

II

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N° 636

No. 636

**INTERNATIONAL ATOMIC ENERGY AGENCY
and
REPUBLIC OF VIET-NAM**

Agreement for assistance by the Agency to Viet-Nam in connexion with a reactor (with annexes). Signed at Saigon, on 9 September 1967, and at Vienna, on 16 October 1967

Official text: French.

Filed and recorded at the request of the International Atomic Energy Agency on 13 February 1968.

**AGENCE INTERNATIONALE DE L'ÉNERGIE ATOMIQUE
et
RÉPUBLIQUE DU VIET-NAM**

Accord relatif à l'aide de l'Agence au Viet-Nam pour un réacteur (avec annexes). Signé à Saigon, le 9 septembre 1967, et à Vienne, le 16 octobre 1967

Texte officiel français.

Classé et inscrit au répertoire à la demande de l'Agence internationale de l'énergie atomique le 13 février 1968.

[TRANSLATION¹ — TRADUCTION²]

No. 636. AGREEMENT³ BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM FOR ASSISTANCE BY THE AGENCY TO VIET-NAM IN CONNEXION WITH A REACTOR. SIGNED AT SAIGON, ON 9 SEPTEMBER 1967, AND AT VIENNA, ON 16 OCTOBER 1967

WHEREAS the Government of the Republic of Viet-Nam (hereinafter called "Viet-Nam"), desiring to continue a project for research on, and development and practical application of, atomic energy for peaceful purposes, has requested the assistance of the International Atomic Energy Agency (hereinafter called the "Agency") in securing the special fissionable material necessary for this purpose;

WHEREAS the Board of Governors of the Agency approved the project on 16 June 1967;

WHEREAS the Agency and the Government of the United States of America (hereinafter called the "United States") on 11 May 1959⁴ concluded an Agreement for Co-operation (hereinafter called the "Co-operation Agreement"), under which the United States undertook to make available to the Agency pursuant to its Statute certain quantities of special fissionable material; and

WHEREAS the Agency, the United States Atomic Energy Commission, acting on behalf of the United States, and Viet-Nam are this day concluding a contract (hereinafter called the "Supply Agreement")⁵ for the transfer of enriched uranium for the VNR-1 research reactor;

NOW, THEREFORE, the Agency and Viet-Nam hereby agree as follows:

Article I

DEFINITION OF THE PROJECT

Section 1. The project to which this Agreement relates concerns the research reactor VNR-1 (hereinafter called the "reactor") owned and operated by the Vietnamese Atomic Energy Office at the Dalat Nuclear Research Centre.

¹ Translation by the International Atomic Energy Agency.

² Traduction de l'Agence internationale de l'énergie atomique.

³ Came into force on 16 October 1967 by signature, in accordance with article X.

⁴ United Nations, *Treaty Series*, Vol. 339, p. 359.

⁵ See p. 58 of this volume.

Article II

SUPPLY OF SPECIAL FISSIONABLE MATERIAL

Section 2. The Agency hereby allocates to the project described in Article I, and provides to Viet-Nam enriched uranium (hereinafter called the "supplied material") pursuant to the terms of the Supply Agreement, which constitutes an integral part of this Agreement to the extent that it creates rights and obligations between the Agency and Viet-Nam.

Article III

SHIPMENT OF THE SUPPLIED MATERIAL

Section 3. Any part of the supplied material the shipment of which is arranged by Viet-Nam while the material is in its possession shall be entrusted to a licensed public carrier selected by Viet-Nam or shall be accompanied by a responsible person designated by Viet-Nam.

Article IV

AGENCY SAFEGUARDS

Section 4. Viet-Nam undertakes that the reactor and the supplied material, and any special fissionable material produced by their use, as well as any other material or facility while listed in the Inventory established pursuant to Annex A to this Agreement, shall not be used in such a way as to further any military purpose.

Section 5. It is specified that the safeguards rights and responsibilities of the Agency provided for in paragraph A of Article XII of its Statute¹ are relevant to the project and shall be implemented in accordance with Annex A to this Agreement.

Article V

HEALTH AND SAFETY MEASURES

Section 6. The health and safety measures specified in Annex B to this Agreement shall be applied to the project.

Article VI

AGENCY INSPECTORS

Section 7. The provisions set forth in the Annex to Agency document GC(V)/INF/39 (which Annex is hereinafter called the "Inspectors Document") shall apply to Agency inspectors performing functions pursuant to this Agreement. However, paragraph 4 of the Inspectors Document shall not apply with regard to any nuclear

¹ United Nations, *Treaty Series*, Vol. 276, p. 3, and Vol. 471, p. 334.