

No. 9318

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**INTERNATIONAL ATOMIC ENERGY AGENCY  
and  
MEXICO**

**Agreement for the application of safeguards under the  
Treaty for the Prohibition of nuclear weapons in  
Latin America. Signed at Vienna, on 6 September 1968**

*Official texts: English and Spanish.*

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

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**AGENCE INTERNATIONALE  
DE L'ÉNERGIE ATOMIQUE  
et  
MEXIQUE**

**Accord relatif à l'application de garanties dans le cadre du  
Traité visant l'interdiction des armes nucléaires en  
Amérique latine. Signé à Vienne, le 6 septembre 1968**

*Textes officiels anglais et espagnol.*

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

No. 9318. AGREEMENT<sup>1</sup> BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY AND MEXICO FOR THE APPLICATION OF SAFEGUARDS UNDER THE TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA. SIGNED AT VIENNA, ON 6 SEPTEMBER 1968

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WHEREAS the Agency is authorized by its Statute to apply safeguards at the request of the parties to any bilateral or multilateral agreement, or at the request of a State to any of that State's activities in the field of atomic energy ;

WHEREAS Article 13 of the Treaty<sup>2</sup> for the Prohibition of Nuclear Weapons in Latin America provides that each Party to the Treaty shall negotiate multilateral or bilateral agreements for the application of Agency safeguards to its nuclear activities ;

WHEREAS the Government of the United States of Mexico is a Party to that Treaty and has requested the Agency to apply safeguards, for the purposes of the Treaty, to its nuclear activities ;

WHEREAS the Agency, according to its Statute,<sup>3</sup> in carrying out its functions conducts its activities in accordance with the purposes and principles of the United Nations to promote peace and international co-operation and in conformity with policies of the United Nations furthering the establishment of safeguarded world-wide disarmament and in conformity with any international agreements entered into pursuant to such policies ;

WHEREAS the Board of Governors has acceded to that request on 13 June 1968 ;

NOW THEREFORE, the Agency and the Government hereby agree as follows :

*Part I*

DEFINITIONS

*Section 1.* For the purposes of this Agreement :

(a) " Agency " shall mean the International Atomic Energy Agency ;

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<sup>1</sup> Came into force on 6 September 1968 by signature, in accordance with Part. X, section 30.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 634, p. 281.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 276, p. 3, and Vol. 471, p. 334.

- (b) "Board" shall mean the Board of Governors of the Agency ;
- (c) "Government" shall mean the Government of the United States of Mexico ;
- (d) "Equipment" shall mean equipment which is required to be safeguarded pursuant to an arrangement between the Government and any Export State or any other international arrangement to which the Government is a party ;
- (e) "Export State" shall mean any State or group of States from whose jurisdiction any material, equipment or nuclear facility was or is to be transferred into the jurisdiction of the Government ;
- (f) "Inspectors Document" shall mean the Annex to Agency Document GC(V)/INF/39 ;
- (g) "Inventory" shall mean the list of material, equipment and facilities to be established by the Agency pursuant to Section 11 ;
- (h) "Material" shall mean nuclear material, and other material which is required to be safeguarded pursuant to an arrangement between the Government and an Export State or any other international arrangement to which the Government is a party ;
- (i) "Nuclear material" shall mean any source or special fissionable material as defined in Article XX of the Statute, except source material in the form of ore ;
- (j) "Principal nuclear facility" shall have the meaning stated in paragraph 78 of the Safeguards Document ;
- (k) "Safeguards Document" shall mean Agency Document INFCIRC/66/Rev. 1 and any annexes thereto as might be adopted by the Board ;
- (l) "Statute" shall mean the Statute of the Agency.

## Part II

### UNDERTAKINGS BY THE GOVERNMENT AND THE AGENCY

*Section 2.* The Government undertakes that any material, equipment or nuclear facility required to be notified to the Agency pursuant to this Agreement shall not be used in such a way as to further any military purpose.

*Section 3.* The Agency undertakes to apply its safeguards system to material, equipment and nuclear facilities listed in the Inventory to ensure, as far as the Agency is able, that they will not be used in such a way as to further any military purpose.

*Section 4.* The Government undertakes to facilitate the application of safeguards by the Agency and to co-operate with the Agency and any Export State to that end.

### *Part III*

#### NOTIFICATIONS

*Section 5.* The Government shall notify the Agency of the following :

- (a) Any material, equipment or principal nuclear facility transferred into its jurisdiction ;
- (b) Any principal nuclear facility within its jurisdiction whether completed or under construction ;
- (c) Any nuclear material that is being or has been produced, processed or used in a principal nuclear facility within its jurisdiction ;
- (d) Any other nuclear material which at the date of signature is within its jurisdiction or which thereafter comes into existence within its jurisdiction.

*Section 6.* (a) An initial notification of all such materials, equipment and principal nuclear facilities which are within the jurisdiction of the Government at the date of the entry into force of this Agreement shall be submitted by the Government to the Agency within 30 days, of that date ;

(b) Thereafter the Agency shall be notified by the Government within 30 days after :

- (i) the material, equipment or principal nuclear facility arrives in Mexican territory. Source material in quantities not exceeding one metric ton may be notified at quarterly intervals ;
- (ii) the construction of a principal nuclear facility has started ;
- (c) Nuclear material that has come into existence, or that is being or has been produced, processed or used within a principal nuclear facility shall be notified by the Government by means of reports pursuant to the Safeguards Document.

*Section 7.* Notifications of transfers shall, as far as possible, be made jointly by the Government and the Export State concerned. It is also recognized that an Export State may unilaterally notify the Agency of a transfer, in which case the Agency reserves to itself the right to seek from the Government or the Export State confirmation and other relevant details of the transfer.

*Section 8.* A notification shall specify, to the extent relevant, the nuclear and chemical composition, the physical form, and the quantity of the material or the type and capacity of the equipment or the principal nuclear facility, the date of shipment, the date of receipt, the location, the identity of the consignor and consignee, and any other relevant information.

*Section 9.* The Government shall, and the Export State is expected to inform the Agency as much in advance as possible of the intended transfer of large quantities of material, major equipment or any principal nuclear facility and provide the same information as required by Section 8.

*Section 10.* The Agency shall, within 30 days of its receipt of a notification which meets its requirements, advise the Government that the material, equipment and principal nuclear facilities covered by the notification are listed in the Inventory.

#### *Part IV*

#### INVENTORY

*Section 11.* The Agency shall establish an Inventory in accordance with Section 12. It shall be maintained on the basis of notifications made in conformity with this Agreement, reports received from the Government pursuant to the application of the procedures provided for in Section 18 and any other arrangements made pursuant to this Agreement. The Agency shall send copies of the Inventory to the Government every twelve months and also at any other time specified by the Government in a request communicated to the Agency at least two weeks in advance. The Agency may also inform the Export State concerned on its express request of material, equipment and principal nuclear facilities transferred from that State which are listed in the Inventory.

*Section 12.* The following material, equipment and principal nuclear facilities shall be listed in the indicated parts of the Inventory :

(a) Active Part :

Material, equipment and principal nuclear facilities required to be notified pursuant to Section 5 with the exception of nuclear material exempted from safeguards under paragraph 22 of the Safeguards Document ;

(b) Inactive Part :

(i) Material which is or has been exempted by the Agency from safeguards pursuant to Section 13 or 16, provided that no quanti-