

II

Treaties and international agreements

filed and recorded

from 1 January 1978 to 11 January 1978

No. 799

Traités et accords internationaux

classés et inscrits au répertoire

du 1^{er} janvier 1978 au 11 janvier 1978

N° 799

No. 799

**INTERNATIONAL ATOMIC ENERGY AGENCY
and
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA**

Agreement for the application of safeguards to the research reactor facility (IRT). Signed at Vienna and at P'yongyang on 20 July 1977

Authentic texts: English and Korean.

Filed and recorded at the request of the International Atomic Energy Agency on 9 January 1978.

**AGENCE INTERNATIONALE DE L'ÉNERGIE
ATOMIQUE
et
RÉPUBLIQUE POPULAIRE DÉMOCRATIQUE
DE CORÉE**

Accord pour l'application de garanties au réacteur de recherche expérimental (IRT). Signé à Vienne et à Pyongyang le 20 juillet 1977

Textes authentiques : anglais et coréen.

Classé et inscrit au répertoire à la demande de l'Agence internationale de l'énergie atomique le 9 janvier 1978.

AGREEMENT¹ BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE GOVERNMENT OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS TO THE RESEARCH REACTOR FACILITY (IRT)

WHEREAS the International Atomic Energy Agency (hereinafter referred to as "the Agency") is authorized by its Statute² to apply safeguards at the request of a State to any of that State's activities in the field of atomic energy;

WHEREAS the Government of the Democratic People's Republic of Korea has requested the Agency to apply its safeguards system with regard to a reactor which the Government of the Democratic People's Republic of Korea has obtained from the Union of Soviet Socialist Republics (hereinafter referred to as "the Soviet Union") and to the nuclear material to be used in that reactor;

WHEREAS the Board of Governors of the Agency (hereinafter referred to as "the Board") has acceded to that request on 16 June 1977;

NOW, THEREFORE, the Agency and the Government of the Democratic People's Republic of Korea hereby agree as follows:

DEFINITIONS

Section 1. For the purpose of this Agreement:

(a) "Effective kilograms" means:

- (a) In the case of plutonium, its weight in kilograms;
- (b) In the case of uranium with an enrichment of 0.01 (1%) and above, its weight in kilograms multiplied by the square of its enrichment;
- (c) In the case of uranium with an enrichment below 0.01 (1%) and above 0.005 (0.5%), its weight in kilograms multiplied by 0.0001; and
- (d) In the case of depleted uranium with an enrichment of 0.005 (0.5%) or below, and in the case of thorium its weight in kilograms multiplied by 0.00005;

(b) "Inspectors Document" shall mean the Annex to Agency document GC(V)/INF/39;

(c) "Nuclear material" shall mean any source or special fissionable material as defined in Article XX of the Statute;

(d) "Nuclear facility" shall mean

- (1) a principal nuclear facility as defined in paragraph 78 of the Safeguards Document, as well as a critical facility or a separate storage installation; or
- (2) any location where nuclear material in amounts greater than one effective kilogram is customarily used;

(e) "Reactor Facility" shall mean the IRT research reactor in the Democratic People's Republic of Korea;

(f) "Safeguards Document" shall mean Agency document INFCIRC/66/Rev. 2.

¹ Came into force on 20 July 1977 by signature, in accordance with section 23.

² United Nations, *Treaty Series*, vol. 276, p. 3, and vol. 471, p. 334.

UNDERTAKINGS BY THE GOVERNMENT OF THE DEMOCRATIC PEOPLE'S REPUBLIC
OF KOREA AND THE AGENCY

Section 2. The Government of the Democratic People's Republic of Korea undertakes that none of the following items shall be used for the manufacture of any nuclear weapon or to further any other military purpose or for the manufacture of any other nuclear explosive device:

- (a) the Reactor Facility;
- (b) nuclear material transferred into the jurisdiction of the Democratic People's Republic of Korea from the Soviet Union for use in the Reactor Facility;
- (c) special fissionable and other nuclear material, including subsequent generations of special fissionable material, which is being or has been produced, processed or used within the jurisdiction of the Democratic People's Republic of Korea in or by the use of the Reactor Facility or any nuclear material referred to in this Section.

Section 3. The Agency undertakes to apply its safeguards system to the items referred to in Section 2 so as to ensure, as far as it is able, that no such item is used for the manufacture of any nuclear weapon or to further any other military purpose or for the manufacture of any other nuclear explosive device.

Section 4. The Government of the Democratic People's Republic of Korea undertakes to facilitate the application of the safeguards provided for in this Agreement and to co-operate with the Agency to that end.

INVENTORY

Section 5. The Agency shall establish and maintain an Inventory which shall be divided into three parts:

(a) Main Part:

- (1) The Reactor Facility;
- (2) Nuclear material transferred into the jurisdiction of the Democratic People's Republic of Korea from the Soviet Union for use in the Reactor Facility;
- (3) Nuclear material which is processed or used in or in connection with the Reactor Facility or any of the nuclear material listed in the Main Part of the Inventory;
- (4) Special fissionable material produced within the jurisdiction of the Democratic People's Republic of Korea in or by the use of the Reactor Facility or any nuclear material listed in the Main Part of the Inventory;
- (5) Nuclear material that has been substituted in accordance with paragraph 25 or 26(d) of the Safeguards Document for any nuclear material listed in (2) to (4) above;

(b) Subsidiary Part:

Any nuclear facility while it processes, contains, uses or fabricates any nuclear material listed in the Main Part of the Inventory;

(c) Inactive Part:

Nuclear material which has been exempted from safeguards and nuclear material with regard to which safeguards have been suspended pursuant to Section 11.

The Agency shall send copies of the Inventory to the Government of the Democratic People's Republic of Korea every twelve months and also at any other times specified