

No. 9533

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

**Agreement for the application of Agency Safeguards in respect  
of the Agreement between those Governments for co-  
operation in the peaceful uses of atomic energy. Signed  
at Vienna on 15 October 1968**

*Authentic text: English.*

*Registered by the International Atomic Energy Agency on 28 April 1969.*

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

**Accord relatif à l'application des garanties de l'Agence dans le  
cadre de l'Accord de coopération conclu entre ces Gou-  
vernements concernant l'utilisation de l'énergie atomique  
à des fins pacifiques. Signé à Vienne le 15 octobre 1968**

*Texte authentique: anglais.*

*Enregistré par l'Agence internationale de l'énergie atomique le 28 avril 1969.*

AGREEMENT<sup>1</sup> BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY, THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR THE APPLICATION OF AGENCY SAFEGUARDS IN RESPECT OF THE AGREEMENT BETWEEN THOSE GOVERNMENTS FOR CO-OPERATION IN THE PEACEFUL USES OF ATOMIC ENERGY

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WHEREAS the Government of Japan (hereinafter referred to as "Japan"), and the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the United Kingdom") signed an Agreement for Co-operation in the Peaceful Uses of Atomic Energy on 16 June 1958<sup>2</sup>, which required that certain items be subjected to a system of safeguards designed to verify that they are used only for peaceful purposes;

WHEREAS the International Atomic Energy Agency (hereinafter referred to as "the Agency"), Japan and the United Kingdom signed on 26 September 1967<sup>3</sup> an Agreement, in accordance with Article III.A.5 of the Statute<sup>4</sup> of the Agency, whereby such safeguards were to be administered by the Agency in accordance with the Agency's safeguards system;

WHEREAS Japan and the United Kingdom signed an Agreement for Co-operation in the Peaceful Uses of Atomic Energy (hereinafter referred to as "the Agreement for Co-operation") which on 15 October 1968 superseded the Agreement of 16 June 1958 referred to above;

WHEREAS certain materials, equipment and facilities are required by the Agreement for Co-operation to be subjected to a system of safeguards to verify that they are used only for peaceful purposes;

WHEREAS Japan and the United Kingdom have recognized in the Agreement for Co-operation the desirability of continuing to make use of the facilities and services of the Agency in the application of its safeguards system and have requested the Agency to enter into an Agreement to this effect; and

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<sup>1</sup> Came into force on 15 October 1968 by signature, in accordance with section 33.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 325, p. 185.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 633, p. 73.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 276, p. 3, and Vol. 471, p. 334.

WHEREAS the Board of Governors of the Agency (hereinafter referred to as "the Board") has acceded to that request on 20 September 1968;

The Agency, Japan and the United Kingdom have agreed as follows :

#### UNDERTAKINGS BY THE GOVERNMENTS AND THE AGENCY

*Section 1.* Japan undertakes that it will use only for peaceful purposes any materials, equipment or facilities required to be listed in the Inventory for Japan.

*Section 2.* The United Kingdom undertakes that it will use only for peaceful purposes any materials, equipment or facilities required to be listed in the Inventory for the United Kingdom.

*Section 3.* The Agency undertakes to apply its safeguards system, in accordance with the provisions of this Agreement, to materials, equipment and facilities while they are listed in either Inventory to ensure as far as it is able that they will be used only for peaceful purposes.

*Section 4.* Japan and the United Kingdom undertake to facilitate the application of such safeguards and to co-operate with the Agency and each other to that end.

*Section 5.* The respective rights and obligations of the two Governments under Articles V and X (5) of the Agreement for Co-operation shall not be regarded as operative :

- (a) In relation to materials, equipment and facilities, while they are listed in the appropriate Inventory; or
- (b) In relation to materials, when safeguards with respect to them have been terminated in accordance with Sections 20 or 21 of this Agreement.

If the Board determines, pursuant to Section 24, that the Agency is unable to apply safeguards to any such material, equipment or facility, it shall be removed from the Inventory for the Government concerned until the Board determines that the Agency is able to apply safeguards to it. In such case, the Agency may at the request of the other Government, provide it with information available to the Agency about such material, equipment or facility in order to enable that Government to exercise effectively any rights it may have thereto.

