

No. 9313

**INTERNATIONAL ATOMIC ENERGY AGENCY,
UNITED STATES OF AMERICA and PAKISTAN**

**Agreement for the transfer of enriched uranium for a
nuclear power reactor in Pakistan. Signed at Vienna,
on 17 June 1968**

Official text: English.

Registered by the International Atomic Energy Agency on 20 November 1968.

**AGENCE INTERNATIONALE
DE L'ÉNERGIE ATOMIQUE,
ÉTATS-UNIS D'AMÉRIQUE et PAKISTAN**

**Contrat pour la cession d'uranium enrichi destiné à un
réacteur de puissance au Pakistan. Signé à Vienne, le
17 juin 1968**

Texte officiel anglais.

Enregistré par l'Agence internationale de l'énergie atomique le 20 novembre 1968.

No. 9313. AGREEMENT¹ BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY, THE GOVERNMENT OF PAKISTAN AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA. SIGNED AT VIENNA, ON 17 JUNE 1968

WHEREAS the Government of Pakistan (hereinafter called "Pakistan"), desiring to set up a project for peaceful purposes consisting of the KANUPP reactor (hereinafter called the "reactor"), has requested the assistance of the International Atomic Energy Agency (hereinafter called the "Agency") in securing the special fissionable material necessary for use in the booster rods of the reactor ;

WHEREAS the Board of Governors of the Agency approved the project on 21 February 1968 ;

WHEREAS the Agency and the Government of the United States of America (hereinafter called the "United States") on 11 May 1959 concluded an Agreement² for Co-operation (hereinafter called the "Co-operation Agreement"), under which the United States undertook to make available to the Agency pursuant to the Statute of the Agency certain quantities of special fissionable material ;

WHEREAS the Agency and Pakistan are this day concluding an agreement for the provision by the Agency of the assistance requested by Pakistan (hereinafter called the "Project Agreement")³, and

WHEREAS Pakistan has made arrangements with a manufacturer in Canada (hereinafter called the "Manufacturer") for the fabrication of enriched uranium into booster rods for the reactor ;

NOW THEREFORE the Agency, Pakistan and the United States Atomic Energy Commission (hereinafter called the "Commission"), acting on behalf of the United States, hereby agree as follows :

¹ Came into force on 17 June 1968 by signature, in accordance with article VI, section 11.

² United Nations, *Treaty Series*, Vol. 339, p. 360.

³ See p. 244 of this volume.

Article I

TRANSFER OF ENRICHED URANIUM

Section 1. Subject to the provisions of the Co-operation Agreement, the Commission shall transfer to the Agency and the Agency shall accept from the Commission approximately 17 kilograms of uranium enriched to approximately 10.5 % by weight in the isotope uranium-235 (hereinafter called the "fuel material"), the precise quantities to be determined pursuant to Section 3 (d).

Section 2. The Agency shall transfer to Pakistan and Pakistan shall accept from the Agency the fuel material.

Section 3. The conditions of the transfer of the fuel material shall be as follows :

(a) In accordance with supply arrangements between the Commission and the Government of Canada, the Commission shall make available to the Manufacturer, at a facility of the Commission designated by it, enriched uranium in the standard form meeting the Commission's specifications as of the date of this Contract for fabrication of the fuel material by the Manufacturer. The enriched uranium shall be made available subject to such terms, charges and licenses as the Commission may require.

(b) Pakistan, acting on behalf of the Agency, shall accept transfer of such material at a port of export mutually agreed upon by the Commission and Pakistan and Pakistan shall sign an appropriate written receipt therefor, whereupon Pakistan shall assume full and complete responsibility for the enriched uranium. Pakistan, acting on behalf of the Agency, shall hold the Commission harmless from any and all liability (including third-party liability) for any cause whatsoever arising out of or resulting from the transport of the enriched uranium to the port of export and shall be responsible to the Commission for loss of or damage to the enriched uranium and for such charges (determined in accordance with established Commission pricing policy) as the Commission may require with respect to the enriched uranium. Nothing in this paragraph shall deprive the Agency, Pakistan, or any other person of any rights under Section 170 of the United States Atomic Energy Act of 1954, as amended.

(c) Title to the enriched uranium shall vest in the Agency at the time it leaves the jurisdiction of the United States of America and shall thereafter immediately and automatically vest in Pakistan.

(d) Upon completion of the fabrication, Pakistan shall cause the Manufacturer to submit to the Agency and to the Commission a written certification of the Manufacturer's determination of the enrichment by weight in the isotope uranium-235, and of the quantity of enriched uranium to be transferred to Pakistan acting on behalf of the Agency. This determination may