE INTERNATIONALE DE L'ÉNERGIE ATOMIQUE**

Accord relatif à l'application des garanties prévues dans l'Accord de coopération conclu entre le Gouvernement du Royaume-Uni et le Gouvernement danois pour favoriser le développement de l'utilisation de l'énergie atomique à des fins pacifiques. Signé à Vienne, le 23 juin 1965

Texte officiel anglais.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 24 novembre 1965.

No. 7981. AGREEMENT¹ BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY, THE GOVERNMENT OF THE KINGDOM OF DENMARK AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR THE APPLICATION OF SAFEGUARDS IN RESPECT OF THE AGREEMENT BETWEEN THOSE GOVERNMENTS² CONCERNING CO-OPERATION IN THE PROMOTION AND DEVELOPMENT OF THE PEACEFUL USES OF ATOMIC ENERGY. SIGNED AT VIENNA, ON 23 JUNE 1965

Whereas the Government of the Kingdom of Denmark and the Government of the United Kingdom of Great Britain and Northern Ireland have entered into an arrangement² in the field of atomic energy which provides that the materials and facilities made available by the United Kingdom to Denmark pursuant to that arrangement are to be devoted solely to the promotion and development of the peaceful uses of atomic energy ;

Whereas the Agency is prepared to assume the responsibility of administering safeguards in respect of any bilateral or multilateral arrangement in accordance with Article XII of its Statute³ and with its safeguards system set forth in relevant Agency documents ; and

Whereas the two Governments have requested the Agency to administer safeguards in respect of the arrangement between them and the Board of Governors of the Agency has acceded to that request on 17 June 1965 ;

The International Atomic Energy Agency, the Government of the Kingdom of Denmark and the Government of the United Kingdom of Great Britain and Northern Ireland agree as follows :

¹ Came into force on 23 June 1965 upon signature, in accordance with section 31.

² United Nations, *Treaty Series*, Vol. 374, p. 245.

³ United Nations, *Treaty Series*, Vol. 276, p. 3 ; for subsequent actions relating to this Statute see references in Cumulative Indexes Nos. 3 to 5, as well as Annex A in volumes 471, 494 and 522.

PART I

DEFINITIONS

Section 1

For the purposes of this Agreement :

- (a) "Agency" means the International Atomic Energy Agency.
- (b) "Board" means the Board of Governors of the Agency.
- (c) "Co-operation Arrangement" means the arrangement between Denmark and the United Kingdom in the field of atomic energy set forth in the agreement concerning Co-operation in the Promotion and Development of the Peaceful Uses of Atomic Energy concluded by an Exchange of Notes on 20 May 1960.¹
- (d) "Inspectors Document" means the Annex to Agency document GC(V)/INF/39, which was placed in effect by the Board on 29 June 1961.
- (e) "Inventory" means either of the lists of nuclear material and facilities established by the Agency pursuant to Section 14.
- (f) "Nuclear material" means any source or special fissionable material as defined in Article XX of the Agency's Statute.
- (g) "Principal nuclear facility" means a reactor, a plant for processing nuclear material irradiated in a reactor, a plant for separating the isotopes of a nuclear material, a plant for processing or fabricating nuclear material (excepting a mine or ore-processing plant) or a facility or plant of such other type as may be agreed by the Parties from time to time, including associated storage facilities.
- (h) "Safeguards Document" means the Annex to the resolution set forth in Agency document GC(IX)/294, which Annex was provisionally approved by the Board on 25 February 1965.
- (i) "Source material" has the meaning stated in Article XX.3 of the Agency's Statute.
- (j) "Denmark" means the Government of the Kingdom of Denmark.
- (k) "United Kingdom" means the Government of the United Kingdom of Great Britain and Northern Ireland.

PART II

UNDERTAKINGS BY THE GOVERNMENTS AND THE AGENCY

Section 2

Denmark undertakes not to use in such a way as to further any military purpose any nuclear material or facility within its jurisdiction with regard to which the Agency

¹ United Nations, *Treaty Series*, Vol. 374, p. 245.

undertakes to apply safeguards, or which the Agency has exempted from safeguards, or with regard to which the Agency has suspended safeguards, pursuant to this Agreement.

Section 3

The United Kingdom undertakes not to use in such a way as to further any military purpose any nuclear material within its jurisdiction to which the Agency undertakes to apply safeguards, or which the Agency has exempted from safeguards, or with regard to which the Agency has suspended safeguards, pursuant to this Agreement.

Section 4

The Agency undertakes, subject to the provisions of this Agreement, to apply safeguards to nuclear material :

- (a) With regard to which the Agency has accepted a notification made pursuant to Section 8, 9 or 10 (b).
- (b) That is being or has been produced, processed or used during the term of this Agreement in a principal nuclear facility listed in the main part of the Inventory for Denmark.
- (c) That is being or has been produced during the term of this Agreement in or by the use of any nuclear material listed in the main part of the Inventory for Denmark or the United Kingdom.
- (d) That is, within the jurisdiction of Denmark or the United Kingdom, substituted, pursuant to paragraph 25 or 26 (d) of the Safeguards Document, for nuclear material with regard to which safeguards are thereby suspended or terminated.

The Agency shall also apply safeguards with regard to any facility containing or to contain nuclear material to which this Section applies, including any principal nuclear facility listed in the main part of the Inventory for Denmark.

Section 5

The two Governments undertake to facilitate the application of safeguards by the Agency and to co-operate with the Agency and each other to that end.

Section 6

The rights and obligations of Denmark and the United Kingdom arising from paragraphs (1)(d), (1)(e) and (2)(b) of the Co-operation Arrangement shall be suspended in respect of :

- (a) Nuclear material and facilities while they are listed in the Inventories.
- (b) Nuclear material which has been removed from the Inventories by reason of termination of safeguards pursuant to Section 17.

Such suspension shall not apply, in respect of any material or facility with regard to which the Board determines pursuant to Section 22 or otherwise that the Agency is unable to apply safeguards and which consequently is removed from the Inventory for the Government under whose jurisdiction it is located, from the time that the Board so determines until it determines that the Agency is again able to apply safeguards. In such case the Agency may, at the request of the other Government, provide it with information available to the Agency about such material or facility in order to enable that Government to exercise effectively any rights it may have with regard thereto.

Section 7

The two Governments shall promptly notify the Agency of any amendment to the Exchange of Notes referred to in Section 1 (c) and of any notice of termination given with regard thereto.

PART III

NOTIFICATION BY THE GOVERNMENTS

Section 8

The two Governments shall jointly notify the Agency of any transfer of any nuclear material or principal nuclear facility from the jurisdiction of the United Kingdom to that of Denmark under the Co-operation Arrangement. Such notification is to be submitted :

- (a) Within 30 days of the entry into force of this Agreement, if the transfer took place previously, and shall include a statement of :
 - (i) Any burn-up or loss of transferred material ;
 - (ii) Any nuclear material produced, processed or used in a transferred principal nuclear facility or produced in or by the use of any transferred material ;

if such transferred, produced, processed or used material is still within the jurisdiction of Denmark.

- (b) Otherwise normally within two weeks of the transfer to the jurisdiction of Denmark of the material or facility, except that transfers of source material in quantities not exceeding one metric ton may be notified at quarterly intervals ;