*Section 6.* The two Governments shall promptly notify the Agency of any amendment to the Agreement for Co-operation and of any notice of termination given with regard to that Agreement.

## APPLICATION OF SAFEGUARDS BY THE AGENCY

*Section 7.* The Agency shall establish and maintain two Inventories in accordance with Sections 8, 9 and 10. The Inventories shall be maintained on the basis of the reports and notifications received from the Governments pursuant to the procedures provided for in Sections 11 to 21 and any other arrangements made pursuant to this Agreement.

*Section 8.* The following shall be listed in the Inventory for Japan :

(a) Part I. Main

- (i) Equipment and facilities transferred to Japan and subject to safeguards under the Agreement for Co-operation;
- (ii) Materials transferred to Japan and subject to safeguards under the Agreement for Co-operation, or nuclear material substituted therefor in accordance with paragraph 25 or 26 (d) of the Safeguards Document;
- (iii) Special fissionable materials produced in Japan in or by the use of any of the materials, equipment or facilities required to be listed in this Part, or any nuclear material substituted therefor in accordance with paragraph 25 or 26 (d) of the Safeguards Document; and
- (iv) Other nuclear materials while they are contained or when they have been improved in any of the materials, equipment or facilities required to be listed under (i), (ii) or (iii) above, or any nuclear materials substituted therefor in accordance with paragraph 25 or 26 (d) of the Safeguards Document.

(b) Part II. Subsidiary

- (i) Any other facility while it incorporates any equipment listed in Part I; and
- (ii) Any other facility while it is containing any material listed in Part I.

(c) Part III. Inactive

Any nuclear material which would normally be listed in Part I, but is not so listed because :

- (i) It has been exempted from safeguards pursuant to Section 19; or
- (ii) Safeguards thereon have been suspended pursuant to Section 19.

*Section 9.* The following shall be listed in the Inventory for the United Kingdom :

(a) Part I. Main

- (i) Equipment and facilities transferred to the United Kingdom and subject to safeguards under the Agreement for Co-operation;

- (ii) Materials transferred to the United Kingdom and subject to safeguards under the Agreement for Co-operation, or nuclear material substituted therefor in accordance with paragraph 25 or 26 (d) of the Safeguards Document;
  - (iii) Special fissionable materials produced in the United Kingdom in or by the use of any of the materials, equipment or facilities required to be listed in this Part, or any nuclear material substituted therefor in accordance with paragraph 25 or 26 (d) of the Safeguards Document; and
  - (iv) Other nuclear materials while they are contained or when they have been improved in any of the materials, equipment or facilities required to be listed under (i), (ii) or (iii) above, or any nuclear materials substituted therefor in accordance with paragraph 25 or 26 (d) of the Safeguards Document.
- (b) Part II. Subsidiary
- (i) Any other facility while it incorporates any equipment listed in Part I; and
  - (ii) Any other facility while it is containing any material listed in Part I.
- (c) Part III. Inactive
- Any nuclear material which would normally be listed in Part I, but is not so listed because :
- (i) It has been exempted from safeguards pursuant to Section 19; or
  - (ii) Safeguards thereon have been suspended pursuant to Section 19.

*Section 10.* Those items, which at the time of termination of the Agreement between the Agency, Japan and the United Kingdom signed on 26 September 1967, are required to be listed in the Inventory established in accordance with the Annex to that Agreement, shall constitute the initial listings in the Inventories referred to in Sections 8 and 9, and the Agency shall accordingly commence the application of its safeguards system under this Agreement from the moment of its entry into force.

*Section 11.* (a) After the Inventories have been established in accordance with Section 10 :

- (i) Japan and the United Kingdom shall jointly notify the Agency of any transfer from one country to the other under the Agreement for Co-operation, of materials, equipment or facilities which are subject to safeguards under that Agreement;
- (ii) Either Japan or the United Kingdom shall individually notify the Agency of any other facilities which are required to be listed in Part II of the appropriate Inventory.